



Global Monitoring

status of action against commercial
sexual exploitation of children

DENMARK



2nd EDITION

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GLOSSARY OF TERMS AND ACRONYMS

- **CIRCAMP:** Operational Strategic Planning for the Police (COSPOL) Internet Related Child Abusive Material Project
- **CMM:** Centre against Human Trafficking
- **CoE:** Council of Europe
- **COSPOL:** Comprehensive, Operational, Strategic Planning for the Police
- **CRC:** Convention on the Rights of the Child
- **CSEC:** Commercial Sexual Exploitation of Children
- **DANIDA:** Danish International Development Assistance
- **DIHR:** Danish Institute for Human rights
- **EEA:** European Economic Area
- **EGCC:** Expert Group for Cooperation on Children at Risk
- **EPCTF:** European Police Chiefs Task Force Federal
- **EU:** European Union
- **FBI:** Bureau of Investigation
- **FRA:** European Union Agency for Fundamental Rights
- **GPI:** Global Peace Index
- **HDI:** Human Development Index
- **ICT:** Information and Communication Technology
- **IOM:** International Organization for Migration
- **IT:** Information Technology
- **MCCY:** Media Council for Children and Youth
- **NCI:** National Centre of Investigation
- **NCMEC:** National Center for Missing and Exploited Children
- **NGO:** Non-Governmental Organisation
- **NITEC:** National IT Crime Investigation Unit
- **NPA:** National Plan of Action
- **OECD:** Organization for Economic Co-operation and Development
- **OPSC:** Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography
- **OSCE:** Organization for Security and Cooperation in Europe
- **SCEP:** Separated Children in Europe Programme
- **SISO:** National Centre for Social Effort against Child Sexual Abuse
- **TIA:** Telecommunications Industry Association
- **UN:** United Nations

FOREWORD

At the First World Congress against Commercial Sexual Exploitation of Children (CSEC) held in Stockholm in 1996, governments from around the world first gave recognition that commercial sexual exploitation of children is a global crime of epidemic proportions. The Stockholm Declaration and Agenda for Action - a strategic framework for actions against CSEC - was adopted by the 122 governments participating in the Congress in order to guide a systematic global response against the sexual exploitation of children.

The outcome document of the First World Congress was soon followed by the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OPSC). Adopted in 2000 as a legally binding treaty of the United Nations, the Optional Protocol (and other relevant international treaties) reaffirms the urgent need for political will and concrete actions from governments to ensure that children in their countries can live free from all forms of commercial sexual exploitation.

In 2001, high-level delegates from 136 governments, local and international non-governmental organisations and children and young people, convened in Yokohama for the Second World Congress to review the achievements and challenges in combating CSEC as well as to identify new priorities needed to bolster and enhance action. Seven

years later, the World Congress III in Rio de Janeiro provided the largest global platform to date for delegates from 137 governments to renew their state's commitment to protect children from commercial sexual exploitation. The Rio Declaration and Call for Action strongly urges all stakeholders, including the private sector, to continue their due diligence in taking the necessary follow-up actions to eliminate CSEC. The Rio Call for Action emphasises the obligation to uphold the rights of the child as identified in existing international human rights and child rights instruments. It also offers a framework for the accountability of all duty-bearers of children's rights, particularly governments, in the fight against sexual exploitation of children and re-affirms the continuing relevance of the Agenda for Action, first agreed to in Stockholm twelve years earlier.

This report, as part of the Second Edition series of country monitoring reports produced by ECPAT International, provides a comprehensive baseline of information on all manifestations of CSEC in the country and an assessment of achievements and challenges in implementing counteractions (including the participation of children and young people themselves) to eliminate CSEC. The report, which follows the framework of the Stockholm Agenda for Action, serves as an instrument for the sharing of information and experiences among various stakeholders and duty-bearers within the country as well as internationally. It also suggests

concrete priority actions urgently needed to proactively advance the national fight against CSEC. Furthermore, this report enables the monitoring of the implementation of international instruments on child rights, related to commercial sexual exploitation that have been ratified by the concerned state.

The production of this report is achieved through extensive collaboration within the ECPAT global network. ECPAT International would like to thank ECPAT member groups in the countries assessed, local and global experts and other

organisations for their invaluable inputs to this report. ECPAT International would also like to express its profound appreciation of all the hard work of its dedicated team from within the Secretariat and for the generous support of its donors that helped make the finalisation of this report possible. The contributions of all involved have greatly strengthened the monitoring of the Agenda for Action and the heightened collaboration needed to fight the new and evolving complex manifestations of commercial sexual exploitation of children.

METHODOLOGY

The Agenda for Action against Commercial Sexual Exploitation of Children provides a detailed framework and categories of actions to be taken by governments in partnership with civil society organizations and other relevant actors for combating commercial sexual crimes against children. Broadly, these actions are focused on: 1) Coordination and Cooperation; 2) Prevention; 3) Protection; 4) Recovery, Rehabilitation and Reintegration; and 5) Child Participation. The Agenda for Action is thus the formal and guiding structure used by governments that have adopted it and committed to work against CSEC. As such, the Agenda for Action is also the main organising framework for reporting on the status of implementation of the Agenda as seen in the World Congress II of 2001, the Mid-Term Review meetings held between 2004 and 2005 and the World Congress III in 2008. It has been used in the same way to structure and guide the research, analysis and preparation of information presented in these reports on the status of implementation of the Agenda in the individual countries.

Preparatory work for this 2nd Edition report involved a review of the literature available on sexual exploitation for each of the countries where ECPAT works. A number of tools were prepared, such as a detailed glossary of CSEC terms, explanatory literature on more difficult themes and concepts and a guide to relevant CSEC-related research tools, to assist researchers in their work and to ensure consistency in the gathering, interpreting

and analysing of information from different sources and parts of the world.

Desktop research has shown a continuing lack of information in the areas of Recovery, Rehabilitation and Reintegration. After extensive efforts to collect information relevant to these areas for each of the countries covered, it was decided that as this information was not consistently available, the reports thus focus only on those areas of the Agenda for Action where verifiable information can be obtained. Thus, the report covers: Coordination and Cooperation; Prevention; Protection and Child and Youth Participation, and where information on recovery, rehabilitation and reintegration, was available, it has been included under the country overview. These 2nd Edition Reports also reflect a greater focus on integrated and inter-sector collaboration for the realisation of the right of the child to protection from sexual exploitation, including the need nationally for comprehensive child protection systems.

Research of secondary sources, including CRC country and alternative reports, OPSC country and alternative reports, the reports of the Special Rapporteurs, as well as research and field studies of ECPAT, governmental and non-governmental organizations, regional bodies and UN agencies, provided the initial information for each report. This information was compiled, reviewed and used to produce first draft reports. In-house and consultant specialists undertook a similar process of review to generate information on specialised

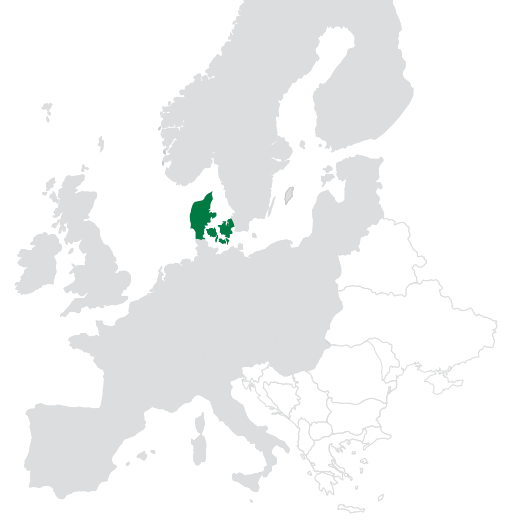
areas of the reports, such as the legal sections. Nevertheless, researchers often encountered a lack of information. While sources also included unpublished reports and field and case reports of ECPAT and other partners, many countries lacked up-to-date data and information on areas relevant to this report.

Despite these limitations, sufficient information was gathered to provide a broad overview of the situation in each country. Subsequently, first drafts were prepared and shared with ECPAT groups, which then supplemented the information with other local sources and analysis (taking care to identify them and source appropriately). Upon receipt of these inputs, a series of questions were generated by the ECPAT International team for deeper discussion, which involved ECPAT groups and specialists invited by them. The information from these discussions was used to finalise inputs to each of the reports. These consultations proved to be invaluable for analysis of the country situation. They also served as a measure for

triangulating and validating information as different actors offered their perspective and analysis based on their direct work.

As previously noted, the information of each country report is organised to correspond to the structure of the Agenda for Action. Thus all the 2nd Edition reports feature updated information in relation to: (i) an overview of the main CSEC manifestations affecting the country; (ii) analysis of the country's National Plan of Action (NPA) against CSEC and its implementation (or the absence of an NPA); (iii) overview and analysis of coordination and cooperation efforts during the period under review; (iv) overview and analysis of prevention efforts; (v) overview and analysis of protection efforts, which includes detailed information on national legislation related to CSEC (see www.ecpat.net for further details); (vi) overview and analysis of country's efforts incorporate participation of children in youth in the development and implementation of efforts to combat CSEC and (vii) priority actions required.

DENMARK



INTRODUCTION

Denmark is a constitutional monarchy governed by a parliamentary system. The national territory is divided in five regions and 98 municipalities administrated by local governments.¹ In 2007, the country went through major administrative and structural reform that reduced the number of municipalities from 271 to 98.² Denmark is a member of the European Union, the Organization for Security and Cooperation in Europe (OSCE) and a founding member of the Organization for Economic Co-operation and Development (OECD).

The vast majority of the population in Denmark belongs to the Danish or Scandinavian ethnic group, although there are many ethnic minorities, such as the Inuit, Germans, Turkish, Iranians, Somalis, Pakistanis, Vietnamese, Sri-Lankans, Bosnians, Faroese and former Yugoslavians. The Roma is also a large community within the country.³ Ethnic minorities are guaranteed full participation and access to the welfare system, although indigenous children's right to receive education in their own language is not guaranteed.

Denmark is a wealthy country and its welfare system is one of the most efficient in the world.⁴ The national Human Development Index (0.895) increased annually during the last 30 years and ranks Denmark 16th out of 182 countries in the world. The life expectancy at birth is 78.8 years.⁵ Denmark is also one of the countries with the most

equal distribution of income (GINI index 29).⁶ The Corruption Perception Index, which measures the population's perception of the country's transparency, ranks the country second at 9.4, after New Zealand.⁷ The Global Peace Index (GPI) ranks countries according to their peacefulness and referring to the country's absence of violence. GPI 2011 identifies Denmark as one of the most peaceful countries in the world.⁸ GPI is mainly defined by taking into consideration the country's rate of military operations and its foreign relations. However, GPI does not include specific indicators to measure violence against children.

These positive indicators are also reflected in the status of children, and the government is strongly committed to children's rights and welfare. The infant mortality rate for children under 5 years of age is 4 cases out of every 1,000 live births. Ninety-six percent of children receive primary education.⁹ Education is compulsory up to the ninth grade and free through university. Nevertheless, the number of children facing economic difficulties is high: 59,000 children in Denmark live below the poverty line.¹⁰ Most of these disadvantaged children are immigrants or children of migrants born in Denmark.

The immigration flows to Denmark started to increase from the late 1960s due to the country's rapid economic growth. During the oil crisis of 1973, Denmark limited

immigration permits to European Economic Area (EEA) citizens only, with the exception of family reunification programs. However, from then on Denmark welcomed new waves of refugees from various war torn countries.¹¹ Every year hundreds of unaccompanied children arrive in Denmark.¹² This population remains particularly vulnerable to human trafficking and CSEC.

Over 50% of those belonging to ethnic minorities and immigrants are unemployed or have low salaries. They live in poor areas; the elderly do not have access to proper care; and youth often face strong discrimination.¹³ Another issue that is problematic is the high

rate of domestic violence against women and children. According to the Ministry for Gender Equality, an estimated 28,000 women and 21,000 children suffer from domestic violence every year.¹⁴ In 2009, 131 cases of sexual abuse of children have been recorded while in the first half of 2010 police received 85 reports.¹⁵

The Danish Council of Organizations of Disabled People (DSI) highlights that children with disabilities are particularly vulnerable to sexual abuse and have expressed concern about the lack of initiatives to prevent sexual abuse of children with disabilities.¹⁶

Prostitution of children

Though prostitution in Denmark has been legalised since 1999, it is still subject to strict regulation and exploiting children in prostitution is illegal. However, the official number of children found in prostitution is considerably low. Most of them are reported to be minors trafficked from poorer countries, such as former Soviet Union countries, South Asia or Western Africa.

According to a report by the Danish Center for Research on Social Vulnerability published in 2011, the total estimated number of prostitutes working in different settings in Denmark is at least 3,100, of which 595 are estimated to be foreigners.¹⁷ Although there are no hard numbers on how many have been trafficked, social workers believe the vast majority of foreign women engaging in street prostitution are vulnerable to trafficking.¹⁸ Estimates of the number of children involved in prostitution are unreliable since the number of children who are exploited in prostitution on the streets is low and it is rare to find children during raids.¹⁹ 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 tourist visas or fake documents. Most

prostituted children are kept in closed houses under the strict surveillance of their pimps, since the risk of arrest makes it too dangerous to expose very young girls. Consequently, child prostitution usually happens indoors, in private brothels, strip bars or through escort services.²⁰

Although there is no in-depth research on prostitution of Danish children, evidence suggests that this phenomenon may affect the country. A study conducted in schools a few years ago shows that 1.4 % of youth between ages 15 and 18 (about 2,500 pupils) had received remuneration for sexual acts at least once.²¹ There is very limited scientific information about prostitution of boys under the age of 18. A literature review and mapping exercise undertaken by Copenhagen City Council on young people involved in commercial sexual exploitation suggests that boys are more likely to be exploited in prostitution.²² Research looking at men engaging in prostitution has also identified cases of boys from different ethnic backgrounds providing sex services for remuneration, including in homosexual entertainment establishments.²³

Trafficking in children for sexual purposes

Denmark is a transit and destination country for women and children trafficked from Baltic countries, East and Central Europe, Nigeria, Thailand and South America.²⁴ The main reasons for trafficking children to Denmark are commercial sexual exploitation and involvement in minor criminal activities such as theft and pick-pocketing. Children exploited in criminal enterprises are also extremely vulnerable to sexual abuse and exploitation and can be blackmailed into performing sexual favours.

There is no specific data regarding the issue of child trafficking for sexual purposes, and the number of children who have been identified as victims of trafficking is very low. In 2005, authorities identified seven children who were trafficked to Denmark²⁵ while in 2008 the Danish Red Cross identified 14 unaccompanied minors with indications of being victims of human trafficking. Out of the 14 children, nine were girls and five boys: six from Romania, three from Bulgaria, and one from China, Hungary, Algeria, Lithuania and Guinea, respectively. The majority were trafficked for the purpose of assisting in committing crimes.²⁶ According to government information, during 2007-2010, only two children were identified as trafficking victims specifically for sexual exploitation. It should however be noted that the actual number of trafficked children could be higher than indicated in police records, as some victims might not be identified correctly.²⁷

Young girls who travel to Denmark for “au pair” work are believed to be particularly vulnerable to human trafficking and at high risk of being lured into prostitution.²⁸ A summer job or short term jobs in domestic service, agriculture or factories are often used to attract children and women from countries such as Estonia, Latvia and Lithuania, to travel to Denmark.²⁹

Concerns have been also raised over marriage brokering services and personal ads for marriage. According to Save the Children Denmark, there are some suspicions of sexual abuse of children in cases of divorce between foreign women and Danish men. Such suspicions suggest that a Danish paedophile could use such marriage brokerage services to gain access to foreign partner’s children in order to sexually abuse them.³⁰

There is a lack of data regarding internal trafficking, which is not perceived as a problem in the country. Still, incidents such as the disappearance of children from shelters and asylum seeker centres suggest some evidence of domestic trafficking. In 2008, 605 unaccompanied minor asylum seekers disappeared from Gribskov Asylum Centre. The European Agency for Fundamental Rights expressed its concern about disappearances of children, saying that the event can be proof of internal trafficking or the use of Denmark as transit country.³¹

The US Department of State annually releases a *Trafficking in Persons Report* which categorises countries into different “tiers” based on the extent of government action to combat human trafficking. Countries that have the highest level of compliance with the *Trafficking Victims Protection Act*’s minimum standards for the elimination of trafficking are placed in **Tier 1**. Those that have made “significant efforts” to meet the standards are placed in **Tier 2** and countries that are not making significant efforts to combat human trafficking are placed in **Tier 3**.

In the 2012 report, Denmark was placed in **Tier 1**.³²

Child pornography / child abuse images

In 1969 Denmark became the first country in the world to legalise the production of pornographic material, which led to an explosion of commercially produced pornography. Despite the fact that production of sexual abusive images of children remained

illegal, in the 1970s the country was one of the main producers of child pornographic material,³³ and the first child pornography ring using a computer connection, the Bamse Ring, was discovered in Denmark in the early 1990s.³⁴

The so called Operation Hamlet conducted in 2002 revealed links between online child sexual exploitation and intra-familial child sexual abuse. Parents of a child in Denmark were convicted for abusing their own daughter and showing her sexual abuse online through live transmissions and distribution of child abuse images.³⁵

Most recently, child pornography rings have been uncovered in the Nordic Region of Europe. In 2009, a secret investigation called “Operation Viking” was launched in the region under the cooperation of police agencies in Norway, Denmark, Sweden and Finland. Numerous people have been tracked and accused of possessing and distributing child pornography. During the operation, the Danish police raided the houses of 20 persons. The suspects were accused of using peer-to-peer online software to share child pornography.³⁶

Another successful investigation started off as a sting operation initiated by the Danish national police who have high competence in investigating online crimes such as those related to peer to peer networks. The operation code named “Icarus” apprehended 19 men (aged between 24-55) who currently face charges in Denmark. Fifty nine computers and 2,430 storage devices were seized in Denmark alone following this investigation. The sting was operated under an Europol investigation covering 22 countries and amounting to a total of 122 arrests. The investigations are ongoing.³⁷

Based on national and international police operations, there are suspicions of rings of organised groups based in Denmark producing and distributing child pornography. These criminal groups are well organised and often part of wider international networks. They share child abusive material through hidden internet forums, and consequently it is very difficult to understand the extent of the problem.³⁸

In addition to commercial production of child pornography, digital technology has rendered it easier to produce home-made pornography or abusive photographs, while modern internet technology also facilitates the dissemination of these publications.³⁹

In 1998, an internet Hotline where people can report images of sexual abuse of children on the Internet was launched by Red Barnet, the Danish Save the Children. In 2010, the Hotline received 4,093 reports of child abuse pictures, of which 98% referred to materials featured on websites while the rest was distributed through peer-to-peer networks, news groups, chat-rooms, and other channels.⁴⁰ In line with a global trend, an increase in the amount of violence against

children depicted in pornographic materials has been observed by the Danish Hotline. Currently the Hotline employs software developed by Netclean, a Swedish private sector company, which allows better analysis of child abuse images.⁴¹

In 2006, the Danish Commissioner of the Police, Save the Children Denmark and TDC, a telecommunication services' provider, introduced a filter to block access to web sites containing known child abuse images. The filter impeded 1,700 users in Denmark daily from accessing the websites.⁴² This data reflects the enormous number of people trying to access abusive images and videos.

Research has been recently conducted on online behaviours and risk-taking among Danish adolescents which exposed, inter alia, the spread and seriousness of online grooming for sexual abuse and exploitation. A study published in 2011 involving nearly 4,000 teenagers aged 16-17 years old revealed that

46% of the boys and 41% of the girls had met face-to-face with someone they became acquainted with online. 8% of these boys and 5% of these girls reported to have been pressured into some form of sexual activity and some had received money. The majority of the young people that had engaged in sexual activities stated that the offender was of their age or a little older while almost 10% admitted that the offence was filmed and, in a few cases, was published on the internet or by other means shared with a third party.⁴³ A 2011 EU-Kids Online survey confirmed that Danish children are vulnerable to a number of online risks, including "sexting". According to the research, 42% of Danish children questioned in the study reported that they had encountered pornographic or sexual images within the last year while 28% had seen them on the Internet. Moreover, 16% of Danish children stated that they had received sexts while 1% had sent them out themselves.⁴⁴

Child sex tourism

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. Also, Danish tour operators have been accused of organising travels to the Baltic Region and Eastern Europe aiming to exploit children in prostitution.⁴⁵

Research published in 2009 by Save the Children Denmark provided an insight into the modus operandi of travelling sex offenders who sexually exploited children in Thailand, Cambodia and Burma, focusing particularly on Danish child sex tourists. Whilst it was

difficult to obtain statistics on the number of Danes arrested, charged and convicted of committing sexual offences against children abroad, the investigation found that only a small number of Danish citizens were involved in the sexual exploitation of children in the three countries examined.⁴⁶

The Committee on the Rights of the Child expressed concern that some Danish travel agencies have been involved in child sex tourism and warned the government to strengthen its effort to prevent the phenomenon as well as to ensure the prosecution of all perpetrators.⁴⁷

Danish citizens arrested for child sexual exploitation in Southeast Asia

A 64-year-old Danish man who owned a guest house in Siem Reap, Cambodia, was arrested in August 2010 for allegedly permitting his guests to have sex with his male Cambodian workers aged 15, 17 and 21. According to the government's Anti-Human Trafficking Department, the boys charged up to 50 US Dollars for sexual intercourse with the customers of the guest house. The guest house owner would also collect a five-dollar fee for every act.⁴⁸

In January 2010, officers from the Human Trafficking Crime Suppression Unit arrested a Thai woman in Pattaya, a destination for child sex tourists in Thailand. The woman was accused of providing children in exchange for money to customers who would pay her to sexually abuse the children. The woman was arrested while handing over a 14 year-old-girl to a 43 year old Danish citizen. The police waited for the transaction to take place and arrested both. Without having admitted that he had sexually abused the girl, the man confessed that he intended to do so by paying the woman to facilitate the event.⁴⁹

The Danish Paedophile Association's position on child sex tourism

The Danish Paedophile Association was active in Denmark until 2004 when following an investigation by the Danish Attorney General it disbanded itself. However, part of the group continues to promote "propaganda" relating to children's sexuality through a website now hosted in Sweden. In one of their articles, the group addressed the issue of "child sex tourism" stating that children are "not sexually exploited in travel and tourism" and that sexual relations between adults and children are "normal in these cultures." The article was written in response to the campaign to Stop Child Sex Tourism initiated in 2008 by Save the Children Denmark and other partners (see section on "Prevention" for more details).⁵⁰

Following the 1996 Stockholm and the 2001 Yokohama global forums on Commercial Sexual Exploitation of Children, the World Congress III against the Sexual Exploitation of Children and Adolescents, in November

2008 in Brazil renewed global commitment and galvanized international resolve to combat sexual exploitation of children and adolescents.

NATIONAL PLANS OF ACTION

The Government of Denmark has not 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 (NPA's) 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 concerns 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.⁵¹ Civil society organisations have also criticised this NPA for lacking concrete achievable targets and actions and for not allocating human financial resources for its implementation.⁵²

The *National Plan of Action against Child Sexual Abuse* first, adopted in 2003, has been updated in May 2011 with the new *National Strategy for the Prevention and Control of Child Sexual Abuse* valid for the period 2012–2014.⁵³ The *National Strategy* provides for a number of measures to address aspects of CSEC, focusing in particular on child pornography and child sexual exploitation on the Internet and in tourism. Initiatives that the government plans to implement in these areas include, amongst others: a) creating a financial coalition to stop transactions related to child pornography; b) enhancing identification of victims of child pornography through a more structured cooperation with relevant authorities such as schools and municipalities; c) further prioritising international cooperation to prevent and combat child sex tourism and child pornography; d) reviewing, if necessary, legislation on child sexual abuse and exploitation to comply with the 2011 *EU Directive on combating the sexual abuse and sexual exploitation of children and child pornography*; and e) launching a new campaign to stop child sex tourism.

The strategy envisages close collaboration among different actors, including civil society organisations, and its implementation and monitoring will be ensured by a multi-stakeholder group to be set up specifically for this purpose.⁵⁴ Whilst welcoming efforts promoted by Denmark to update the strategy, the Committee on the Rights of the Child has stressed the lack of child and youth participation in its development and has also noted that the psychosocial support available for child victims of sexual abuse in

the updated plan remains inadequate.⁵⁵ In addition, as with the previous 2003 NPA, the strategy does not appear to contain an estimation of the financial resources needed to fulfil its activities nor to envisage a mechanism for internal and external evaluation.

Denmark has adopted an anti-trafficking plan since 2002. As an extension of the first *Action Plan to Combat Trafficking in Women* and its Addendum on Children approved in 2005, Denmark has launched a new *Action Plan to Combat Trafficking in Human Beings 2007–2010*. The Action Plan was prepared based on experiences from the 2002 Action Plan and its 2005 Appendix, as well as on an evaluation conducted in 2006. Due to the 2005 Appendix’s short implementation period and insufficient data regarding trafficked children, the evaluation of the 2005 Appendix on trafficking in children could not be performed. However, practices with regard to preventing child trafficking suggested ineffective division of responsibilities among government agencies and local non-governmental organisations (NGOs).⁵⁶

Although the new 2007 Action Plan was designed to encompass all persons trafficked in Denmark, including children, it presents some improvements in Danish government efforts specifically against child trafficking. Under the “Children trafficked into prostitution, forced labour or other Exploitation”, a number of measures are foreseen to enhance child victims’ protection and assistance. Besides envisaging the development of an individual action plan for each child victim trafficked to Denmark

(which would take into consideration the best interest of the child on a case-by-case basis), the Action Plan provides for the appointment of a personal representative for all unaccompanied minor asylum seekers, including child victims of trafficking.⁵⁷ Moreover, it emphasises the need to strengthen the work of professionals dealing with child trafficking through training, and calls for better communication among actors and clear division of responsibilities between government authorities and NGOs.⁵⁸

The evaluation of the 2007 Action Plan has highlighted a number of achievements, including the creation of the Centre against Human Trafficking (Center mod Menneskehandel – CMM) which serves as a knowledge and coordination centre for human trafficking, and the establishment of a clear procedure to identify cases of potential trafficking. However, the number of minors identified as victims of trafficking during the three year implementation of the Plan was very low, and there could be a number of victims that were not identified due to a lack of training of all relevant staff coming into contact with potential child trafficked victims.⁵⁹

Based on experience from the previous action plans and an external evaluation conducted in 2010 (as well as on recommendations from Danish NGOs and other organisations and

authorities), Denmark has further updated its anti-trafficking strategy by adopting the *Action Plan to Combat Human Trafficking 2011–2014*. Whilst maintaining attention to trafficking in women for prostitution, the new Action Plan focuses on developing efforts in other key areas, including trafficking of children for sexual purposes and other types of exploitation. Measures to address child sex trafficking under the new NPA include, among others, educational and information efforts directed at young girls and boys regarding human trafficking, and enhanced outreach work targeted specifically to children and young people. The latter result will be achieved through the development of guidelines for identification of potential minor victims of trafficking and education of front line staff and relevant organisations that may come into contact with trafficked and vulnerable children.⁶⁰

In 2005, Denmark also adopted the action plan *A New Life* to combat prostitution and prevent sexual exploitation of vulnerable youth, especially those without parental care. As part of the implementation of A New Life, the Competence Centre on Prostitution was established under the Ministry of Social Welfare. The Centre offers teaching to professionals as well as psychological assistance to adults and young persons who are already in, or at risk of ending up in prostitution.⁶¹

COORDINATION AND COOPERATION

Coordination and cooperation are crucial for an efficient and effective fight against CSEC. In accordance with the *Stockholm Declaration and Agenda for Action*, close interaction and

cooperation between government and non-government sectors is necessary to effectively plan, implement and evaluate measures to combat CSEC.

Danish civil society is very active, as reflected by the high level of participation from NGOs and civil society organisations, in the protection of children from commercial sexual exploitation, especially through the Internet and new ICTs. Nevertheless, inter-governmental and inter-agency cooperation to prevent and combat child sexual abuse and CSEC remains weak. The Committee on the Rights of the Child noted that civil society organisations would be willing to collaborate more on the implementation of the OPSC.⁶² 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.⁶³

The Danish National Council for Children has been established by Executive Order No. 458 of 15 May 2006 to serve as a focal point for the protection of children in the country. Though its main responsibility is child protection, its main activity is to advise other authorities on “matters affecting children’s circumstances and to consider children’s viewpoints in its work.”⁶⁴ The Council’s mandate is to assess the conditions under which children in Denmark live in light of the provisions and intentions set out in the United Nations Convention on the Rights of the Child.⁶⁵ The Minister for Family and Consumer Affairs is responsible for the establishment and the maintenance of the Council. The Council’s chairman has the role of specific Ombudsman for children. Although this agency has undertaken excellent work in relation to promoting children’s rights in Danish society on many issues including child sexual abuse, CSEC has not been addressed in any meaningful way.⁶⁶

In 2007, Denmark initiated local government reform that modified the country’s administrative division. Under the new structure, each municipality is responsible for most legal issues in its jurisdiction. Cases regarding commercial exploitation of children and sexual assaults, for instance, will be dealt with under local authority. However, the Danish Cooperation Group on the Convention on the Rights of the Child

raised the concern that transferring this responsibility to a single municipality without guidance from the state level can result in non-professional assistance to victims and their families, since some particular cases may require expertise that is not available at the local level.⁶⁷ Stronger cooperation between central level and local municipalities is needed in order to prevent situations of mishandling cases of child sexual abuse and exploitation.

In order to combat trafficking, the Danish Red Cross collaborates with the Danish Immigration Service providing assistance to unaccompanied minors and recommending a specific representative for any child who is assumed to be a victim of trafficking. The Danish International Development Assistance (DANIDA) funds NGOs that support street children involved in prostitution and children who have been sexually abused or trafficked into Denmark.⁶⁸

In 2007, the Government of Denmark established the Centre against Human Trafficking (CMM) in accordance with the *Action Plan to Combat Trafficking in Human Beings*. The Centre was created with the aim to improve the social assistance offered to victims of human trafficking; coordinate collaboration between social organizations and other public authorities; and collect and convey knowledge in the field of human trafficking.⁶⁹ It established both regional

and national working groups with the aim to foster knowledge exchange between authorities, including police, NGO actors and local teams all over the country. The CMM is working in partnership with various NGOs, like Pro Vest, Reden International, Kompetencecenter Prostitution and others. It also cooperates with Save the Children Denmark to monitor and assist in networking and education.⁷⁰ Moreover, CMM is in charge of improving and coordinating the treatment of victims during their stay in the country.

As part of the implementation of the *Action Plan to combat human trafficking 2011–2014*, the Government of Denmark will also reactivate a working group specifically on trafficking in children. It will be chaired by the CMM and will involve governmental actors, municipalities and NGOs.⁷¹

A number of joint initiatives have been promoted on online safety with the active involvement of the IT industry and other key partners. The Danish Awareness Centre (Denmark's working group on children's use of the Internet and new online technologies is comprised of nearly 40 members, including authorities, institutions and organisations representing parents, teachers, educational establishments, the IT industry and

researchers. The group serves to coordinate national information initiatives and to exchange expertise regarding children's use of the Internet and mobile phones.⁷² To tackle the problem of child pornography and online harassment of minors, the Danish IT Industry Association established a forum for exchanging best practices and experience on combating child pornography on the Internet.⁷³ The Forum organises annual meetings attended, amongst others, by the major Danish internet and mobile-phone providers, the National IT and Telecom Agency, the National Police, the Telecommunications Industry Association and others.⁷⁴

The collaboration between the government and Save the Children Denmark on safe internet and eradication of online child pornography is highly laudable. A step of major importance for the protection of children from abusive images on the Internet was the collaboration between the National Commissioner of the Police, Save the Children Denmark and the telecommunication provider TDC, which introduced a filter to deny access to those web sites containing abusive material.⁷⁵ The filter is a successful example of cooperation with the private sector.

Regional and international levels

Effective cooperation is required between countries and international organisations, including regional organisations, to ensure a

concerted and coordinated approach is taken in eliminating CSEC.

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.

Denmark is part of regional and European networks to combat trafficking in children. At the regional level, Denmark continues to be a part of the Expert Group for Cooperation on Children at Risk (EGCC).⁷⁶ The EGCC is comprised of senior officials from the ministries responsible for children's issues in the member countries of the Council of Baltic Sea States and the European Commission.⁷⁷ The EGCC identifies, supports and implements cooperative efforts focused on children at risk among countries and organisations in the region.⁷⁸ It also examines and reviews areas of concern with regard to children, as identified by its network of national coordinators and experts.⁷⁹ From September 2006 to January 2008, a "Baltic Sea Region Comprehensive Assistance to Children Victims of Trafficking" training programme brought together 55 experts from 9 countries in the region for a series of six meetings on care, protection and rehabilitation of child victims of trafficking and on care for unaccompanied children.⁸⁰ The group of experts is now a national and regional resource.⁸¹ Furthermore, in January 2008, a report, *The Frail Chain*, on child trafficking in the region was launched.⁸² In October 2008, a second *Plan of Action on Unaccompanied and Trafficked Children* in the region of the Baltic Sea States was adopted, covering the period of April 2008 to June 2011; it includes a number of measures to address child trafficking and sexual exploitation.⁸³

Denmark is also part of the Separated Children in Europe Programme (SCEP), which is the programme of the European Union to protect unaccompanied children through research and policy analysis on a national and international level. The SCEP is composed of 31 NGO members representing 30 different countries. According to the SCEP Action Plan for 2009-2013, the member states will join their efforts

for preventing children from exploitation, including sexual exploitation. States contribute resources and strategies to prevent trafficking in children in order to ensure that every single state has a protection system in place and professionals are able to deal with child victims of trafficking. Additionally, SCEP established a short-term objective to act as a 'watchdog' for national legislation on the prevention of trafficking as well as an information centre to share best practices on capacity building.⁸⁴

Being a destination country for trafficking, Denmark works to combat the problem in collaboration with organisations and authorities of the source countries. The government of Denmark works closely with the Danish Red Cross, which is the actual implementing party of numerous projects. The Danish Red Cross collaborated with the Norwegian Red Cross and the Croatian Red Cross to combat human trafficking in and from Croatia through the creation of mobile teams of NGO representatives. This coordination aims to identify victims and set up a referral system for their rescue.⁸⁵

In 2005, the Ministry of Foreign Affairs launched an initiative under its Neighborhood Programme to counteract trafficking in human beings. The overall objective was to support the national authorities, international organisations and NGOs in Moldova, Ukraine and Belarus to combat human trafficking, as well as to strengthen the national judicial systems and prevention efforts. The programme lasted until 2008,⁸⁶ with a budget of nearly 3,557 million Euros, and was later extended until 2011.⁸⁷

Another programme on human trafficking by the Danish Ministry of Foreign Affairs was extended to cover Eastern Europe during 2006 to 2008 with funding of approximately 3,946 million Euros. Apart

from the three countries from the previous programme, this programme included Bulgaria and Romania. The main purpose was to help the local governments to foster their capacities to counteract human trafficking through a human rights based approach.⁸⁸ Although children were included among the beneficiaries, the programmes did not have a specific focus on trafficking of children for sexual purposes.

Danish authorities funded projects of counter-trafficking and safe migration organised by the International Organization for Migration (IOM). These projects are meant to assist the voluntary return and reintegration in the countries of origins of victims of trafficking, particularly vulnerable women and children. The Ministry of Refugees, Immigration and Reintegration funded the project “Tracing of Unaccompanied Minors’ Families/ Relatives in Country of Origin for the Government of Denmark” specifically focusing on unaccompanied children at risk.⁸⁹

Denmark takes part in a number of international and regional coordinating efforts to combat child pornography and online sexual exploitation of children. The Danish police is a member of the Operational Strategic Planning for the Police (COSPOL) Internet Related Child Abusive Material Project (CIRCAMP) network, established in 12 EU countries. This regional network was established by the European Police Chiefs Task Force (EPCTF) in 2004. It aims to improve the coordination among law enforcement agencies from EU members to combat child sexual exploitation online. Its

main objectives are to block access to child abusive materials; identify, investigate and shut down payment systems; and prosecute those who distribute child abuse material online.⁹⁰ The Danish Police force is also a member of the Innocent Images International Task Force, which is comprised of law enforcement officers from Europol and several countries and allows real-time transfer of information between the FBI and other task force members.⁹¹

In 2008 the Danish National Police signed a cooperation agreement with the American organization NCMEC (National Center for Missing and Exploited Children) in order to expand cooperation in data sharing and investigation of child pornography.⁹² In the same year, Denmark joined the Nordic campaign against child pornography launched at the meeting of the Nordic Ministers of Justice in Ystad. The initiative envisaged, *inter alia*, closer police co-operation on the ground through joint training about sexual abuse and child pornography; a new Nordic project to develop software and technology for use in online investigations; and the setting up of a joint distribution server to disseminate technical information about images of abuse.⁹³

Denmark is also part of the Nordic Police and Customs Co-Operation, which is based in Bangkok. This police cooperation initiative involves Finland, Iceland, Norway and Sweden and focuses on identifying and combating sexual crimes committed by their citizens against children in South East Asia. ECPAT International does not have direct access to information on the number of arrests facilitated by the group.

PREVENTION

Over the last years there has been a movement in Denmark towards improving actions to prevent CSEC. Longer term cooperation between the Danish National Police and Save the Children Denmark exists in combating child abuse images. This 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.

Initiatives to tackle the problem of travelling child sex offenders appear to have stalled after cooperation on prevention efforts in 2007-2008. There is currently very limited collaboration between NGOs, the Association of Danish Travel Agents and Tour Operators and law enforcement agencies. 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 also come to an end and needs to be revitalised.

Several prevention efforts have revolved around child pornography and online child sexual exploitation. One of the first initiatives to protect children from abusive images was the establishment of the Media Council for Children and Youth (MCCY). Set up in 1997 by the Ministry of Culture, the primary task of the Media Council is to classify films and DVDs for children under the age of 15 and to inform about children's use of films, computer games and digital media in the form of the internet and mobile devices.⁹⁴ Since 2004, in line with its mission, the Media Council has functioned as the national Awareness Centre under the European Commission's Safer Internet Programme. As the Awareness Centre, the Media Council conducts a range of sensitisation activities with the primary objective of empowering parents, educators and children on a safer use of the internet and other ICTs. The MCCY cooperates with international partners from all over the world through the European network Insafe (www.insafe.org) and, together with the helpline Cyberhus (www.cyberhus.dk) and the hotline run by Save the Children Denmark, it forms

the Danish Safer Internet Centre which promotes initiatives to raise awareness on online safety, including national campaigns and informational activities.⁹⁵

Save the Children Denmark has been active in promoting online safety for more than ten years. Recent activities undertaken by the organisation in this area include the creation of the website www.sikkerchat.dk, in collaboration with the Danish Crime Prevention Council, which provides detailed information on online molestation to different categories of users such as children, youth, parents and IT professionals.⁹⁶ In addition, Save the Children Denmark organised an educational program targeted at website moderators about specific knowledge on online child abuses⁹⁷ and in 2010, opened the first anonymous online counselling facility specifically focused on children's and young people's digital lives. The service is primarily targeted at 12-17-year olds, who have had unpleasant experiences on the Internet and mobile phones, and is staffed with specialised psychologists.⁹⁸

“Certified Kid”

“Certified Kid” is an innovative approach to prevent grooming. The project started in 2009 and involved national schools in providing all Danish children with a digital certificate. The certificate contains information about the child’s sex and age. Children can ask other children online to see their digital certificate to verify if the person they are chatting or playing with is a peer or an adult pretending to be a child.⁹⁹

TDC, one of the leading telecom provider in Denmark, in cooperation with TIA (Telecommunications Industry Association) has developed a teaching material for safer use of mobile phones to prevent children from falling victim to online exploitation and risks. The site (www.gomobilstil.dk) which hosts the educational material also provides advice to teachers and parents.¹⁰⁰

In 2005, the National Centre for Social Effort against Child Sexual Abuse (SISO) disseminated a catalogue amongst all Danish municipalities. The catalogue contained information aiming to increase the local capacities on how to deal with cases of sexual violence against minors.¹⁰¹ However, the implementation of the services was left to the single municipalities that are unlikely to have practical knowledge on how to deal with a problem that requires such a specific expertise. Similarly to other professional groups working with children, SISO also developed training material but it should strengthen teachers’ capacities to deal with cases of CSEC, not only because this would have a positive impact on children, but also to enhance teachers’ capacities to correctly report abuses to the law enforcers. Currently, there is no specific focus on CSEC in the teachers’ curriculum.¹⁰²

Knowledge on child sexual exploitation amongst Danish children themselves is also limited. One of the preventive measures that needs to be highlighted is education, particularly on sexuality and online abuse. The Ministry of Education reported that sex education, as well as IT education and computer literacy, are part of the curriculum of primary and secondary schools with the aim to empower children and enable them to protect themselves from grooming and online abuses.¹⁰³ However, research conducted by the Children’s Council showed that only 30% of children and youth are aware of their rights and know the Convention of the Rights of the Child. The study of the Convention is not part of the scholastic curriculum.¹⁰⁴

In 2007, the Ministry of Justice established a multi agency working group under the responsibility of the Danish National Police, bringing together government departments (Justice Ministry and Ministry of Foreign Affairs), the travel industry and Save the Children Denmark. The purpose of the group was to coordinate an effective response to Danish travelling sex offenders. As a result of this collaboration, the awareness campaign “Stop Child Sex Tourism” was launched in January 2008 with financial support from the Ministry of Foreign Affairs, the Ministry of Justice, SAS, the Danish Association

of Travel Agencies and Save the Children Denmark. The purpose of the campaign was to inform the public about the existence of a new police hotline to report child sex tourism and to request people to contact this service in case of suspicions. Information has been disseminated through a dedicated website, www.stopsexturisme.dk, national and local newspapers as well as through posters located in the country's international airports. As part of these collaborative efforts, the Danish Ministry of Foreign Affairs also funded Save the Children Denmark's research on sexual exploitation of children in tourism in Thailand, Cambodia and Burma, as well as a number of child protection projects in selected areas of these countries with the aim to prevent CSEC.¹⁰⁵

Until 2009 Save the Children Denmark fostered fruitful collaboration with the Danish travel industry to improve child protection procedures by implementing the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (www.thecode.org). The organisation worked closely with the Association of Danish Travel Agents and Tour Operators to improve the level of adherence to the code of conduct and assess its impact on the Danish travel industry.¹⁰⁶ Activities undertaken in this framework included training holiday representatives and other staff involved in the travel industry.¹⁰⁷

As a part of the government's *Action Plan to Combat Sexual Abuse of Children*, the Ministry of Social Welfare started in 2003 the "Janus Project", which targets children who have exhibited sexually harmful behaviour. The aim of the project is to prevent child sexual abuse by giving specialized psychological support to underage abusers. Part of the "Janus Project"

was the establishment of a treatment clinic for sex offenders aged between 12–18 years. The Janus Centre, which has recently become a private institution, also cooperates with Save the Children Denmark and the National Hospital's Clinic of Sexology through a project called "Break the Circle".¹⁰⁸ The project intends to provide help to individuals that experience sexual desire involving children. Unfortunately, the project has a limited visibility due to a lack of funding.¹⁰⁹

With regard to trafficking, preventive measures have been taken by the government of Denmark and child trafficking is usually integrated in such measures. As already mentioned in the 2007 Action Plan against human 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, Ministries or the Danish Institute for Human rights (DIHR). As Denmark is perceived as a receiving country for trafficked children, awareness raising campaigns primarily focus on the demand side of trafficking.¹¹⁰

In the framework of an EU-funded project to prevent vulnerable young people from being tricked into exploitation and trafficking through the Internet (implemented in cooperation with NGOs in Italy, Romania and Bulgaria), in 2010 Save the Children together with a group of unaccompanied refugee children living in a camp in the north of Copenhagen, developed the material "It's Your Safety!". It comprises a film and some teaching material for use with very vulnerable children who arrive in Denmark without their family, focusing on danger signals to watch out for on the Internet.¹¹¹

PROTECTION

International instruments		
Human rights bodies related to child rights	Comments	
Charter-based bodies		
Working Group of the Universal Periodic Review – Human Rights Council	Next Review May 2011	
Special Rapporteur on the sale of children, child prostitution and child pornography	No visit so far	
Special Rapporteur on trafficking in persons, especially in women and children	No visit so far	
Treaty-based bodies		
Committee on the Rights of the Child	January – February 2011	
Children’s rights instruments	Date of ratification	Date of submitted reports
Convention on the Rights of the Child – 1989	1991	Submitted in 2008
Optional Protocol on the sale of children, child prostitution and child pornography – 2000	2003	Submitted in 2008
ILO Convention on the Worst Forms of Child Labour - 1999 (No. 182)	2000	
UN Convention against Transnational Organized Crime	2003	
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and children – 2000 (supplementing the UN Convention against Transnational Organized Crime)	2003	
Regional Instruments		
Council of Europe Convention on Cybercrime	2005	
Council of Europe Convention on Action against Trafficking in Human Beings	2007	
Council of Europe Convention on the protection of Children against Sexual Exploitation and Sexual Abuse	2009	

The main domestic remedies to protect children from CSEC are enshrined in the Danish Civil *Criminal Code*, last amended in 2007¹¹², and some regulations on children are part of the Danish Constitution which was first adopted in 1849. In June 2010, the Danish Parliament passed the Children's

Reform that came into effect in 2011.

Amongst other issues, the Reform emphasizes the right of protection and supervision of children in centres and allocates more funding for the functioning of the national toll-free child helpline (Children's Telephone).¹¹³

Age of consent

The age of sexual consent in Denmark is 15.¹¹⁴ According to Article 222 of the Danish Criminal Code, a person who has sexual intercourse with a person below 15 is liable to imprisonment for a period up to six years. If the child is younger than 12 or if the perpetrator has a sexual intercourse with a child under 18 by intimidation or coercion he/she is punishable with imprisonment of up to ten years.

Having sexual intercourse with a person under 18 is also punishable for maximum 4 years imprisonment if another person is legally responsible for the minor, such as legal guardian, foster parent. If a person who is responsible for a child care centre, foster home, hospital or a prison, sexually abuses any person he/she is in charge of in the institution, according to Article 219, the perpetrator could face imprisonment of up to four years. However, the punishment is in conflict with the imprisonment period in the case of sexual abuse in children below 15 which imposes maximum of six years imprisonment.¹¹⁵

CHILD PROSTITUTION

Even though the Danish law prohibits child prostitution, it lacks a clear definition of the offence. The term "child prostitution" does not appear explicitly in the Criminal Code. Instead, national law refers often to "sexual immorality" to define prostitution, which is a very vague definition, prone to individual interpretation. The Criminal Code criminalizes both the exploitation and facilitation of child prostitution.

Although adult prostitution is legal in Denmark, Danish national law prohibits the exploitation of child prostitution. However, the definition of child prostitution provided in the national law is rather confusing. Article 223a of the Criminal Code criminalizes abusers who attempt to have sexual intercourse with children younger

than 18 for remuneration or the promise of a remuneration. By not referring to "other forms of consideration", the definition of child prostitution under the Danish law is not fully 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 punishment for

the offense is also rather low. The law only punishes offenders with imprisonment for up to three years.

Denmark penalizes not only individuals who attempt to have sexual intercourse with children, but also those who facilitate child prostitution directly and indirectly. Article 228 of the Criminal Code criminalizes any persons who induce others into prostitution, such as pimps or brothels' owners. Article 228 also punishes any person who induces

a person under 21 to engage in a "sexually immoral profession" or any person to seek service from it for his/her own benefits. The same penalty also applies to those who help them travel abroad to perform such a profession.¹¹⁶

Article 229 punishes those who indirectly facilitate prostitution by illegal arrangements, such as letting hotel rooms for the carrying of prostitution as a profession.¹¹⁷

CHILD TRAFFICKING FOR SEXUAL PURPOSES

The Danish legislation addressing trafficking in human beings is generally in line with relevant international legal standards. The Law defines and criminalizes trafficking in children in accordance with relevant provisions of the UN Trafficking Protocol.

The protection of children from trafficking is covered by the national Criminal Code. Under Article 262a of the Criminal Code "anyone who recruits, carries, transfers, houses or subsequently receives a person, resorting to or having resorted to illegal coercion under section 260, deprivation of liberty under section 261, threats under section 266, unlawful inducement, consolidation or exploitation of a deception or any other undue method will be punished with imprisonment for a term of up to eight years, where the act was committed with a view to exploitation of the victim by sexual indecency, forced labour, slavery or conditions similar to slavery or removal of organs".

The definition of human trafficking provided by Article 262a is in line with the relevant provisions the UN Trafficking Protocol and the Council of Europe Convention on Action against Trafficking in Human Beings. According to Article 262a subsection 2, all acts mentioned under Article 262a will be deemed trafficking in children even though they were committed without the use or means of coercion and regardless of the consent of the child.

However, Article 262a does not specifically address trafficking for the purpose of "sexual exploitation". It refers to trafficking for the purpose of exploitation of the victim by "sexual indecency" which is vague since there is no definition of this term provided by the law. This can lead to subjective interpretations.

Eight years imprisonment is the maximum penalty that can be inflicted on persons trafficking in adults. However, Danish legislation considers trafficking in children younger than 15, including for sexual purposes, as aggravating circumstances.¹¹⁸ However, trafficking in children between 15 and 18 years does not carry a harsher penalty.

In addition, Article 228 stipulates that any person who facilitates any person under the age of 21 to travel abroad to perform a sexually immoral profession shall be subject to imprisonment of up to four years.¹¹⁹

Denmark's legislation does not address internal trafficking of children.



STOP Sex Trafficking of Children & Young People Campaign

An important advocacy component of The Body Shop and ECPAT 'Stop Sex Trafficking of Children and Young People Campaign' is the country progress card system, which ECPAT and The Body Shop has created to assess the progress of state action on specific commitments and promises to uphold the rights of the child to protection from sex trafficking and all forms of commercial sexual exploitation. In line with the *2008 Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children* from the World Congress III against Sexual Exploitation of Children and Adolescents, this innovative tool provides readers with information on states' action to combat child trafficking, specifically towards the three goals of the campaign:

1. Community-base prevention programmes to stop child trafficking are reaching at-risk populations;
2. International legal standards for protecting children from trafficking have been incorporated into the national legal framework; and
3. Specialised government services for child victims of trafficking are integrated into national policies.

Denmark : Summary of Progress Card*			
Goal 1: Community-base Prevention Programmes			
Prevention	Collaboration	Awareness raising	Teacher training
Goal 2: legal framework			
Optional Protocol	Trafficking Protocol	National legislation	Special police units
Goal 3: specialised services for child victims			
Helpline	Shelters	Medical services	Psychological counselling

Green = significant action taken by state; Yellow = partial action taken by state;
Red = inadequate level of state action; Star = work undertaken by NGOs

From the global assessment of the Progress Cards, Denmark is among the 9% of countries reviewed which have made notable efforts to stop sex trafficking of children and young people. Denmark has made important efforts in combating child trafficking, particularly through the adoption of a 2007 – 2010 National Action Plan to Combat Trafficking and 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).

* The Denmark Progress Card is available at www.ecpat.net.

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 the intentional access, through information and communication technologies, to child pornography.

The definition of child pornography as stipulated by Article 235 of the Criminal Code is in line with Article 2 of the OPSC. However, it is not clear whether this definition includes (in addition to visual depictions of children) audio and written child abuse materials.

The Criminal Code criminalizes simple possession and the dissemination of obscene material depicting children under 18. These materials are, as prescribed by the law, photographs, films or similar objects of children engaged in sexual intercourse or other sexual relation. The law, however, does not include audio and written material in the definition of child pornography.¹²⁰

Denmark also bans virtual pornography, but only if the abusive representations are almost identical to photographs. What exactly constitutes virtual child pornography is currently under debate in Denmark. In particular, the Danish Comic Council has been directly involved in the debate to avoid the criminalization of manga and other comics depicting adolescents in sexual behaviours.¹²¹

In 2003 prison sentences for dissemination and simple possession of child pornography were raised from two to six years.¹²²

Having ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, Denmark must criminalize the solicitation of children for sexual purposes (“grooming”) as well as knowingly obtaining access, through information and communication technologies, to child pornography. With regard to “grooming”, in 2009 the Danish National Police advised the Danish Ministry of Justice that there was no need to reform legislation as section 21 of the Danish Criminal Code which would allow the police to prosecute such cases. This section refers to “attempt to commit a crime” and has been used to prosecute criminals who are planning to commit an offence. Due to this position, legislation has not been reviewed¹²³ with the result that “grooming” as well as knowingly obtaining access to child pornography are not yet illegal in Denmark.

EXTRATERRITORIAL LEGISLATION AND EXTRADITION WITH REGARDS TO CHILD SEX TOURISM

Article 4 of the OPSC highlights the importance of establishing jurisdiction over the offences committed against children outside one’s own country. The Protocol calls the State members to take measures “to establish (...) jurisdiction (...) when the alleged offender is present in its territory and it does not extradite him or her to another State Party on the ground that the offence has been committed by one of its own nationals”.

In 2006, after ratifying the Council of Europe Convention on Cybercrime, Denmark reviewed its extraterritorial legislation abolishing the requirement of dual criminality regarding sexual abuse of children.¹²⁴ Therefore, under Article 7 of the Danish Criminal Code, sexual crimes against children, including child prostitution, committed outside Denmark by Danish citizens and residents are punishable under

the Danish criminal law even though the act is not considered as a punishable offense in the country where it was committed. A campaign to promote this new law has been

launched to raise awareness in Danish public against sexual abuse of children in foreign countries (see section on “Prevention”).

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 video interview techniques and working with children, with interviews taking place in child friendly rooms at police stations. Some NGO's working on children's issues have questioned the absence of specialised child protection units while noting that cooperation with other child protection agencies sometimes remains poor.

Criminal investigations regarding human trafficking in Denmark are conducted by the National Centre of Investigation (NCI) of the Danish National Police in collaboration with the local police districts. To ensure adequate specialisation, all police districts have appointed a representative for cases on human trafficking.¹²⁵ Moreover, in 2008, a special anti-trafficking unit was established within the Copenhagen Police to handle cases of trafficking in women for sexual purposes. The NCI receives reports and collects data from the local police districts for human trafficking offences, including child trafficking. It also prepares an annual report to the Danish Parliament on trafficking efforts, which

contains statistical information including the number of criminal investigations, prosecutions and convictions.¹²⁶

Combating child pornography online is a high priority for the national police. The special investigative expertise of the Danish police in the area of sexual exploitation of minors through ICTs is found in the National IT Crime Investigation Unit (NITEC) under the Criminal Investigation section of the National Police. NITEC supports the local police departments in dealing with ICT related offences and, in particular, dissemination of child pornography on the Internet.

Support services for children

Denmark has a good system of care and support for children who have been subjected to child sexual abuse, especially in the Copenhagen area, but therapeutic services that cater specifically to child victims of trafficking and sexual exploitation are mainly provided by the NGO sector. Also, assistance offered to trafficked children focuses primarily on rehabilitation and repatriation, rather than on social reintegration in Denmark, with the result that child victims may be re-trafficked once repatriated in their countries of origin. In order to provide adequate support to CSEC victims, Denmark should urgently deliver training to staff of local social service departments, including on therapeutic treatment of children involved in the production of abusive images, and should further enhance cooperation among NGOs and government agencies responsible for child protection.

The “Knowledge Centre for Social Measures concerning Sexual Abuse of Children” (SISO) was established to provide data and resources for the recovery of child victims of sexual abuse. In connection with the 2003 *Action Plan to Combat Sexual Exploitation of Children*, SISO has been funded until 2010 in order to accomplish activities and provide support services for children. The Centre provides telephone assistance to child and young victims. However, most of the services provided by SISO address children only indirectly since it focuses on developing the capacities of the local authorities, which are the ones in charge of assisting victims of CSEC. In particular, SISO provides consultancy to local authorities in their work to develop and assist child victims of sexual abuse. The Centre has a service of telephone guidance for welfare offices and professionals dealing with abused children.¹²⁷

The National Police plays a part in assisting children who have been trafficked and/or involved in prostitution. In order to provide better assistance to the victims, a new provision (section 741 E) was added to the Administration of Justice Act establishing the police’s duty to assist victims with counselling and guidance. Additionally, the amended Act establishes the statutory duty for the police and the prosecution office to alert the court in case the victim has to provide testimony. In this case the witness is entitled to special assistance.¹²⁸ In this regard, Denmark established child-friendly procedures to safeguard children witness, including video recording of their testimony in order to avoid re-victimization and further trauma. Despite these efforts, concerns have been raised regarding the criminalization of child victims for actions committed as a consequence of trafficking. Also, cases of children deported for entering the country with fake documents have been reported.¹²⁹

There are currently no specialised centres for child victims of trafficking in Denmark. Accommodation for children residing illegally is provided through agreements with the Red

Cross and the municipality of Copenhagen. Given the low numbers of identified child victims of trafficking, the Danish authorities do not plan to set up specialised centres for them, though it has planned to provide training to staff working in centres receiving victims of trafficking.¹³⁰

According to the anti-trafficking action plans, every trafficked child must receive individual care and both medical and legal assistance. In line with provisions contained in the *Aliens Act*, the appointment of personal representatives for child victims should be guaranteed, with the Red Cross being responsible for child protection. The representative is responsible for guiding the child in interacting with local authorities and assisting him/her with the procedures of family tracing and assessment in cases of repatriation.¹³¹ Child victims will also be assisted in cases of asylum seeking. Under every circumstance, the child will be provided with education, medical and psycho and socio-pedagogical support when necessary.¹³²

Denmark has adopted a procedure that is meant to safeguard the child in view of his/her repatriation. Repatriation procedures involve investigation processes meant to identify the family of the child, or alternatively, other actors, such as civil organizations, able to take care of the child’s wellbeing once repatriated. The child may be offered financial assistance to cope with the resettlement and, if necessary, to purchase medicines, educational material or to seek psychological aid.¹³³ In 2008, the Danish Ministry of Immigration initiated a pilot programme for victims of trafficking in collaboration with the International Organization for Migrations (IOM). The programme aimed to assure the victims a safe repatriation.

In 2002, the Danish government launched a hotline providing assistance to victims of trafficking. The 2007 Action Plan broadened the scope of the hotline to include clients of commercial sex services and individuals who

possess knowledge of situations that can be defined as human trafficking. This nationwide hotline is run by the Center against Trafficking in Human Beings and is open every day between 8 am and 6 pm. Although the service is not specific to children, it enables minors who are victims of trafficking to receive support and protection services.¹³⁴

Access to assistance for trafficked children presents some shortcomings. According to existing provisions, if an unaccompanied child is not recognized as a victim of trafficking, he/she will be immediately considered as an illegal migrant; thus, under the Aliens Act, must leave the country within 30 days. If recognized as a victim of trafficking, “the reflection period” would apply and could be prolonged for up to 100 days for children who agree to cooperate on an assisted return to their country of origin and in investigation and prosecution of traffickers.¹³⁵ No support is granted beyond the reflection period and therefore this does not guarantee the child’s safety from the risk of being re-trafficked

or inserted into abusive environments. Also, the reflection period may be too short and a traumatized child may not be able to provide the prosecutors the relevant information for the identification of the abuser. In this connection, the Commissioner for Human Rights of the Council of Europe expressed concerns about the fact that in Denmark trafficked persons are often repatriated within a very short period of time. The Commissioner also highlighted that when child victims of trafficking seek asylum in Denmark but have their applications rejected, the children should be guaranteed the possibility of obtaining a residence permit in case repatriation to their country of origin constitutes a risk for their wellbeing.¹³⁶ Alongside these gaps, it must be recalled that specialised medical help or prolonged psychological assistance for children trafficked specifically for sexual exploitation is still lacking. Moreover, the collaboration between care providers and social organisations in order to discuss the child’s individual case and care plan remains insufficient.¹³⁷

Police checks for professionals working with children

In 2005, the Parliament approved a law on criminal records disclosures. The law requires all persons working directly with children under 15, both employees and volunteers, to provide a clear criminal record checks in relation to sexual crimes against minors.¹³⁸ However, the law enforcement presents some weak points as the government did not allocate funds to train those in charge of dealing with the criminal records. Additionally, only new employees and volunteers are asked to present criminal record checks as the disposition does not refer to those who were already working with children under 15 prior to the entering into force of the legislation.

Training law enforcement personnel

Denmark has made important steps to raise the capacity of its law enforcers. Nevertheless, in 2006, the Committee on the Rights of the Child expressed concerns about the lack of systematic trainings on CSEC related offenses for law enforcers and professionals working with children.¹³⁹ This concern was reiterated in 2011 when the Committee on the Rights of the Child recommended the implementation of effective training for law enforcement officials on child trafficking and methods of victims’ identification and treatment.¹⁴⁰

Following the Action Plan to Combat Trafficking in Human Beings, training of police and law enforcers constitutes a crucial aspect of the implementation strategy.

Combating human trafficking is now part of the basic programme for police officers and is taught at the Danish Police College.¹⁴¹

Additionally, an extra educational programme is available for law enforcers. As part of this programme, in 2008, the National Police provided anti-trafficking educational material for dissemination in all local districts. As there is a special representative on human trafficking at every police district, these special representatives receive training on law enforcement regarding this matter. Specific training on investigation of child abuse cases is also provided, but the lack of financial

support has made it difficult to establish a child-focused procedure including training on identification or protection of child victims.¹⁴²

In order to prevent abuses by peacekeepers and military forces deployed abroad and to enable soldiers to recognize offenses, the Danish Ministry of Defence provides anti-trafficking training to all the military personnel before their deployment abroad.¹⁴³

To combat the high rate of computer-facilitated abuses, the National Police force has developed expertise on IT investigations. The National Police is responsible to select and train IT investigators specifically in the area of child pornography and to provide training to other officials.

STOP Sex Trafficking of Children & Young People Campaign



Conducted in partnership between The Body Shop and ECPAT, this three year campaign launched in 2009, seeks to provide immediate relief to child victims with funds raised and to create long-term changes through engaging the public in awareness raising and lobbying decision makers to strengthen concerted action against child trafficking for sexual purposes.

On 10 February 2011, The Body Shop and Save the Children Denmark (ECPAT member) collected handed over the campaign petition, which 58,045 people had signed, and presented them to the Minister of Equality, Lykke Friss, who stated that the calls to action will be integrated into a new national plan of action, which provides which provides, for more resources to ensure better education of the police and authorities on trafficking issues.



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 initiatives to address CSEC.

The National Council for Children has actively engaged children and young people in various activities and platforms, enabling them to express their ideas on issues affecting their lives. The National Council's Children's Panel created in 1998 includes almost 2,000 children aged approximately 10-12 from across the country who participated in three to four annual questionnaire studies, thereby providing invaluable information about children's views on current relevant subjects. In 2011, for example, the Panel provided opinions and proposals on families and divorce as well as on classroom environment.¹⁴⁴ A similar panel of approximately 1,000 children aged 4-6 years was set up in 2012. This panel provides unique insights into perspectives and experiences of pre-school children.¹⁴⁵ In 2011, the Council established a number of expert boards consisting of children with various kinds of life experiences. These boards function as advisory bodies to the Council, providing information about children's experiences in

relation to various topics, such as violence, alternative care, school drop-out, etc.¹⁴⁶

Sporadic examples of initiatives to promote child participation on CSEC issues exist, especially on online safety. For example, a Media Council's Youth Panel was established involving adolescents aged 12-16 years old. Through the panel, youth are provided with the means and the space for participating and influencing decisions about their online and real life (see panel's blog: <http://medierod.wordpress.com/>).

In the framework of the Safer Internet Day 2012 (implemented by the Awareness Centre Denmark -the Danish Media Council for Children and Young People), 70 young people participated in a youth forum at the IT University in Copenhagen. Besides producing mobile films, cartoons and campaign pitches, they had an opportunity to express their ideas and views on the role of digital media in their everyday lives.¹⁴⁷



PRIORITY ACTIONS REQUIRED



National plan of action

- The Government of Denmark should ensure that all measures to prevent and combat child trafficking under the current *Action Plan to Combat Trafficking in Human Beings 2011-2014* are implemented and funded;
- The Government should allocate resources for the implementation of the new *National Strategy against Sexual Abuse of Children*, including for initiatives to address aspects of CSEC. Participation of all key stakeholders, including children and young people, in the implementation of the Strategy should also be promoted, and monitoring and evaluation be conducted to assess the results achieved.

Coordination and cooperation

- Denmark should establish a specific body, maybe as part of the National Council of Children, in charge of dealing specifically with CSEC related policies;
- 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 which require specific expertise;
- The Government should enhance coordination between child protection agencies and foster more active collaboration with civil society actors in efforts to protect children from sexual exploitation;
- Denmark should create a *de facto* national rapporteur via the existing Anti-Trafficking Center to enhance monitoring of anti-trafficking efforts;
- Denmark should include specific programs focused on anti-trafficking in minors for commercial sexual exploitation in its international and regional agreements to combat trafficking in human beings.

Prevention

- The Government should provide financial support in order to increase the visibility and the efficacy of the website www.sikkerchat.com;
- The Government should implement or support programs 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;
- The Government should implement awareness raising activities directed at Roma children, who are highly at risk of being trafficked or re-trafficked;
- CSEC should be included in the training programme for social workers and teachers as well as in school curricula for children of different ages;
- Social work education should include mandatory modules on child sexual abuse and CSEC (no social worker should be expected to practice without receiving this specific education);

- Sex offender management systems should be introduced as a means to prevent re-offending;
- 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, especially targeting outbound Danish travellers.

Protection

- The Government 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;
- The Government should extend the applicability of the national law on criminal record disclosure to all professionals working directly with children regardless of their being employed before the entry into force of the law;
- Child pornography and child prostitution should be clearly legally defined without mention of "sexual immorality" which can create confusion and lead to the manipulation of the definition;
- The Danish legal framework (Criminal Code Article 262 a (2)) should include harsher penalties for offenders convicted for child trafficking;
- The Danish government should organise special training for all relevant law enforcement bodies on child trafficking issues and other CSEC crimes and ensure the implementation of child-friendly legal processes;
- The Danish government should review the current data collecting systems on trafficking issues in order to present disaggregated data on child trafficking case law;
- The Government should develop options to widen avenues of long-term legal residency for foreign victims, including children, in line with European standards and EU guidelines, and based on their status as officially certified victims of trafficking;
- The Government should take measures to ensure that trafficked children are repatriated only when it is in their "best interest";
- Child protection units should be discussed as appropriate measures for improving inter-agency cooperation;
- Specialised training for social workers and other child protection professionals on CSEC should be urgently delivered.

Child participation

- The state should establish participatory policies and practices in all settings/institutions involving children (schools, health centres, juvenile justice, care homes and shelters, local and national government etc.);
- All duty-bearers should support child participation initiatives, including child-led organisations, within all stages of prevention and protection programmes to address CSEC.

ANNEX

The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents*

Note: This is a condensed version. The full Rio Declaration and Call to Action also contains: Preamble; A. Review of progress and outstanding challenges; and B. Declaration.

C. Call for Action

We call on all States, with the support of international organizations and civil society, including NGOs, the private sector, adolescents and young people to establish and implement robust frameworks for the protection of children and adolescents from all forms of sexual exploitation, and we call upon them to:

I - International and Regional Instruments

- (1) Continue working towards ratification of relevant international instruments, including as appropriate the United Nations Convention on the Rights of the Child and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Convention on the Elimination of All Forms of Discrimination against Women.
- (2) Continue working towards ratification of relevant regional instruments, including as appropriate the African Charter on the Rights and Welfare of the Child, the ASEAN Charter,

the Inter-American Conventions on International Traffic in Minors and on the Prevention, Punishment and Eradication of Violence against Women, the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, and the Council of Europe Conventions on Action against Trafficking in Human Beings, on Cybercrime and on the Protection of Children against Sexual Exploitation and Sexual Abuse, conventions which can be ratified by States that are non-members of the Council of Europe.

- (3) State Parties should take all necessary measures to implement the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, taking into due accounts the conclusions and the recommendations of the Committee on the Rights of the Child in the context of its review of State Parties' reports. All countries are encouraged to use this as an important reference.

II – Forms of Sexual Exploitation and its New Scenarios

Child pornography/child abuse images

- (4) Criminalize the intentional production, distribution, receipt and possession of child pornography, including virtual

* The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents (2008), full text available at: http://www.ecpat.net/WorldCongressIII/PDF/Outcome/WCIII_Outcome_Document_Final.pdf

- images and the sexually exploitative representation of children, as well as the intentional consumption, access and viewing of such materials where there has been no physical contact with a child; legal liability should be extended to entities such as corporations and companies in case the responsibility for or involvement in the production and/or dissemination of materials.
- (5) Undertake specific and targeted actions to prevent and stop child pornography and the use of the Internet and new technologies for the grooming of children into online and off-line abuse and for the production and dissemination of child pornography and other materials. Victim identification, support and care by specialized staff should be made a high priority.
 - (6) Conduct educational and awareness-raising campaigns focusing on children, parents, teachers, youth organizations and others working with and for children with a view to improve their understanding of the risks of sexually exploitative use of the Internet, mobile telephones and other new technologies, including information for children on how to protect themselves, how to get help and to report incidences of child pornography and online sexual exploitation.
 - (7) Take the necessary legislative measures to require Internet service providers, mobile phone companies, search engines and other relevant actors to report and remove child pornography websites and child sexual abuse images, and develop indicators to monitor results and enhance efforts.
 - (8) Call upon Internet service providers, mobile phone companies, Internet cafes and other relevant actors to develop and implement voluntary Codes of Conduct and other corporate social responsibility mechanisms together with the development of legal tools for enabling the adoption of child protection measures in these businesses.
 - (9) Call upon financial institutions to undertake actions to trace and stop the flow of financial transactions undertaken through their services which facilitate access to child pornography.
 - (10) Set up a common list of websites, under the auspices of Interpol, containing sexual abuse images, based on uniform standards, whose access will be blocked; the list has to be continuously updated, exchanged on international level, and be used by the provider to perform the access blocking.
 - (11) Undertake research and development, in the realm of the private sector, of robust technologies to identify images taken with electronic digital devices and trace and retract them to help identify the perpetrators.
 - (12) Promote public/private partnerships to enhance the research and development of robust technologies to investigate and to trace the victims with a view to immediately stop their exploitation and provide them with all the necessary support for full recovery.
 - (13) Make technologies easily available, affordable and usable for parents and other caregivers, including to assist with the use of filters to block inappropriate and harmful images of children.
 - (14) Address the demand that leads to children being prostituted by making

Sexual exploitation of children and adolescents in prostitution

the purchase of sex or any form of transaction to obtain sexual services from a child a criminal transaction under criminal law, even when the adult is unaware of the child's age.

- (15) Provide specialized and appropriate health care for children who have been exploited in prostitution, and support child centered local models of recovery, social work systems, realistic economic alternatives and cooperation among programmes for holistic response.

Sexual exploitation of children and adolescents in travel and tourism.

- (16) Encourage and support the tourism, travel and hotel sectors in adopting professional Codes of Conduct, for example by joining and implementing the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism; encourage the use of businesses that put in place appropriate child protection-focused corporate social responsibility strategies; and/or provide other incentives for those participating.
- (17) Ensure that all stakeholders pay specific attention to unregulated tourism to prevent domestic and international travellers from sexually exploiting children and adolescents.
- (18) Cooperate in the establishment of an international travel notification system, such as the Interpol 'green notice' system, in accordance with applicable law and human rights standards.
- (19) Ensure investigation and, where sufficient evidence exists, that appropriate charges are brought and vigorously pursued against the State's nationals who are reported or alleged to have sexually exploited a child in a foreign country.

- (20) Prohibit the production and dissemination of material advertising the sexual exploitation of children in tourism; and alert travellers to criminal sanctions that will apply in cases of sexual exploitation of children.

- (21) Monitor new and emerging tourist destinations and establish proactive measures to work with private sector partners involved in the development of tourism services on measures to prevent the sexual exploitation of children and adolescents, including the use of socially and environmentally responsible strategies that promote equitable development.

Trafficking and the sexual exploitation of children and adolescents

- (22) Mobilize communities, including children and adolescents with a view to engaging them in dialogue on and a critical review of social norms and practices and economic and social conditions that make children vulnerable to trafficking, and establish procedures that involve them in developing strategies and programmes where they participate, where appropriate, in the planning, implementation and monitoring of such programmes.
- (23) Pilot and adapt or replicate successful models of community-based prevention and rehabilitation and reintegration programmes for child victims of trafficking.
- (24) Establish policies and programmes that address not only cross-border but also internal trafficking of children and that include, among other elements, a standard operating procedure for the safe repatriation and return of children based on the child's view and on a careful assessment of the needs and risks to the child of returning to her/his place of origin to ensure that the best interests of the child are taken into account.

- (25) Continue strengthening cross-border and internal cooperation of law enforcement officials, for example by establishing coordinating units with a mandate to issue clear guidelines for child centered investigation of cases of trafficking of children and for treating trafficked children not as criminals but as victims in need of protection.
- (26) Take legislative and other measures to ensure that a guardian is appointed without delay for every unaccompanied trafficked child, that an effective system of registration and documentation of all trafficked children is established, and that every trafficked child is provided with not only short-term protection but also with the necessary economic and psycho-social support for full and long-lasting recovery and social reintegration (in line with the UNICEF

Guidelines on the Protection of Child Victims of Trafficking and UNHCR Guidelines on Formal Determination of the Best Interests of the Child).

- (27) Undertake and/or support, with the involvement of civil society and children, the regular evaluation of programmes and policies to prevent and stop the trafficking of children and of legislation that may have a conducive impact on trafficking, for example laws on marriage, free education, adoption and migration, birth registration, accordance of citizenship, refugee or other status.

III – Legal Frameworks and Enforcement of the Law

- (28) Define, prohibit and criminalize, in accordance with existing international human rights standards, all acts of sexual exploitation of children and adolescents in their jurisdiction, irrespective of any set age of consent or marriage or cultural practice, even when the adult is unaware of the child's age.

- (29) Establish effective extraterritorial jurisdiction, abolishing the requirement of double criminality for offences of sexual exploitation of children and adolescents, and facilitate mutual legal assistance, in order to achieve effective prosecution of perpetrators and appropriate sanctions. Make all acts of sexual exploitation of children and adolescents an extraditable offence in existing or newly established extradition treaties.
- (30) Designate a lead law enforcement agency, where appropriate to national circumstances, to proactively enforce extraterritorial laws related to sexual exploitation of children and adolescents.
- (31) Ensure that child victims of sexual exploitation are not criminalized or punished for their acts directly related to their exploitation, but are given the status of victim in law and are treated accordingly.
- (32) Establish special gender sensitive units/ children's desks within police forces, involving when appropriate other professionals like health care and social workers and teachers, to address sexual crimes against children, and provide specialized training to judicial and law enforcement personnel.
- (33) Address corruption in law enforcement and the judiciary, as well as other authorities with a duty of care to children, recognizing corruption as a major obstacle to effective law enforcement and protection for children.
- (34) Establish and implement international, regional and national legal mechanisms and programmes for addressing sex offender behaviour and preventing recidivism, including through risk assessment and offender management programmes, the provision of voluntary extended and comprehensive rehabilitation services (in addition to but not in lieu of criminal sanctions

as appropriate), safe reintegration of convicted offenders and the collection and sharing of good practices and establish where appropriate sex offenders registers.

IV – Integrated Cross-Sectoral Policies and National Plans of Action General

- (35) Develop and implement comprehensive National Plans of Action on the sexual exploitation of children and adolescents, or include these in existing relevant planning frameworks, such as National Development Plans and ensure that these Plans are based in a cross-sectoral approach which brings all stakeholders together in a coherent and comprehensive framework for action. These Plans should incorporate gender-sensitive strategies, social protection measures and operational plans, with adequate monitoring and evaluation targeted resources and designated responsible actors, including civil society organizations for implementation of initiatives to prevent and stop the sexual exploitation of children and adolescents and provide support for child victims of sexual exploitation.
- (36) Promote and support multi-sectoral policies and programmes, including community-based programmes, within the framework of a comprehensive national child protection system to address phenomena that contribute to the sexual exploitation of children and adolescents including, for example, discrimination (including on the basis of sex), harmful traditional practices, child marriage and social norms that condone sexual exploitation.
- (37) Promote and fund meaningful child and youth participation at all levels in the design, monitoring and evaluation of policies and programmes, in campaigns and through peer-to-peer youth programmes, aimed at raising

awareness and preventing the sexual exploitation and trafficking of children and adolescents.

- (38) Initiate and support the collection and sharing of reliable information and cross-border cooperation, and contribute to databases on victims and perpetrators, to enhance assistance to children and address the demand for sex with children, in accordance with applicable laws.

Prevention

- (39) Ensure that all children born on their territory are registered immediately and for free after their birth and pay special attention to not yet registered children and children at risk and in marginalized situations.
- (40) Strengthen the role of educational institutions and staff to detect, denounce and help address sexual abuse and exploitation of children in all forms and sources.
- (41) Emphasize prevention of sexual exploitation of children and adolescents, through e.g. awareness raising and educational campaigns, support for parents and eradication of poverty while reinforcing or establishing multi-sectoral referral mechanisms to provide comprehensive support and services to children who have been victimized in sexual exploitation.
- (42) Support children to gain deeper knowledge of their own rights to be free from sexual exploitation, and the options available to help them to address abuse, so that they are empowered, with the partnership of adults, to end sexual exploitation.
- (43) Engage children in meaningful and critical examination of changing contemporary values and norms and their potential to increase vulnerability

to sexual exploitation; and promote education to enhance children's understanding of these issues in relation to sexual exploitation.

- (44) Undertake research on contemporary patterns of socialization of boys and men across different contexts to identify factors that promote and strengthen boys' and men's respect for the rights of girls and women and engage them in action initiatives that inhibit and discourage them from engaging in sexual exploitation of children and adolescents.

Protection of the child

- (45) Increase efforts to address the sexual exploitation of children and adolescents through the development of comprehensive and integrated national child protection systems, including the necessary budget allocations and based on identifications of settings where children are most at risk that aim to protect children from all forms of violence and abuse.
- (46) Establish by 2013 an effective and accessible system for reporting, follow up and support for child victims of suspected or actual incidents of sexual exploitation, for example by instituting mandatory reporting for people in positions of responsibility for the welfare of children.
- (47) Develop or enhance accessibility of existing telephone or web-based help lines, in particular for children in care and justice institutions, to encourage children and require care givers to confidentially report sexual exploitation and seek referral to appropriate services, and ensure that the operators of such reporting mechanisms are adequately trained and supervised.
- (48) Strengthen existing national child protection services or establish new

ones in order to provide all child victims of sexual exploitation, girls and boys, without discrimination, with the necessary economic and psycho-social support for their full physical and psychological recovery and social reintegration, and when appropriate, family reunification and interventions that support and strengthen families to mitigate the risk of further exploitation; such services to be provided by well trained multi-disciplinary teams of professionals.

- (49) Ensure that these services are accessible, appropriately resourced, comprehensive, child- and gender-sensitive, and reach all children without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex (or orientation), and social origin and including children with disabilities, from ethnic minorities, indigenous or Aboriginal children, refugee or asylum-seeking and children in domestic service or living on the streets and children displaced by conflict or emergency situations.
- (50) Develop programs that provide children of sex workers and children living in brothels with support and protection.
- (51) Promote and defend the privacy of the child victims and child perpetrators of sexual exploitation, taking into account relevant national laws and procedures, to protect their identity in investigatory or court proceedings or from disclosure by the media and ensure that these proceedings are child friendly and allow the child to participate in a meaningful way in the process of bringing the perpetrator to justice.
- (52) Ensure that children and adolescents exhibiting acts of sexual violence harmful to others receive appropriate care and attention as a first option through gender-sensitive and child-focused measures and programmes that balance their best interest with

due regard for the safety of others, and ensure compliance with the principle that depriving children of liberty should be pursued only as a measure of last resort, and ensure that those responsible for the care of such children are equipped with relevant and culturally appropriate training and skills.

V – International Cooperation

- (53) Take all necessary steps to strengthen international cooperation by multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts of sexual exploitation of children and adolescents; and for the assistance of child victims in their physical and psychological recovery, social reintegration and, as appropriate, repatriation.
- (54) Establish and/or improve by 2013 concrete mechanisms and/or processes to facilitate coordination at national, regional and international levels for enhanced cooperation among government ministries, funding bodies, UN agencies, NGOs, the private sector, workers' and employers' organizations, the media, children's organizations and other representatives of civil society with a view to enabling and supporting concrete action to prevent and stop the sexual exploitation of children and adolescents.
- (55) Strengthen and improve the effectiveness of existing regional mechanisms for exchange, coordination and monitoring of progress on child protection including against sexual exploitation in order to review progress and strengthen follow-up on the implementation of the recommendations made.
- (56) Provide, when in a position to do so, financial, technical and other assistance through existing multilateral, regional, bilateral and other programmes for addressing the sexual exploitation of children and adolescents; and explore the potential of a fund for child and youth initiatives in this area.
- (57) Develop, where appropriate with the support of UN agencies, NGOs, civil society organizations and the private sector, workers' and employers' organizations, policies and programmes to promote and support corporate social responsibility of enterprises operating inter alia in tourism, travel, transport and financial services, and of communication, media, Internet services, advertising and entertainment sectors; so that child-rights focused policies, standards and codes of conduct are implemented throughout the supply chain and include an independent monitoring mechanism.
- (58) Support and contribute to the Interpol international child abuse images database and nominate a responsible national focal point person or unit to collect and update promptly national data on sexual exploitation of children and adolescents, and systematically share this information with Interpol in order to support cross-border (international) law enforcement action and strengthen its effectiveness, and adopt multilateral agreements especially for police investigation work.
- (59) Undertake national and international coordinated measures to curb and stop the involvement of organized crime

in commercial sexual exploitation of children and bring persons and/or legal entities responsible for this form of organized crime to justice.

VI – Social Responsibility Initiatives

We encourage the private sector, employers' and workers' organizations, to proactively engage in all efforts to prevent and stop the sexual exploitation of children and adolescents, and to use their knowhow, human and financial resources, networks, structures and leveraging power to:

- (60) Integrate child protection, including the prevention of sexual exploitation of children, into new or existing corporate social responsibility policies of enterprises operating inter alia in tourism, travel, transport, agriculture and financial services, and of communication, media, Internet services, advertising and entertainment sectors, and ensure appropriate implementation of such policies and widespread public awareness.
- (61) Incorporate the prevention and protection of children from sexual exploitation in human resources policies, such as Codes of Conduct and other corporate social responsibility mechanisms throughout the supply chain.
- (62) Join efforts with Governments, UN agencies, national and international NGOs, and other stakeholders to prevent the production and dissemination of child pornography, including virtual images and the sexually exploitative representation of children, and stop the use of the Internet and

new technologies for the grooming of children into online and off-line abuse; undertake actions to trace and stop the flow of financial transactions for sexual exploitation of children through the services of financial institutions; support efforts to address the demand for sexual exploitation of children in prostitution and the strengthening of services for children victims and their families, including the establishment of accessible telephone or web-based help lines; and provide support for educational and awareness-raising campaigns targeting children, parents, teachers, youth organizations and others working with and for children, on the risks of sexual exploitation of children, sexually exploitative use of the Internet, mobile phones and other new technologies as well as on protective measures.

VII – Monitoring

- (63) Establish by 2013 independent children's rights institutions such as children's ombudspersons or equivalents or focal points on children's rights in existing human rights institutions or general ombudsperson offices, highlighting the importance for States Parties to the Convention on the Rights of the Child of General Comment No 2 of the Committee on the Rights of the Child; these bodies should play a key role in the independent monitoring of actions taken for the prevention of sexual exploitation of children and adolescents, protection of children from such exploitation and the restoration of the rights of sexually exploited children, in advocating for effective legal frameworks and enforcement and

in ensuring, where necessary, that child victims have effective remedies and redress, including the possibility of filing complaints before these institutions.

We encourage the Committee on the Rights of the Child to:

- (64) Persevere with reviewing progress of States Parties' fulfilment of their obligations to uphold the right of children to protection from sexual exploitation and pay special attention to the recommendations in the Rio Call for Action in its examination of reports under the Convention on the Rights of the Child and its Optional Protocols.
- (65) Adopt as a matter of priority a General Comment on the right of the child to protection from sexual exploitation, trafficking for sexual purposes, and the abduction and sale of children, including detailed guidance to States on the development, implementation and enforcement of national legislation and policies in this regard.
- (66) Continue to work with the Office of the High Commissioner for Human Rights in protecting child rights, and raising awareness of relevant international and regional human rights mechanisms.

We encourage other United Nations human rights treaty bodies, special procedures of the Human Rights Council and special representatives of the United Nations Secretary-General, as well as regional human rights mechanisms, to:

- (67) Pay particular attention to combating the sexual exploitation of children and adolescents, within their respective mandates and during their examination of State Parties' reports, country visits, in their thematic work and/or other activities.

We urge the Human Rights Council to:

- (68) Ensure that the Universal Periodic Review process includes rigorous examination of States' fulfilment of their obligations to children, including preventing and stopping the sexual exploitation of children and adolescents and to respectfully the rights of child victims of such exploitation.

We urge the yet-to-be-appointed Special Representative of the Secretary-General on Violence against Children, the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography and the Special Rapporteur on Trafficking in Persons, especially in Women and Children, together with other appropriate mandate holders and in collaboration with the Committee on the Rights of the Child, to:

- (69) Work together to avoid duplication and to maximise their impact in preventing and stopping the sexual exploitation of children and adolescents and, through their work, map experiences in the area of prevention and response to sexual exploitation of children and assess their effectiveness.

We encourage UN agencies, NGOs and human rights institutions to:

- (70) Support and provide information on the extent of and responses to sexual exploitation of children and adolescents to these bodies.
- (71) Work with the media to enhance their role in education and empowerment, and in protecting children from sexual exploitation, and to mitigate the harmful potential of the media, including

through the sexualization of children in advertising.

We call on international financial institutions such as the World Bank and the International Monetary Fund to:

- (72) Review their current macro-economic and poverty reduction strategies with a view to counteracting any negative social impact on children and their families, including loan conditionality which essentially limits social services and access to rights and minimizing the risk for children to sexual exploitation.

We call on religious communities to:

- (73) Reject, in the light of their consensus about the inherent dignity of every person, including children, all forms of violence against children including sexual exploitation of children and adolescents and establish, in that regard, multi-religious cooperation and partnership with other key stakeholders such as governments, children's organizations, UN agencies, NGOs, media and the private sector using their moral authority, social influence and leadership to guide communities in ending sexual exploitation of children and adolescents.

C. Call for Action

- (1) We commit ourselves to the most effective follow-up to this Call for Action:

- At the national level, inter alia, by biennial public reporting on the measures taken for the implementation of the Rio Declaration and Call for Action and promoting/initiating discussions on the progress made and the remaining challenges to named responsible mechanisms for monitoring implementation while also integrating such requirements into State reporting to the Committee on the Rights of the Child.
- At the international level, by encouraging and supporting coordinated actions by the relevant human rights treaty bodies, special procedures of the Human Rights Council and Special Representatives of the Secretary-General of the United Nations with a view to maintaining awareness of the Rio Declaration and Call for Action and promoting its implementation.

- (2) Encourage the private sector to join the United Nations Global Compact and communicate their implementation progress with regard to addressing the sexual exploitation of children and adolescents and supporting the realization of this platform for coordinated corporate efforts and sharing of best practices.

ENDNOTES

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