

# FOURTH EVALUATION ROUND

Measures to prevent and detect vulnerabilities  
to human trafficking

## EVALUATION REPORT DENMARK

**GRETA**  
Group of Experts  
on Action against  
Trafficking in Human Beings

Implementation of the  
Council of Europe Convention  
on Action against Trafficking  
in Human Beings



GRETA(2025)10

Adopted on 4 July 2025  
Published on 24 November 2025



Secretariat of the Council of Europe Convention  
on Action against Trafficking in Human Beings  
(GRETA and Committee of the Parties)  
Council of Europe  
F-67075 Strasbourg Cedex  
France

[trafficking@coe.int](mailto:trafficking@coe.int)

[www.coe.int/en/web/anti-human-trafficking](http://www.coe.int/en/web/anti-human-trafficking)

## Table of contents

Preamble .....	4
Executive summary .....	5
General information on trafficking in human beings in Denmark .....	8
I. Introduction .....	9
II. Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking .....	11
III. Addressing vulnerabilities to trafficking in human beings .....	13
1. Prevention of trafficking in human beings .....	13
a. <i>Introduction</i> .....	13
b. <i>Measures to prevent the vulnerability of specific groups to trafficking in human beings</i> .....	14
i. Children .....	14
ii. Migrant workers .....	16
iii. Asylum seekers, refugees and irregular migrants .....	19
iv. Vulnerabilities related to the gender dimension of human trafficking and of persons engaged in prostitution .....	22
v. LGBTI persons .....	22
vi. Homeless people .....	23
vii. Persons with disabilities .....	24
2. Measures to protect and promote the rights of victims of trafficking .....	26
a. <i>Identification of victims of THB</i> .....	26
b. <i>Assistance to victims</i> .....	29
c. <i>Identification and assistance of child victims of trafficking</i> .....	31
3. Substantive criminal law and procedural law .....	32
a. <i>Notion of "abuse of a position of vulnerability" in the law and case-law</i> .....	33
b. <i>Investigation, prosecution and sanctions</i> .....	34
c. <i>Criminalisation of the use of services of a victim</i> .....	37
IV. Addressing human trafficking facilitated by information and communication technology (ICT) .....	38
V. Follow-up topics specific to Denmark .....	41
1. Recovery and reflection period .....	41
2. Residence permits .....	41
3. Compensation .....	43
4. Non-punishment provision .....	44
5. Repatriation and return of victims .....	46
6. Co-operation with civil society .....	48
VI. Conclusions .....	49
Appendix 1 - Statistics on victims and criminal cases of THB in Denmark .....	51
Appendix 2 - List of GRETA's conclusions and proposals for action .....	52
Appendix 3 - List of public bodies, intergovernmental organisations and civil society actors with which GRETA held consultations .....	59
Government's comments .....	61

## Preamble

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings (“the Convention”), GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by States Parties. The second evaluation round examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking, in particular trafficking for the purpose of labour exploitation, and child trafficking. The third evaluation round focused on trafficking victims’ access to justice and effective remedies.

GRETA has decided that the fourth evaluation round of the Convention will focus on vulnerabilities to human trafficking and measures taken by State Parties to prevent them, detect and support vulnerable victims, and punish the offenders. An additional focus concerns the use of information and communication technology (ICT) to commit human trafficking offences, which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.

A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. The concept of “vulnerability” appears in Articles 4 (definitions), 5 (prevention of trafficking in human beings) and 12 (assistance to victims) of the Convention. According to paragraph 83 of the Explanatory report to the Convention, “by abuse of a position of vulnerability is meant abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse. The vulnerability may be of any kind, whether physical, psychological, emotional, family-related, social or economic. The situation might, for example, involve insecurity or illegality of the victim’s administrative status, economic dependence or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Persons abusing such a situation flagrantly infringe human rights and violate human dignity and integrity, which no one can validly renounce.”

GRETA refers to the ICAT Issue Brief No. 12/2022 on Addressing vulnerability to trafficking in persons which refers to vulnerability as “those inherent, environmental or contextual factors that increase the susceptibility of an individual or group to being trafficked”. It classifies vulnerability factors in three categories: personal (e.g. age, gender, ethnicity, disability), situational (e.g. destitution, unemployment, legal status) and contextual (e.g. discriminatory laws, policies and social norms, armed conflicts, crises) factors, which interact and may increase the risk of human trafficking for certain individuals, groups and/or communities.<sup>1</sup> Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

In addition to the thematic focus on vulnerabilities to human trafficking, GRETA has decided that each State Party will receive country-specific follow-up questions related to recommendations not implemented or partially implemented after the third evaluation round.

GRETA recalls that it has adopted the use of three different verbs - “urge”, “consider”, and “invite” – which correspond to different levels of urgency for bringing the State Party’s legislation and/or practice into compliance with the Convention. Thus, GRETA uses the verb “urge” when it assesses that the national legislation or policies are not in compliance with the Convention or when it finds that, despite the existence of legal provisions and other measures, the implementation of a key obligation of the Convention is lacking. In other situations, GRETA “considers” that it is necessary to make further improvements to fully comply with an obligation of the Convention. By “inviting” a country to pursue its efforts, GRETA acknowledges that the authorities are already on the right track and encourages them to continue existing action.

<sup>1</sup> ICAT Issue Brief No. 12 on Addressing vulnerability to trafficking in persons - Search (bing.com): <https://www.bing.com/search?q=ICAT+Issue+Brief+No.+12+on+Addressing+vulnerability+to+trafficking+in+persons&cvid=b4ef436f69344c20bdd410df268b36c2&aqs=edge.0.69i59.2427j0j1&FORM=ANAB01&PC=U531>, accessed 11 November 2024.

## Executive summary

This report, covering the period 2021-2025, evaluates the measures taken by Denmark to prevent vulnerabilities to trafficking in human beings (THB), detect and support vulnerable victims and punish the offenders. In doing so, it pays particular attention to the use of information and communication technology (ICT) to commit human trafficking offences as well as to the use of technological innovations to prevent THB, protect victims and prosecute traffickers. The report also evaluates progress made in selected areas examined by GRETA during previous evaluation rounds.

Over the years, the Danish authorities have taken a series of steps to develop the legislative and institutional framework for action against THB. In June 2022, a new section 262(b) of the Danish Criminal Code (CC) entered into force, criminalising the exploitation of others for forced labour and work under manifestly unreasonable conditions. Further, the new Children's Act, which entered into force on 1 January 2024, includes provisions for enhanced identification of at-risk children. An Inter-Ministerial Working Group was created to combat social dumping and protect vulnerable workers and the National Special Crime Unit was set up to tackle complex crimes, including THB. The authorities have regularly adopted national anti-trafficking action plans, the latest being the 6th National Action Plan for 2022-2025, which is supported by increased funding.

The number of identified victims of THB in 2020-2024 was 420. Most victims were women (64%). Child victims represented less than 7% of all victims. Sexual exploitation remained predominant, followed by forced labour and forced criminality. The vast majority of the identified victims were foreign nationals from non-EU countries, notably Nigeria and Thailand. Only 12 Danish victims were identified.

In Denmark, undocumented migrants, asylum seekers and refugees are at risk of various forms of exploitation. Unaccompanied asylum-seeking children are especially vulnerable to trafficking while awaiting the examination of their applications. Women from both EU and non-EU countries who are engaged in prostitution are at risk of sexual exploitation. Additionally, LGBTI persons, especially transgender women, are particularly vulnerable to sexual exploitation.

While welcoming the measures aimed at strengthening child protection and upholding children's rights, GRETA notes that efforts to prevent child trafficking in Denmark remain insufficient. GRETA urges the authorities to address the issue of unaccompanied children disappearing from reception facilities by providing them with a safe environment and living conditions that meet their needs and vulnerabilities and offers effective protection. Further, GRETA considers that the Danish authorities should mainstream the prevention of child trafficking into existing school programmes and provide training on THB to teachers, legal guardians and staff working with children in asylum reception centres and care facilities.

The Danish authorities have taken steps to prevent the exploitation of migrant workers, including through legislative changes and granting enhanced powers and funding to the Danish Working Environment Authority. Nevertheless, with a view to strengthening the prevention of trafficking for the purpose of labour exploitation, GRETA considers that the authorities should encourage regular and co-ordinated multi-agency labour inspections and enhanced co-operation between relevant agencies, take steps to licence and monitor temporary employment and recruitment agencies, and encourage safe reporting procedures for foreign workers.

The authorities informed GRETA that victims of THB identified among irregular migrants are granted a recovery and reflection period and should be released from detention and accommodated in asylum centres, shelters or safe houses. However, representatives of civil society organisations indicated that victims continued to stay for long periods in immigration detention or were deported to their countries of origin after being identified as victims of THB. GRETA urges the Danish authorities to ensure that persons whom the authorities have reasonable grounds to believe to be victims of human trafficking are not expelled until the identification process is completed. It also considers that the authorities should establish a systematic and comprehensive vulnerability assessment of all persons accommodated in asylum reception and immigration centres.

As part of the 6th National Action Plan to Combat THB, the Danish Government has increased the budget allocated to NGOs involved in outreach work in the field of prostitution. GRETA considers that the authorities should continue taking measures to counteract the risks of THB and exploitation of sexual service providers through information and awareness raising aimed at eliminating gender stereotypes and by supporting migrants, especially migrant women, to access vocational training, education and employment. Furthermore, GRETA considers that the Danish authorities should take steps to address the vulnerability of LGBTI persons to THB, in close co-operation with civil society organisations.

Homeless people are particularly vulnerable to THB in Denmark. Under the Social Services Act, municipalities must support vulnerable adults, including homeless people, yet unregistered migrants often fall outside this protection. To prevent the trafficking of homeless people, GRETA considers that the Danish authorities should ensure that they are provided with secure accommodation and access to essential services, and that training on THB is provided to staff working in homeless shelters.

NGOs receiving state funding carry out outreach work and refer potential victims to the authorities for formal identification, but since 2022, they can no longer conduct informal identification interviews, which has limited their ability to engage in the identification process. GRETA urges the Danish authorities to step up their efforts to identify victims of trafficking for different forms of exploitation, in particular among third-country nationals who might be staying irregularly in Denmark as a direct consequence of having been trafficked. This should include the proactive detection of victims of THB at the Ellebæk detention centre and throughout the asylum procedure. Moreover, GRETA considers that the authorities should increase their efforts to identify possible victims of THB among Danish nationals, including by raising public awareness and providing additional training to relevant professionals on the definition and identification of victims.

The report welcomes the increased funding allocated to supporting trafficking victims through outreach activities, focused on delivering social and health services. However, GRETA considers that the Danish authorities should further develop the assistance measures for victims of THB and provide a permanent solution for offering safe and suitable accommodation for male victims of THB. Further, the authorities should improve access to legal assistance and free legal aid by specialised lawyers, including in remote areas.

While welcoming the introduction of a specialised child interview course for relevant professionals, GRETA calls upon the authorities to make further efforts to improve the identification of child victims of THB, particularly among unaccompanied children, and to ensure that staff from social services are systematically trained on how to identify child victims of trafficking.

Section 262a of the CC, which criminalises human trafficking, does not include the concept of "abuse of a position of vulnerability" amongst the means to commit THB, but refers to "any other improper method" which has been interpreted by Danish courts to include the abuse of a vulnerable position. The Guidelines of the Director of Public Prosecutions on handling of cases of THB provide examples of what may be considered as a vulnerable position. GRETA welcomes the application of the concept of abuse of a position of vulnerability in case-law in Denmark and invites the Danish authorities to include in the training of relevant professionals how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking.

In May 2022, the South Jutland Police District was designated as the body responsible for national monitoring efforts regarding THB. The number of investigations concerning reports of human trafficking increased in 2023-2024, however, the number of convictions for THB has remained limited, due to difficulties in obtaining sufficient evidence. GRETA considers that the Danish authorities should enhance the capacity to proactively investigate and prosecute THB cases, particularly for the purpose of labour exploitation, and strengthen co-operation between law enforcement and NGOs by establishing formal mechanisms for reporting THB cases.

To address the rise in the online recruitment and exploitation of human trafficking victims, a digital tool focusing on technology-facilitated THB has been developed, applying a set of indicators to data scraped from adult services websites in order to identify signs of trafficking. Further, the Danish Police has established an online patrol unit, designed to strengthen the police's digital presence. GRETA welcomes

these initiatives and considers that the Danish authorities should strengthen inter-agency co-operation and capacity to detect and investigate technology-facilitated trafficking and exploitation, and develop data-sharing procedures and co-operation protocols with companies holding relevant data as well as rental platforms to foster the timely provision of information.

Reiterating the recommendations made in its previous reports on Denmark, GRETA once again urges the Danish authorities to review the legislation in order to ensure that all persons for whom there are reasonable grounds to believe that they are victims of trafficking are provided with a recovery and reflection period.

In the period from January 2020 to May 2024, 39 victims of THB were granted a residence permit. GRETA is concerned by the low number of residence permits granted to victims of trafficking and notes that there is little incentive for victims to seek assistance or co-operate in investigations and criminal proceedings as the majority are ultimately returned to their countries of origin. Victims who fear such a return, for example due to the risk of retaliation from traffickers, are likely to be hesitant to come forward and/or co-operate with the authorities. GRETA once again urges the Danish authorities to review the application of the system for granting residence permits to victims of trafficking with a view to ensuring that the victim-centred approach which underpins the Convention is fully applied.

The number of victims of THB who have been awarded compensation remains low. Therefore, GRETA urges the Danish authorities to simplify the procedures for applying for compensation and ensure that compensation awarded is effectively paid, to facilitate access to state compensation by reviewing the eligibility criteria, and to make full use of the legislation on the freezing and forfeiture of assets to secure compensation to victims of THB.

There is still no specific legal provision on the non-punishment of victims of THB in Denmark. The binding guidelines issued by the Director of Public Prosecutions on the handling of cases of human trafficking have not been further developed in this respect. GRETA once again urges the Danish authorities to encourage prosecutors to be proactive in establishing whether an accused person is a potential victim of trafficking and to lift all negative consequences faced by presumed victims of THB, such as any form of detention, entry bans or delays in accessing legal residence in Denmark. GRETA also considers that the authorities should adopt a specific legal provision ensuring the non-punishment of victims of trafficking for their involvement in unlawful activities, to the extent that they were compelled to do so and regardless of their co-operation with law enforcement authorities.

In 2020-2023, 120 identified victims of THB were returned to other countries or repatriated with assisted voluntary return and reintegration support. According to civil society representatives, voluntary return was often not perceived by victims as a genuine choice, but rather as the only alternative to deportation without support. GRETA urges the Danish authorities to put in place repatriation assistance arrangements suitable for all victims of THB, to carry out comprehensive assessments of the risk of them being re-victimised and re-trafficked prior to deciding on their return, and to further strengthen co-operation with the countries to which victims of THB return.

Finally, GRETA considers that the Danish authorities should further develop co-operation with specialised NGOs by adequately involving them in the planning, implementation and evaluation of National Action Plans to Combat THB and to ensure that NGOs engaged in anti-trafficking action have access to adequate funding through processes that are not overly complex or bureaucratic.

## General information on trafficking in human beings in Denmark

(covering the period from 2020 until June 2025)

Entry into force of the Council of Europe Convention on Action against Trafficking in Human Beings (THB)	1 February 2008
Previous evaluations by GRETA	<ul style="list-style-type: none"> <li>First evaluation report (published on 20 December 2011)<sup>2</sup></li> <li>Second evaluation report (published on 10 June 2016)<sup>3</sup></li> <li>Third evaluation report (published on 17 March 2021)<sup>4</sup></li> </ul>
Co-ordination of national action against THB	<ul style="list-style-type: none"> <li>Danish Centre against Human Trafficking (CMM), under the Ministry of Environment and Gender Equality</li> <li>Inter-Ministerial Working Group to Combat Human Trafficking</li> <li>Governmental interdisciplinary task force to strengthen efforts to combat THB and improve identification and referral of victims</li> <li>Inter-Ministerial Working Group on measures against social dumping and the protection of vulnerable foreign workers</li> </ul>
National Rapporteur	<ul style="list-style-type: none"> <li>Danish Centre against Human Trafficking (equivalent mechanism)</li> </ul>
Specialised bodies and NGOs	<ul style="list-style-type: none"> <li>National Special Crime Unit (SCU)</li> <li>NGOs: Hope Now, Reden International and AmiAmi</li> </ul>
National Strategy/Action Plan	<ul style="list-style-type: none"> <li>6<sup>th</sup> National Action Plan to Combat Trafficking in Human Beings (2022-2025)</li> </ul>
Relevant legislation	<ul style="list-style-type: none"> <li>Danish Aliens Act (sections 7, 9(c)(4) and 33(7))</li> <li>Criminal Code (sections 81, 82(6), 83, 262(a) and 262(b))</li> <li>Administration of Justice Act (relevant for compensation procedures)</li> <li>Act on State Compensation for Victims of Crime</li> </ul>
National Referral Mechanism (NRM)	The National Referral Mechanism, established in 2008 by the CMM, has undergone several revisions over the years. It consists of different groups and networks with a range of actors, including authorities and NGOs with the CMM acting as the focal point.
Trafficking profile	Denmark is predominantly a country of destination for victims of trafficking. The majority of the identified victims were female, but the number of identified male victims has increased over the years. Sexual exploitation was the predominant form of exploitation, followed by forced labour and trafficking for the purpose of forced criminality. The vast majority of victims were foreign nationals originating from countries outside the EU.

<sup>2</sup> <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680631bd4>, accessed 11 November 2024.

<sup>3</sup> <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806662af>, accessed 11 November 2024.

<sup>4</sup> <https://rm.coe.int/greta-evaluation-report-on-the-implementation-of-the-council-of-europe/1680a26052>, accessed 11 November 2024.

## I. Introduction

1. Denmark was amongst the first countries to ratify the Council of Europe Convention on Action against Trafficking in Human Beings ("the Convention") and has been in the first group of Parties to be evaluated by GRETA under each evaluation round.

2. Over the years, the Danish authorities have taken a series of steps to develop the legislative and institutional framework for action against THB, as well as to strengthen co-ordination between relevant actors. The authorities regularly adopt national action plans for combating THB. A procedure for the formal identification and referral to assistance of victims of trafficking (National Referral Mechanism) was adopted in 2008 and has been periodically updated. However, after three rounds of evaluation, GRETA concluded that there were continuing gaps in certain areas, in particular the identification of victims of trafficking amongst asylum seekers, refugees and irregular migrants, the provision in national law of a recovery and reflection period as defined in Article 13 of the Convention, victims' access to compensation, and the implementation of the non-punishment provision.

3. On the basis of GRETA's third report, on 4 June 2021 the Committee of the Parties to the Convention adopted a recommendation to the Danish authorities, requesting them to inform the Committee of measures taken to comply with the recommendation within a two-year period. The report submitted by the Danish authorities was considered at the 32nd meeting of the Committee of the Parties (16 June 2023) and was made public.<sup>5</sup>

4. On 12 March 2024, GRETA launched the fourth round of evaluation of the Convention in respect of Denmark by sending the questionnaire for this round to the Danish authorities. The deadline for submitting the reply to the questionnaire was 12 July 2024 and the authorities' reply was received on 2 July 2024.<sup>6</sup>

5. An evaluation visit to Denmark took place from 7 to 11 October 2024 in order to hold meetings with relevant governmental and non-governmental actors, collect additional information and examine the practical implementation of adopted measures. The visit was carried out by a delegation composed of:

- Ms Svala Ísfeld Ólafsdóttir, member of GRETA;
- Ms Conny Rijken, member of GRETA;
- Ms Teresa Armengol de la Hoz, Administrator in the Secretariat of the Convention.

6. During the visit, the GRETA delegation met officials from the Ministry of Environment and Gender Equality (including the Danish Centre against Human Trafficking and the Department of Gender Equality), the Ministry of Employment (including the Working Environment Authority and the Agency for Labour Market and Recruitment), the Ministry of Taxation (including the Tax Agency), the Ministry of Immigration and Integration (including the Immigration Service, the Agency for International Recruitment and Integration, and the Return Agency), and the Ministry of Social Affairs and Housing. Meetings were also held with several agencies under the Ministry of Justice: the Office of the Director of Public Prosecutions, the Criminal Injuries Compensation Board, the Danish National Police (including the National Special Crime Unit, the Assets Recovery Office, the National Cybercrime Centre, the Financial Intelligence Unit and the Police Academy). The delegation also met a judge from the Western High Court.

<sup>5</sup> <https://rm.coe.int/report-submitted-by-the-authorities-of-denmark-on-measures-taken-to-co/1680aba904>, accessed 11 November 2024.

<sup>6</sup> <https://rm.coe.int/questionnaire-for-the-evaluation-of-the-implementation-of-the-council-/1680abd8fa>, accessed 11 November 2024.

7. Furthermore, GRETA's delegation held consultations with the Danish Institute for Human Rights. It also met Members of Parliament, including the spokespersons on Legal Affairs and on Immigration and Integration.

8. In addition, GRETA's delegation held meetings in Esbjerg with members of the South Jutland Police, a prosecutor co-ordinating human trafficking cases, and a judge from the Eastern High Court. Discussions were also held with representatives of the social services of Copenhagen municipality.

9. The GRETA delegation held separate meetings with non-governmental organisations (NGOs).

10. In the course of the evaluation, the GRETA delegation visited an NGO-run shelter for female victims of human trafficking in Copenhagen, a shelter for homeless people operated by the Salvation Army in Hørhuset, as well as a health clinic providing psychological support and health care to victims of trafficking in Fredericia. The visit also provided an opportunity to visit the Ellebæk immigration detention centre and the asylum reception centre and the centre for unaccompanied children in Sandholm.

11. The list of the national authorities and civil society organisations with which the delegation held consultations is set out in Appendix 3 to this report. GRETA is grateful for the information provided by them.

12. GRETA wishes to place on record the co-operation provided by the Danish authorities and in particular by the contact person appointed to liaise with GRETA, Ms Maja Yung Mee Lundgaard-Jensen, Head of Section in the Organised Crime Division within the Ministry of Justice.

13. The draft version of the present report was approved by GRETA at its 53rd meeting (24-28 March 2024) and was submitted to the Danish authorities for comments. The authorities' comments were received on 23 June 2025 and were taken into account by GRETA when adopting the final report at its 54th meeting (30 June - 4 July 2025). The report covers the situation up to 4 July 2025; developments since that date are not taken into account in the following analysis and conclusions. GRETA's conclusions and proposals for action are summarised in Appendix 2.

## II. Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking

14. Denmark remains primarily a country of destination for victims of trafficking in human beings (THB). In the period 2020-2024, the number of presumed victims<sup>7</sup> referred for an identification interview was 1127, whereas the number of identified victims was 420<sup>8</sup> (see the table in Appendix 1 for detailed statistics). The majority of the victims were female (64%). The number of identified child victims was 27, representing less than 7% of all victims. Sexual exploitation has remained the predominant form of exploitation (49%), followed by forced labour (21%) and forced criminality (16%). The vast majority of identified victims were foreign nationals originating from countries outside the EU, with Nigeria (20%) and Thailand (14%) continuing to be among the most frequently represented countries of origin. Only 12 Danish victims of trafficking were identified during the reporting period.

15. As regards emerging trends of trafficking in human beings, the authorities noted an increase in online recruitment of victims, with particular concern over unaccompanied children from North Africa recruited via social media to commit criminal activities (see paragraph 32). A new trend involves Asian men, primarily Vietnamese, exploited by criminal networks, to grow cannabis on remote farms.

16. Concerning the legislative framework for action against THB, in June 2022, a new section 262(b) in the Danish Criminal Code (CC) entered into force, criminalising the exploitation of others for forced labour and work under manifestly unreasonable conditions (see paragraph 131). Further, two pieces of legislation were passed on 28 November 2024: Law No. 1445 on the Accommodation of Employees and Law No. 1458 amending the Posting of Workers Act (see paragraphs 44-45). The latter introduces requirements for the presentation of identification and additional information to be provided in the Register of Foreign Service Providers. The Danish authorities have also referred to the new Children's Act, which entered into force on 1 January 2024 and includes provisions for enhanced identification of at-risk children, increased investment in child welfare services and improved cross-sectoral collaboration (see paragraph 30).

17. As regards the institutional framework, the Danish Centre against Human Trafficking (CMM), which is subordinated to the Authority for Social Services and Housing, is the leading agency dedicated to combating human trafficking, with a particular focus on delivering social assistance and support to victims. The Inter-Ministerial Working Group on Human Trafficking continues to co-ordinate the implementation of the activities included in the national action plans. It comprises representatives of the same ministries and agencies as in the previous reporting period.<sup>9</sup> NGOs are not included as members. The Inter-Ministerial Working Group is chaired by the Department for Gender Equality, which is currently placed within the Ministry of Environment and Gender Equality. The Inter-Ministerial Working Group continues to meet once to twice per year and holds ad hoc meetings when required (e.g. to secure a co-ordinated response to the increased risk of trafficking with displaced persons from Ukraine). During the visit, GRETA was informed that its most recent meeting took place in October 2024, with the next one scheduled for the first half of 2025. The recommendations of the Inter-Ministerial Working Group from the September 2021 meeting contributed to the elaboration of the current National Action Plan to Combat THB (see paragraph 21) and served also as background for the introduction of the new section 262(b) of the CC.

<sup>7</sup> Presumed victims are those who are referred by different agencies and NGOs for an identification interview by the CMM and the Danish Immigration Service (see paragraph 91).

<sup>8</sup> During the previous reporting period (2016-2019), 380 victims of THB were formally identified. Presumed victims are those who are referred by different agencies and NGOs before formal identification by the CMM and the Danish Immigration Service (see paragraph 91).

<sup>9</sup> See paragraph 13 of GRETA's 3<sup>rd</sup> report on Denmark.

18. Since its establishment in 2012, the governmental interdisciplinary task force for combating human trafficking (*myndighedsgruppe til bekæmpelse af menneskehandel*) set up to strengthen efforts to combat THB for forced labour and improve identification and referral of victims has expanded its composition.<sup>10</sup> Its focus has also broadened to encompass all forms of human trafficking. It meets three times a year as well as on an ad hoc basis (the most recent meeting took place in May 2025). Since the inclusion of the Financial Intelligence Unit in the group in 2023, financial aspects of THB are among the areas discussed.

19. In September 2021, another Inter-Ministerial Working Group, led by the Ministry of Employment,<sup>11</sup> was established with a focus on measures against social dumping and the protection of vulnerable foreign workers (see paragraph 43).

20. Further, in January 2022, the National Special Crime Unit (*National Enhed for Særlig Kriminalitet*, SCU) was established to strengthen the investigation and prosecution of complex economic and organised crime cases, including THB (see paragraph 134). In May 2022, the South Jutland Police District was designated as the unit responsible for the management of the nationally coordinated monitoring efforts with regard to THB (see paragraphs 136).

21. The 6th National Action Plan (NAP) to Combat THB, covering the period 2022-2025, is divided into three action areas: 1) strengthened regulatory efforts, outreach work and identification; 2) better services for victims of THB; and 3) strengthened prosecution of traffickers. The NAP does not include a detailed description of the tasks and responsibilities assigned to combating human trafficking, nor does it specify the authorities responsible for each task, the allocated budget for their implementation, or the timeframe for execution. Specialised NGOs were not consulted in the process of preparing the current NAP but according to the Danish authorities, they were involved in the preparation of an analysis of the social efforts in relation to THB (see paragraph 23) and will be involved in the preparation of the upcoming NAP.

22. The current NAP is financed through a pool negotiated in the Parliament by all relevant ministries.<sup>12</sup> In November 2021, DKK 118.2 million (approximately EUR 15.43 million) were allocated for the implementation of the NAP in 2022-2025 (DKK 29.55 million per year, i.e. approximately EUR 3.8 million). This represents a significant increase compared to the previous NAP for 2019-2021 (which had a total funding of DKK 63 million, i.e. DKK 21 million per year, which is approximately EUR 2.81 million). Most of the budget is used to finance the activities of the CMM, but NGOs have also been allocated more funding (DKK 34.2 million, i.e. approximately EUR 4.6 million) for outreach activities, as well as funding of DKK 1 million (approximately EUR 130 000) for the updating of the specialised shelter run by Reden International (see also paragraphs 107 and 112).<sup>13</sup> Furthermore, DKK 1 million (approximately EUR 130 000 EUR) was allocated to the Danish Institute for Human Rights (DIHR) for a study analysing THB in the country and the protection of victims, including in relation to Denmark's international obligations. The DIHR has also been asked to evaluate the implementation of parts of the NAP (see paragraph 23). Additional resources for combating THB are also made available to the Police, the DIS and other relevant authorities.

23. No external, independent overall evaluation of the implementation of the previous NAP was conducted, except for the aspect of accommodation of THB victims.<sup>14</sup> An analysis of some aspects of the

<sup>10</sup> Currently, it includes representatives from the CMM (which chairs the task force), the Danish Food Administration, the Agency for International Recruitment and Integration, the co-ordinating Police unit (South Jutland Police District), the Prosecution Service, the Danish Immigration Service, the Tax Agency, the Working Environment Agency and the Financial Intelligence Unit.

<sup>11</sup> It comprises representatives of the Ministry of Justice, the Gender Equality Department, the Ministry of Immigration and Integration, the Ministry of Finance and the Ministry of Foreign Affairs.

<sup>12</sup> Since 2002, NAPs have been financed via grants from the reserve for measures in the social, health and labour market areas. It is an annual reserve negotiated under the Ministry of Social Affairs and Housing for a four-year period at a time. The funds are subsequently budgeted in the Finance Act. In addition to the funds from the reserve, the CMM has a permanent grant of DKK 1.6 million annually.

<sup>13</sup> In addition, the NGO AmiAmi had an existing grant of DKK 2.6 million for outreach work in 2022.

<sup>14</sup> For the purpose of the analysis, interviews were conducted with NGOs providing accommodation to victims, including Reden International and researchers and experts from universities in the field of human trafficking participated. After the results, the funding for outreach work was increased in the current National Action Plan.

current NAP was carried out by the DIHR in 2024,<sup>15</sup> which highlighted four areas where the Danish efforts against trafficking should be improved, on the basis of an analysis of Denmark's human rights obligations and interviews with authorities, researchers and civil society actors. According to the recommendations made by the DIHR, human trafficking cases must be investigated more effectively, victims of human trafficking must have better access to impartial advice and secure reporting, as well as better access to temporary residence permits. Further, the DIHR recommended that a permanent independent national rapporteur be established.

24. Denmark has not yet established a national rapporteur on THB and according to the national authorities, there are no plans to appoint one. In its above-mentioned analysis, the DIHR recommended the establishment of an independent national rapporteur as a means to ensure critical and autonomous monitoring of the state's efforts in this area. Reiterating its recommendation from the third evaluation report, GRETA considers that the Danish authorities should examine the possibility of establishing an independent National Rapporteur or designating another, independent, mechanism capable of monitoring the anti-trafficking activities of state institutions and making recommendations to persons and institutions concerned, as provided for in Article 29, paragraph 4, of the Convention.

### III. Addressing vulnerabilities to trafficking in human beings

#### 1. Prevention of trafficking in human beings

##### a. Introduction

25. Prevention is crucial in combating trafficking in human beings. Article 5 of the Convention therefore requires States Parties to establish and/or strengthen effective policies and programmes to prevent THB in co-ordination between relevant public agencies, non-governmental organisations and other elements of civil society. Such policies and programmes should have a particular focus on persons vulnerable to trafficking and professionals concerned with trafficking in human beings, and shall include research, information, awareness-raising and education campaigns, social and economic initiatives and training programmes. In the development and implementation of prevention measures, States Parties are required to promote a human rights-based approach and to use gender mainstreaming and a child-sensitive approach, taking specific measures to reduce children's vulnerability to trafficking. Furthermore, Article 5 of the Convention requires States parties to take measures to enable migration to take place legally. In addition, Article 6 of the Convention places a positive obligation on Parties to adopt measures to discourage the demand that fosters all forms of exploitation of persons which leads to trafficking.

26. The CMM has gathered insights into vulnerabilities to THB in Denmark based on national trafficking trends and interviews with potential victims. According to it, undocumented migrants, asylum seekers and refugees are at risk of various forms of exploitation. Factors that increase vulnerability include debt-based coercion, withheld wages, financial responsibility for family members in the home country, abuse, poverty, and lack of information about rights in Denmark.

27. Women from both EU and non-EU countries who are engaged in prostitution are at risk of sexual exploitation. Additionally, LGBTI persons, especially transgender women, are particularly vulnerable to sexual exploitation (see paragraph 71). As a preventive measure, the current NAP has strengthened outreach work in the field of prostitution and has allocated additional funding to it.

28. Unaccompanied children are considered to be at high risk of falling victim to THB. The Danish authorities have highlighted the risks faced by North African boys, particularly those from Morocco, who are reportedly trafficked by criminal networks for involvement in criminal activities (see paragraph 32).

<sup>15</sup> Available in Danish at:

[https://menneskeret.dk/files/media/document/ANALYSE%20E2%80%93%20JUNI%202024%20PERSONER%20UDSAT%20FOR%20MENNESKEHANDEL%20SKAL%20BESKYTTE%20BEDRE%20I%20DANMARK\\_accessible.pdf](https://menneskeret.dk/files/media/document/ANALYSE%20E2%80%93%20JUNI%202024%20PERSONER%20UDSAT%20FOR%20MENNESKEHANDEL%20SKAL%20BESKYTTE%20BEDRE%20I%20DANMARK_accessible.pdf)

Asylum-seeking children are especially vulnerable to trafficking while awaiting the examination of their applications (see paragraph 34).

b. Measures to prevent the vulnerability of specific groups to trafficking in human beings

29. This section examines the preventive measures taken with regard to certain vulnerable groups on the basis of the information provided by the Danish authorities as well as non-state actors. GRETA underlines that not every individual belonging to one of these groups is vulnerable to trafficking *per se*, there are usually additional vulnerability factors involved. The different groups selected should be viewed with due regard to the complexity and intersectionality of vulnerabilities to trafficking.

i. *Children*

30. Under the "Children First" reform and the Children's Act, in force since January 2024, the Danish authorities have introduced measures to strengthen child protection and uphold children's rights, which are relevant for preventing child trafficking. Key measures include enhanced identification of at-risk children, increased investment in child welfare services, improved cross-sectoral collaboration and legal reforms. Municipalities are required to play a crucial role in prevention. Under the Children's Act, they must develop contingency plans to detect and handle negative social control,<sup>16</sup> honour-related conflicts and extremism, as well as conduct risk assessments before involving parents in suspected cases.

31. The CMM reported adapting part of its website to provide information on human trafficking specifically for primary school students, including tailored content to raise awareness among them. The CMM has also provided training on THB to relevant professionals. Some sessions included a dedicated section on child trafficking with a specific focus on the exploitation of North African boys. Further, the CMM has engaged with elementary school students, providing expert input on THB on four occasions in 2022, reaching a total of 67 students. During the reporting period, the CMM delivered three training sessions to social work students at the University of Applied Sciences Denmark (66 students in 2021, 73 in 2022, 51 in 2023 and 50 in 2024). The authorities have not reported any training provided to schoolteachers on human trafficking. In their comments on the draft GRETA report, the Danish authorities stated that while the current executive order on Teacher Education does not explicitly mention measures to address children's vulnerability to THB, certain subjects within the Teacher Education curriculum, notably Pedagogy and General Didactics, as well as Philosophy of Life, include areas of content where students are expected to develop an understanding of human rights and the UN Convention on the Rights of the Child. As part of their core professional training, students in the teacher education programme learn to approach questions related to THB as part of the subjects Philosophy of Life and Pedagogy and General Didactics.

32. As highlighted in GRETA's third report,<sup>17</sup> unaccompanied children, particularly Moroccan boys, are vulnerable to THB. While awaiting the outcome of their asylum applications, they are often recruited (many times through online platforms) and exploited by criminal networks to commit unlawful acts. Additionally, they could also be subjected to sexual exploitation. The most recent wave of this phenomenon occurred in 2024, though representatives of the social services, the CMM and NGOs reported that a significant group arrived in 2023.

33. Unaccompanied children are accommodated in specialised centres providing a safe environment and staffed with trained personnel and are appointed a legal guardian shortly after arrival. The Danish Red Cross recommends persons, some of whom are volunteers and others child-care professionals, to serve as legal guardians for unaccompanied children. If there is a suspicion that a child might be a victim

<sup>16</sup> Negative social control refers to restrictive actions imposed by a community, limiting an individual's rights, well-being, or age-appropriate development (such as controlling social life, education, or relationships) and, in severe cases, it may amount to psychological violence.

<sup>17</sup> See paragraph 194 of GRETA's third report on Denmark.

of THB, the Danish Immigration Service (DIS) would usually appoint a professional guardian. Formally, it is the Agency of Family Law which appoints guardians.

34. The issue of unaccompanied children disappearing from the children's centre at the Sandholm reception centre, particularly Moroccan boys, remains unresolved.<sup>18</sup> GRETA visited the centre for unaccompanied children at Sandholm, run by the Danish Red Cross, which housed 24 children (19 boys and 5 girls) for a capacity of 78. The centre is placed inside the Sandholm reception centre and is divided into two wings: one reserved for unaccompanied children facing severe challenges (such as homelessness or drug addiction and influenced by the rough environment in the streets) and the other for children who do not present serious issues. During GRETA's visit, social workers expressed concerns about the centre's location within the Sandholm asylum reception centre, as adult asylum seekers sometimes interact with the children of the centre, raising concerns of potential abuse, exploitation or other forms of negative impact on their well-being. In their comments on the draft GRETA report, the authorities stated that the centre for unaccompanied children is separated from the regular reception centre, which means that adults have no access to the centre for unaccompanied children.

35. GRETA was informed that the Danish Red Cross screens all unaccompanied children in asylum centres for trafficking indicators. When a child goes missing, the Danish Red Cross will send out an alert to the DIS, the local municipality and the police. The DIS will hereafter request the police to report the child as missing in the Schengen Information System (SIS) and set up a so-called blocking card in the police systems. If the DIS receives information regarding the child's whereabouts from the police via SIS or through the Dublin Regulation, the DIS will decide whether the child should still be reported as missing. According to staff from the children's centre and the Danish Red Cross, these children disappear shortly after arrival often within days or weeks, sometimes reappearing later, and are reluctant to engage with their legal guardians. The Danish Red Cross reports all disappearances to the police and the municipal child protection authorities, but there appears to be little to no follow-up.

36. Unaccompanied children whose asylum applications have been rejected may be granted temporary residence permits based on section 9 (c), subsection 2, number 2, of the Danish Aliens Act. However, these permits expire upon reaching the age of majority. At that point, the child can apply for a temporary residence permit based on section 9 (c), subsection 1 of the Danish Aliens Act, with the possibility of extension. According to the Danish authorities, a risk assessment is carried out by the Danish Refugee Appeals Board (*Flygtningenaævnet*) prior to the return of those children upon reaching the age of majority. The assessment takes into account, *inter alia*, whether the return would be in violation of international obligations, including the principle of *non-refoulement*.

37. GRETA was informed that DIS asylum caseworkers handling cases of unaccompanied children must undergo a five-day training course on interviewing children in addition to their regular training. However, no training on THB has been provided to legal guardians or Danish Red Cross personnel responsible for screening children at asylum centres. Over the past two years, only the social co-ordinator of Sandholm children's centre has attended a CMM workshop and an international conference on child trafficking organised by the Council of Baltic Sea States in Stockholm in June 2024.

38. In 2013, the CMM established a Nordic network against child trafficking, which aims to improve data sharing, facilitate knowledge exchange, and promote best practices and procedures concerning child trafficking. Since the autumn of 2024, the network has been formalised as a sub-group under the Nordic Council of Ministers' working group, with a view to further strengthening its co-ordination and impact.

39. While welcoming the measures aimed at strengthening child protection and upholding children's rights, GRETA notes that efforts to prevent child trafficking remain insufficient and there is scope for further improvement. As stressed in GRETA's 6th General Report,<sup>19</sup> the general education system can play a major role in raising awareness of THB. Specifically, awareness of child exploitation and child trafficking

<sup>18</sup> See paragraph 196 of GRETA's third report on Denmark.

<sup>19</sup> See 6th General Report on GRETA's activities, paragraph 89.

can be mainstreamed in the curricula for teachers, through programmes such as those dealing with online security of children. Teachers and other professionals need to be provided with training and guidance to alert them to the signs of trafficking and enable them to identify children who are at risk of falling victim or are already in the process of being trafficked.<sup>20</sup>

40. GRETA urges the Danish authorities to take steps to:

- address the issue of unaccompanied children disappearing from reception facilities by providing them with a safe environment and living conditions that meet their needs and vulnerabilities and offer effective protection;
- relocate the centre for unaccompanied children outside the Sandholm reception centre to provide a safer and more protective environment;
- raise awareness among unaccompanied children regarding their rights and the risks of human trafficking (including recruitment and abuse through Internet/social networks).

41. Further, GRETA considers that the Danish authorities should strengthen measures to prevent trafficking of children, and in particular:

- mainstream the prevention of child trafficking through the school Common Objectives, for example by including it in the existing school programmes for developing children's life and critical skills;
- provide training on trafficking in human beings to teachers and other professionals working with children, in particular legal guardians, staff working at both the children's centres and at the asylum reception centres (see recommendation in paragraph 123).

#### *ii. Migrant workers*

42. As noted in paragraph 26, migrant workers, particularly those in an irregular situation, are at heightened risk of trafficking for the purpose of labour exploitation, which occurs within sectors such as agriculture, hospitality, cleaning, transportation and construction. In 2021-2024, a total of 88 victims of human trafficking for forced labour were identified, primarily in labour-intensive sectors.<sup>21</sup> The authorities report a continuing trend of criminal networks exploiting Asian men, primarily Vietnamese, for forced criminality, often cultivating cannabis on remote farms. The NGO Stenbroens Jurister has identified non-EU workers, particularly those from the Philippines, as a highly vulnerable group that remains largely unnoticed by the authorities, notably in the fishing sector. Moreover, even in cases involving the employment of undocumented migrants, the primary focus remains on expulsion and migration control, with only rare instances where undocumented migrants are identified as victims and provided with protection.

43. In September 2021, the new Inter-Ministerial Working Group established to develop initiatives aimed at protecting vulnerable foreign workers and the Inter-Ministerial Working Group on THB published a joint report examining measures to enhance inter-agency co-operation on social dumping, improve the prosecution of traffickers and strengthen efforts against THB.<sup>22</sup> The report underscores the need for a strong and fair labour market, reinforced by targeted regulatory actions and the safeguarding of fair and

<sup>20</sup> See 6th General Report on GRETA's activities, paragraph 90.

<sup>21</sup> The highest number of cases was recorded in construction (27 victims), followed by the restaurant industry (16 victims), agriculture (13 victims), and cleaning (3 victims).

<sup>22</sup> <https://bm.dk/media/18480/afrapportering-fra-de-tvaerministerielle-arbejdsgrupper-om-saarbare-udenlandske-arbejdstagere-og-bekaempelse-af-menneskehandel.pdf>, accessed 12 February 2025.

free movement. It also highlights shortcomings in the identification, protection and support of victims, as well as in prosecutorial processes. Key recommendations include enhancing legal and social protection for vulnerable foreign workers, improving investigative and judicial responses to trafficking cases, and ensuring the sustainability of victim support services post-2021 action plan. The report advocates for a more coherent, cross-sectoral strategy that unites social, judicial and labour market interventions under a comprehensive framework.<sup>23</sup>

44. In March 2023, the Danish Government committed through an agreement of the Danish Working Environment Authority (WEA) to strengthening efforts against social dumping, work-related crime and illegal labour. To support these initiatives, DKK 36 million (approximately EUR 4.83 million) was allocated for the period 2023 to 2026. The agreement also included a commitment to follow up on recommendations from the aforementioned report on social dumping, prosecution of traffickers and efforts against THB. Subsequently, in May 2024, the Danish Government made a political agreement on efforts against social dumping. As a result, new legislation was introduced in December 2024 (Law No. 1445 on the Accommodation of Employees),<sup>24</sup> which established a general requirement for employers when providing accommodation for their employees, ensuring minimum, adequate, and timely housing conditions. The legislation aims to prevent situations such as the 2019 case in which a large group of Filipino drivers was found living in deplorable conditions in containers.<sup>25</sup> Under the new rules, while municipalities retain the responsibility for granting accommodation permits, the WEA is granted enhanced powers to inspect living conditions of workers and compel employers to make the necessary improvements.

45. Further, in December 2024, Law No. 1458 amending the Posting of Workers Act<sup>26</sup> was passed. It grants the WEA the power to request identification from foreign workers. Besides, as from 1 January 2026, employers will be responsible for ensuring additional information required in the Register for Foreign Service Providers as far as third-country nationals are concerned.

46. In June 2022, a new section 262(b) of the CC entered into force, criminalising the exploitation of others for forced labour and work under manifestly unreasonable conditions (see paragraphs 131 and 132).

47. On 23 May 2024, the Danish Government concluded another agreement to curb social dumping in the workplace.<sup>27</sup> The agreement includes measures such as the right of the WEA to stop work on construction sites in case of repeated serious violations of labour safety laws, improved oversight of employer-provided housing for employees, and enhanced efforts against illegal labour in Danish workplaces.<sup>28</sup>

48. The Danish system of labour inspections is divided among several authorities: the WEA oversees occupational health and safety, the Tax Agency focuses on tax evasion, and trade unions monitor minimum wages and working hours. As a result of these partially overlapping mandates, there are gaps in oversight, reducing the effectiveness of enforcement. The complexity of the system also creates barriers for workers seeking redress, as they may be uncertain about which authority to approach when lodging complaints. This uncertainty can discourage victims from reporting exploitation, particularly irregular migrants, who

<sup>23</sup> The report is structured into three parts: the first part provides recommendations on enhancing measures to address the exploitation of vulnerable foreign workers; the second part examines police investigations of labour exploitation cases and considers whether adjustments to criminal law protections are needed; and the third part proposes possible initiatives to improve the content and delivery of social services for victims of THB.

<sup>24</sup> <https://www.retsinformation.dk/eli/Ita/2024/1445>, accessed on 12 March 2025.

<sup>25</sup> See paragraph 164 of GRETA's third report on Denmark.

<sup>26</sup> L 15 Bill to amend the Act on the Posting of Workers, etc., and the Aliens Act: <https://www.retsinformation.dk/eli/Ita/2024/1458>, accessed 11 March 2025.

<sup>27</sup> <https://bm.dk/arbejdsomraader/politiske-aftaler/politiske-aftaler/2024/aftale-om-styrket-indsats-mod-social-dumping>, accessed 14 February 2025.

<sup>28</sup> Its nine key areas of focus are: intensified inspections and contractor bans; housing inspections; enhanced efforts against illegal labour; targeted measures against bogus self-employment; closer co-operation in complex social dumping cases; preventive measures, including widespread knowledge of regulations and rights in the Danish labour market and legislation designed to prevent the exploitation of vulnerable foreign workers.

may fear repercussions. Moreover, the focus on detecting illegal employment and irregular stays results in less attention to trafficking for labour exploitation.

49. During this reporting period, the Tax Agency allocated the equivalent of three full-time employees to assess whether suspected human trafficking or forced labour could involve tax evasion. In 2020, the police launched a new operational plan against human trafficking, setting control targets for police districts. The police also took part in yearly checks against social dumping in the labour market. In July 2024, the "Guidelines on the police's handling of cases of human trafficking and exploitation" were revised by the Danish National Police.

50. Inspectors of the WEA have hosted or participated in seminars on THB together with the CMM, focusing on THB identification and referral and the new section 262(b) of the CC. In 2021, the CMM held three training sessions on trafficking for forced labour for 120 staff members of the WEA, and also trained 12 staff of the Copenhagen municipality's unit against social dumping. In 2022, the CMM provided training to 45 participants from the police, the Tax Agency and the WEA, along with an additional two-session course. In 2023, training was delivered to 50 WEA staff members.

51. As part of a pilot project, the CMM produced a pocket-size card featuring a QR code that links to information for possible victims of labour exploitation on the CMM website, available in eight languages.<sup>29</sup> The pocket-size cards are distributed to workers by the WEA, the Tax Agency and other relevant actors who take part in control visits at workplaces. From June 2023 to July 2024, the CMM website recorded 1,959 visits, with a total of 2,292 visits to pages related to labour exploitation. Denmark's National Contact Point (NCP) of the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct maintains a website focusing on responsible business conduct in value chains, offering a platform for reporting potential violations.<sup>30</sup> In 2022, Denmark's NCP developed guidance to prevent forced labour in corporate value chains.

52. GRETA was informed that recruitment agencies are regulated by the Law on the Legal Status of Temporaries Employed by a Temporary Employment Agency (Law No. 595 of June 12, 2013). Violations of this law can lead to fines for the agencies and compensation for workers. However, the law does not require a permit or license to operate as temporary employment agencies, and such agencies are permitted to charge jobseekers a fee. That said, temporary employment agencies must comply with other Danish labour laws, including those governing working hours, rest periods, and health and safety standards.

53. While welcoming the range of measures put in place in Denmark to protect migrant workers, GRETA notes that there are a number of remaining gaps and new challenges. Referring to GRETA's Guidance Note on combating trafficking for labour exploitation<sup>31</sup> and the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation,<sup>32</sup> GRETA considers that the Danish authorities should take further steps to prevent THB of migrant workers, in particular by:

- strengthening the capacities and training of the agencies conducting labour inspections to ensure that they can be proactively involved in the prevention of trafficking for the purpose of labour exploitation and the detection of possible victims;
- encouraging regular and co-ordinated multi-agency labour inspections and enhanced co-operation between relevant agencies, in order to strengthen the detection and

<sup>29</sup> <https://www.cmm.dk/english/choose-language/are-you-being-exploited-by-your-employer>, accessed 12 February 2025.

<sup>30</sup> <https://ncp-danmark.dk/in-english>, accessed 12 February 2025.

<sup>31</sup> <https://rm.coe.int/guidance-note-on-preventing-and-combating-trafficking-in-human-beings-/1680a1060c>, accessed 12 February 2025.

<sup>32</sup> <https://rm.coe.int/booklet-preventing-and-combating-trafficking-in-human-beings-for-the-p/1680aa08ef>, accessed 12 February 2025.

identification of victims of THB in workplaces, prioritising both over immigration control (see also the recommendation in paragraph 63);

- taking steps to licence and monitor temporary employment and recruitment agencies to strengthen prevention of THB and labour exploitation;
- encouraging safe reporting procedures for foreign workers and creating incentives to come forward.

*iii. Asylum seekers, refugees and irregular migrants*

54. The new government coalition, formed after the 2022 elections, has upheld an asylum and migration policy placing a strong emphasis on temporary protection measures and the facilitation of returns.<sup>33</sup> This policy includes the regular reassessment of protection needs and, in certain instances, a lowering of the threshold for the withdrawal of protection. GRETA notes with concern that this approach increases the risks of trafficking among asylum seekers and refugees, particularly when it results in prolonged uncertainty regarding their legal status and protection prospects.

55. In 2020, Denmark received 1,515 asylum applications, in 2021, the number was 2,099 in 2022, it reached 4,597 (partly due to arrivals from Ukraine and Afghanistan), and in 2023, it dropped to 2,479, as a result of Denmark's stricter immigration policies and a decline in the number of Ukrainian arrivals. By the end of November 2024, 2,176 individuals had applied for asylum. 1,403 individuals were granted temporary protection in 2022 and 1,343 in 2023.<sup>34</sup>

56. Thousands of displaced persons from Ukraine, predominantly women and children, arrived in Denmark following Russia's full-scale invasion of Ukraine. Acknowledging their vulnerability to THB, the CMM developed, in consultation with two Ukrainian victims of THB, flyers in Ukrainian, English and Russian. These flyers highlight the risks associated with deceptive job advertisements and the "loverboy" method. The flyers, together with other information materials, were distributed by the CMM to the Immigration Service, the Danish Red Cross and the police at the border. The CMM also developed a guide for professionals who come into contact with displaced persons from Ukraine. The flyer produced by the CMM for potential victims of THB was translated into English, Russian and Ukrainian. GRETA welcomes the measures aimed at preventing THB amongst displaced persons from Ukraine and highlights the importance of providing continuous information on the risks of human trafficking and available assistance, avenues for complaints and remedies. In this context, GRETA refers to its Guidance note on addressing the risks of trafficking in human beings related to the war in Ukraine.<sup>35</sup>

57. The DIS continues to screen and formally identify trafficking victims among asylum seekers and individuals residing irregularly in Denmark. However, it does not systematically screen asylum cases for potential indicators of human trafficking prior to the asylum interview. If a case is referred to the unit responsible for handling trafficking cases, it will be screened for such indicators before being forwarded to the CMM. According to the authorities, all DIS asylum caseworkers attend information sessions on THB indicators and undergo mandatory three-day training focused on interviewing asylum seekers (see also paragraph 37). The most recent information session on human trafficking took place in April 2024. The

<sup>33</sup> The most significant recent example of this policy is Denmark's decision to return Syrians with temporary protection status to their country of origin as the government and the Danish Refugee Appeals Board has determined these areas to be sufficiently safe for return. This action occurred despite the United Nations High Commissioner for Refugees (UNHCR) urging states in March 2021 to avoid involuntary returns to Syria, citing safety concerns: <https://www.unhcr.org/cy/2021/03/12/a-decade-of-death-destruction-and-displacement-must-not-sap-our-solidarity-with-syrians/> accessed 14 February 2025.

<sup>34</sup> Data found in: <https://refugees.dk/en/facts/numbers-and-statistics/how-many-are-coming-and-from-where/#:~:text=During%20the%20last%207%20years,granted%20a%20permit%20in%202023.> and <https://refugees.dk/en/facts/numbers-and-statistics/what-are-the-chances-of-being-granted-asylum/#:~:text=RECOGNITION%20AND%20OVERTURNING%20RATES%20IN,of%20the%20cases%20they%20handled.,> accessed 14 February 2025.

<sup>35</sup> See <https://rm.coe.int/guidance-note-on-addressing-the-risks-of-trafficking-in-human-beings-r/1680a663e2>, accessed 10 July 2024.

authorities have indicated that border officers are well informed about trafficking indicators, guidelines for identifying and handling potential victims, and updated intelligence on possible cases.

58. The DIS is responsible for processing all asylum applications and the Refugee Appeals Board (RAB) handles appeals. In 2023, 72% of applicants were granted asylum at the first instance by the DIS (the percentage includes both newcomers and people who already had a residence permit but applied for asylum late), and the RAB overturned 35% of the cases it considered.<sup>36</sup>

59. Some of GRETA's interlocutors raised concerns about the accuracy of RAB's assessment of key elements in asylum claims, including the profiles of applicants and country-of-origin information. Concerns were also raised regarding failure to consider the risk of persecution and re-trafficking upon return. GRETA was informed of several decisions from the RAB<sup>37</sup> in which the individuals were denied asylum despite presenting claims of serious risk upon return, including cases involving human trafficking.<sup>38</sup> In June 2023, the UN Human Rights Committee found that Denmark had violated the International Covenant on Civil and Political Rights by issuing an expulsion order to an Albanian woman at risk of gender-based violence and re-trafficking, due to inadequate consideration of the risks she faced.<sup>39</sup> In their reply to the draft report, the Danish authorities indicated that the RAB consistently conducts individual assessments, taking into account the specific vulnerabilities of each asylum seeker.

60. All asylum seekers are invited to an information session, with interpreters provided if needed. The Danish Refugee Council explains the asylum procedure, asylum interview focus, and applicants' rights. The course, organised in eight modules, introduces asylum seekers to Danish culture, society, and language.

61. At the time of GRETA's visit to the Sandholm reception centre, 331 individuals (172 men and 159 women) were accommodated in it, the majority being Ukrainian nationals. The centre has a capacity of 600 places and operates with 80 staff members present daily. As of September 2024, the asylum division of the DIS working at the reception centre had approximately 191 staff members. According to the authorities, the vulnerability assessment of asylum seekers includes several indicators of THB.<sup>40</sup> Displaced persons from Ukraine receive an information package that covers THB. The average length of stay varies by nationality.<sup>41</sup>

62. The GRETA delegation also visited the Ellebæk Immigration Centre where third-country nationals in an irregular situation are held, including rejected asylum seekers pending deportation. According to

<sup>36</sup> The two numbers cannot be added together, as not all cases go to the Appeals Board and the year of decision is often not the same. See <https://refugees.dk/en/facts/numbers-and-statistics/how-many-are-coming-and-from-where/#:~:text=During%20the%20last%207%20years,granted%20a%20permit%20in%202023>. and <https://refugees.dk/en/facts/numbers-and-statistics/what-are-the-chances-of-being-granted-asylum/#:~:text=RECOGNITION%20AND%20OVERTURNING%20RATES%20IN,of%20the%20cases%20they%20handled,> accessed 14 February 2025.

<sup>37</sup> <https://fln.dk/da/Praksis>, accessed 12 February 2025.

<sup>38</sup> In the first case (Niga/2021/3), the RAB upheld the DIS' rejection of the asylum application of a Nigerian woman who claimed fear of violence from her uncle and threats from a trafficker. The RAB found her explanations inconsistent and concluded that she would not face persecution or serious harm upon return to Nigeria, despite her claim of being trafficked. The RAB also concluded that she could seek protection from the Nigerian authorities. In the second case (Niga/2022/5), the RAB upheld DIS' rejection of the asylum application of a Nigerian woman, finding her claims of threats from her deceased partner's family and a loan shark inconsistent. The RAB concluded that she could seek protection from the Nigerian authorities, despite her history of trafficking and exposure to violence. In a third case (Niga/2024/4), the RAB upheld DIS' rejection of a Nigerian man, finding his claims of extortion, human trafficking and gang threats inconsistent. The RAB concluded that he could seek protection from the Nigerian authorities or organisations and therefore was not at risk of persecution.

<sup>39</sup> UN Human Rights Committee, Views adopted by the Committee under article 5(4) of the Optional Protocol, concerning communication No. 2858/2016, CCPR/C/137/D/2858/2016, 16 June 2023, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2F137%2FD%2F2858%2F2016&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2F137%2FD%2F2858%2F2016&Lang=en), accessed 13 February 2025.

<sup>40</sup> Such as the absence from the centre, social contact the person cannot explain, suspicious behaviour and financial resources.

<sup>41</sup> Ukrainians typically remain for 5 days to 2 weeks, while others stay 4 to 6 weeks. Children generally stay 3 to 6 weeks before being transferred to the Tønder children's centre.

information provided by the DIHR, 450 persons were detained at Ellebæk in 2022, but at the time of GRETA's visit, the number was 52 (see paragraph 98). The authorities informed GRETA that victims of THB identified among irregular migrants are granted a recovery and reflection period and should be released from detention and accommodated in asylum centres, shelters or safe houses (see also paragraph 98). However, representatives of civil society organisations indicated that victims continued to stay for long periods in immigration detention or were deported to their countries of origin after being detected as potential THB victims (see paragraph 186). GRETA refers to the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) report on the periodic visit to Denmark in May-June 2024, which expressed concerns about the continuation of the carceral material conditions and prison-like regime at the Ellebæk centre.<sup>42</sup> The Council of Europe Commissioner for Human Rights, in the report following her visit to Denmark in May-June 2023, recommended to ensure that no vulnerable persons are detained, including ensuring the systematic and comprehensive screening upon arrival at detention centres, as well as the co-ordinated sharing of information among relevant actors, in full compliance with data protection obligations.<sup>43</sup>

63. GRETA urges the Danish authorities to ensure that persons whom the authorities have reasonable grounds to believe to be victims of trafficking are not expelled from Denmark until the identification process has been completed, in compliance with Article 13 of the Convention, and are transferred to appropriate accommodation, in line with Article 12 of the Convention.

64. Further, GRETA considers that the Danish authorities should take further measures to prevent asylum seekers, refugees and irregular migrants from becoming victims of trafficking in human beings, in particular by:

- establishing a systematic and comprehensive vulnerability assessment for all persons accommodated in asylum reception centres and immigration centres to identify individual protection needs and ensure timely support, while enhancing the awareness of professionals involved in the registration of asylum seekers regarding vulnerabilities linked to human trafficking;
- ensuring that the Refugee Appeals Board and the Danish Immigration Service conduct thorough and systematic risk assessments in all asylum cases, taking into account applicants' individual vulnerabilities and protection needs, including the risks of persecution, re-trafficking and other forms of harm upon return;
- continuing to provide training to relevant professionals, including border officials, asylum caseworkers and staff at the reception and immigration centres, to strengthen their capacity to recognise signs of trafficking, and refer to identification and assistance possible victims of THB.

*iv. Vulnerabilities related to the gender dimension of human trafficking and of persons engaged in prostitution*

65. According to information provided by the Danish authorities and civil society representatives, foreign women engaged in prostitution are particularly vulnerable to THB, with Nigerian and Thai nationals being the most commonly affected.

<sup>42</sup> In its report, CPT indicated that “[u]rgent action should be taken to change this situation given that the foreign nationals detained at Ellebæk Centre were neither criminal suspects nor serving a prison sentence.” CPT stressed that immigration detention, as an administrative measure, should be clearly distinguished from imprisonment and avoid a carceral environment as much as possible. Available at: <https://rm.coe.int/1680b2bb49>

<sup>43</sup> <https://rm.coe.int/report-on-denmark-following-the-commissioner-for-human-rights-visit-to/1680ad4d49>

66. Materials developed and used by the CMM to train relevant professionals in contact with potential victims of THB include the topic of exploitation of Nigerian girls and women in prostitution and exploitation of Thai women. Additionally, the CMM launched a pilot project in the autumn of 2023 aimed at scraping adult services websites to enhance outreach efforts and gather information (see paragraph 155).

67. As noted in paragraph 22, as part of the current NAP, the Danish Government increased the budget allocated to NGOs involved in outreach work in the field of prostitution. These outreach efforts aim to prevent trafficking for the purpose sexual exploitation and establish contact with potential victims to ensure they receive the necessary support. Additionally, conditions in the crisis centre for female victims of trafficking run by Reden International were improved.

68. The Department of Gender Equality is the main co-ordinating body responsible for promoting gender equality in Denmark. It prepares annually a perspective and action plan for gender equality. The last one, published in February 2025, contains actions addressing gender-based violence and human trafficking.<sup>44</sup> Additionally, the Gender Equality Committee in the Danish Parliament addresses equal opportunities for all genders at both national and international levels.

69. GRETA welcomes the steps taken by the Danish authorities to address the vulnerabilities related to the gender dimension of human trafficking, and considers that they should continue taking measures to counteract the risks of THB and exploitation of sexual service providers, through information and awareness raising aimed at eliminating gender stereotypes, and by supporting migrants, especially migrant women, to access vocational training, education and employment.

#### *v. LGBTI persons*

70. GRETA emphasises that, in general, LGBTI people are at an increased risk of becoming victims of trafficking, particularly because they are often marginalised in society and excluded from their families, making them ideal targets for traffickers looking for people with less protection. They also face difficulties in accessing the labour market, as employment opportunities are scarce for those who identify outside the traditional gender binary, leading them to work more in the informal economy (including prostitution) or even to accept abusive job offers. In addition, LGBTI people are often over-represented among children in street situations and can be victims of discrimination by the authorities and services, making them less likely to file a complaint or ask for help.<sup>45</sup>

71. NGOs representatives noted that LGBTI persons, particularly transgender women, are especially vulnerable to sexual exploitation in Denmark. Additionally, gay men from African countries where same-sex relations are criminalised are also identified by civil society representatives as being vulnerable to human trafficking. Their vulnerability is exacerbated by factors such as discrimination, social isolation in a country where they may not speak the language, lack of family support, and limited access to employment opportunities.

72. According to information provided by the Danish authorities, during this reporting period, 48 LGBTI persons were referred by different actors for an identification interview as possible victims of THB. In 2020-2023, the CMM registered 4 transgendered persons who have been officially identified as victims of sexual exploitation. According to civil society representatives engaged in outreach work, the number of victims of THB among LGBTI persons is higher than reported. Many potential victims do not trust the authorities and fear contact with the health services due to concerns about deportation. They often reside in accommodation arranged and paid for by the traffickers. According to NGOs, the situation of transgender women is particularly concerning, with numbers on the rise. The frequent use of drugs renders them highly vulnerable and easily manipulated by traffickers. The NGO Hope Now works with LGBTI

<sup>44</sup> <https://mim.dk/media/u1ydiwau/endelig-redegoerelse-perspektiv-og-handlingsplan-for-ligestilling-2025.pdf>

<sup>45</sup> See: <https://lac.iom.int/en/blogs/lgbtqi-victims-human-trafficking> and <https://2017-2021.state.gov/wp-content/uploads/2019/02/272968.pdf>

individuals within the asylum system and detention centres. On several occasions, they have referred LGBTI persons as potential victims of THB to the authorities.

73. GRETA was not made aware of any specific measures aimed at addressing the vulnerability of LGBTI persons to trafficking in human beings. Civil society representatives emphasised the critical role of their outreach efforts in detection and assisting potential victims. In their comments on the draft report, the Danish authorities stated that all victims are entitled to support regardless of their gender or sexual orientation, and that the CMM is always aware of specific needs and vulnerabilities of the individual victim.

74. GRETA considers that the Danish authorities should take steps to address the vulnerability of LGBTI persons to trafficking in human beings, in close co-operation with civil society organisations.

*vi. Homeless people*

75. Another group identified as particularly vulnerable to trafficking are homeless people. In order to follow the development of homelessness in Denmark, a nationwide survey<sup>46</sup> is carried out every two years by the Danish Centre for Social Science Research which provides information on the scope and trends in homelessness (including geographical distribution, social profile, etc). The survey showed that 5,789 persons lived in homelessness in 2022 and 5,989 in 2024.

76. In 2017 and 2018, Denmark introduced the so-called 'camp ban' and 'zone ban' as part of efforts to manage homelessness and public order.<sup>47</sup> These measures, along with increased penalties for begging, were aimed at discouraging foreign homeless people from staying in Denmark. The rules were modified in 2020. However, they have given rise to concerns that certain legal responses may disproportionately affect persons experiencing homelessness, raising concerns about the treatment of vulnerable individuals.

77. Under the Social Services Act, Danish municipalities are required to take action to support vulnerable adults, including homeless people. This includes setting up projects or activities aimed at addressing various risks, such as homelessness and trafficking. Municipalities are obligated to provide temporary accommodation in shelters, and support for individuals who are homeless or unable to stay in their own home. However, temporary accommodation in shelters, together with several services (such as legal advice, help with job applications and subsistence) is only available to those with legal residence.

78. According to the DIHR, unregistered homeless people who are not entitled to stay in public accommodation are mostly migrants in a vulnerable situation, who are at risk of falling victim of THB or are already in the process of being trafficked. The NGOs Stenbroens Jurister and Street Lawyers provide legal advice to people in vulnerable positions, including undocumented homeless migrants, and in doing so, has encountered potential victims of human trafficking. GRETA notes with concern the vulnerable situation faced by homeless people, especially those without legal residence in the country, as this significantly increases their risk of being trafficked.

79. According to ECRI's sixth report on Denmark published in 2022, there were unclear rules for civil society service providers for homeless people and contradictory instructions from the authorities, particularly during the Covid-19 pandemic.<sup>48</sup> In addition, ECRI raised concerns about the police visiting homeless shelters to apprehend irregular migrants, which deters migrants from accessing shelters and increases their vulnerability. In October 2023, a reform aimed at restructuring the efforts against homelessness came into force including investment in building affordable housing combined with rent

<sup>46</sup> See the 2022 survey at: <https://www.vive.dk/da/udgivelser/hjemloeshed-i-danmark-2024-dx3jdedv/> and the 2024 survey at: <https://www.vive.dk/da/udgivelser/hjemloeshed-i-danmark-2024-dx3jdedv/>

<sup>47</sup> The 'camp ban' prohibits the establishment of permanent camps in public areas, while the 'zone ban' restricts certain activities in designated zones. The "zone ban" is used by the police when a person has violated the "camp ban" and the police may restrict that person from moving within a certain geographic area connected to where the camp was established.

<sup>48</sup> See ECRI's sixth report on Denmark, paragraph 28, available at: <https://rm.coe.int/6th-ecri-report-on-denmark-1680a6d5e4>

subsidy in existing public housing. This initiative aims to provide stable and long-term housing solutions for homeless individuals, reducing their vulnerability, including to human trafficking, and enabling them to rebuild their lives.

80. The shelter for homeless people operated by the Salvation Army in Hørhuset (see paragraph 109) included one apartment for victims of THB. During the visit of the shelter, the GRETA delegation met one male victim of THB accommodated in it. At the time of the evaluation visit, the shelter was working at full capacity (65 people). Staff of the shelter had not received training on THB. However, according to the CMM, training on THB was provided to social workers from a homeless unit in the Municipality of Copenhagen.

81. GRETA considers that the Danish authorities should ensure that homeless people are provided with secure accommodation and access to essential services, in a manner that prevents them from becoming victims of THB and exploitation.

82. Further, GRETA considers that the Danish authorities should strengthen their efforts to prevent trafficking in human beings among homeless people, in particular by providing training on THB to staff working in homeless shelters so that they can recognise the signs of trafficking and assist and refer potential victims of THB.

#### *vii. Persons with disabilities*

83. Persons with disabilities<sup>49</sup> are not expressly mentioned in the Council of Europe Anti-Trafficking Convention, but their vulnerability to human trafficking is documented in reports issued by GRETA and other international bodies. Amongst the factors which render persons with disabilities vulnerable to THB are dependence on caregivers or support systems, limited access to information and resources, difficulty communicating or advocating for themselves, stigma and discrimination, as well as lack of or limited access to the labour market and decent work.<sup>50</sup> Reference can also be made to the Committee on the Elimination of Discrimination against Women (CEDAW) General recommendation No. 38 (2020), which states that women and girls with disabilities are a group particularly vulnerable to being trafficked, and calls on States to provide them with special economic and social support<sup>51</sup> and the European Disability Forum position paper on combating trafficking in persons with disabilities.<sup>52</sup>

84. In July 2009, Denmark ratified the UN Convention on the Rights of Persons with Disabilities; however, it has not been explicitly incorporated into domestic law. The Danish Institute for Human Rights was designated to monitor its implementation. GRETA refers to the Concluding observations of the Committee on the Rights of Persons with Disabilities (CRPD) concerning Denmark's implementation of the Convention, which were published in 2024,<sup>53</sup> recommending the adoption of action plans on disability, with clear objectives and adequate funding; an equitable allocation and monitoring of disability-related funding across municipalities and the establishment of legally entrenched procedures for consulting and actively involving persons with disabilities, through their representative organisations, in all matters affecting them.

<sup>49</sup> According to Article 1 of the UN Convention on the Rights of Persons with Disabilities, persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

<sup>50</sup> See OSCE, Invisible Victims: The Nexus between Disabilities and Trafficking in Human Beings, March 2022, p.16.

<sup>51</sup> CEDAW, General recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, paras. 40 and 55.

<sup>52</sup> <https://www.edf-feph.org/content/uploads/2022/03/EDF-position-on-combatting-human-trafficking-%E2%80%93-review-of-EU-rules-1.pdf>

<sup>53</sup> <https://docs.un.org/en/CRPD/C/DNK/CO/2-3>, accessed 5 February 2025.

85. While there is currently no National Action Plan for persons with disabilities in Denmark, the authorities have indicated plans to develop one, with a focus on employment and education. In the absence of a NAP, organisations have developed their own strategies, such as Disabled People's Organisations Denmark whose revised strategy and action plan for 2022-2025<sup>54</sup> aim to strengthen the rights and inclusion of persons with disabilities by promoting accessibility, equal opportunities in education and employment, and social participation.

86. There have been no reported cases of THB involving victims with disabilities in Denmark. GRETA was informed that if such cases should be identified, the CMM would adapt the existing assistance and support measures to meet the victim's specific needs. This would include services support provided by municipalities under the Service Act or available within the asylum system.<sup>55</sup> The Danish authorities noted that the principle of sector accountability ensures that all public authorities are responsible for making their services accessible to persons with disabilities.

87. The Sandholm reception centre provides housing for families and individuals with mental and physical disabilities, who represent a significant portion of the Ukrainian refugees accommodated in the centre. According to the authorities, the asylum caseworker training and interviews cover questions related to special needs and disabilities. GRETA refers to the aforementioned CRPD Concluding observations which recommended that Denmark ensure reasonable and procedural accommodation, support and legal assistance for persons with disabilities throughout the asylum application process, including for refugees and asylum seekers in refugee-like situations.<sup>56</sup>

88. In its last visit to Denmark, the Council of Europe Commissioner for Human Rights expressed concern regarding reports of residents in residential facilities being subjected to violence and abuse, including sexual abuse, and the continued use of large-scale facilities. Additionally, she raised concern over the growing placement of children and young people with severe mental health conditions in closed care institutions and the poor conditions within them.<sup>57</sup>

89. GRETA considers that the Danish authorities should:

- strengthen safeguards to prevent abuse and trafficking within residential facilities and closed care institutions, ensuring that adequate care, support and protection measures are in place for people with disabilities, in particular vulnerable children;
- extend the support measures for persons with disabilities to asylum seekers in order to reduce their vulnerability and prevent them from becoming victims of exploitation and human trafficking;
- conduct research into the vulnerabilities of persons with disabilities to trafficking in human beings and develop preventive measures specifically aimed at this group.

## 2. Measures to protect and promote the rights of victims of trafficking

90. Chapter III of the Convention provides for a series of measures to protect and promote the rights of victims. In the first place, it is of paramount importance to identify victims of trafficking correctly as identification enables them to benefit from the other measures and rights contained in the Convention. Pursuant to Article 10 of the Convention, States Parties shall ensure that the authorities competent to

<sup>54</sup> <https://handicap.dk/files/media/document/DPOD%20-%20STRATEGY%20and%20ACTIONPLAN%202022-2025.pdf>, accessed 4 February 2025.

<sup>55</sup> As a general rule, support and services for persons with disabilities are provided in their own homes, either through financial assistance or personal care. Municipalities are responsible for covering the costs of necessary home adaptations and for compensating parents of children with disabilities for loss of income due to caregiving responsibilities.

<sup>56</sup> See footnote 53.

<sup>57</sup> <https://rm.coe.int/report-on-denmark-following-the-commissioner-for-human-rights-visit-to/1680ad4d49>, accessed 4 February 2025.

identify victims of trafficking have persons trained and qualified to perform the identification, and that these authorities collaborate with relevant support organisations in the identification process. Further, Article 12 of the Convention sets out the assistance measures which States Parties must provide to trafficking victims. Paragraph 7 of this article requires Parties to ensure that services are provided taking due account of the special needs of persons in a vulnerable position as well as the rights of children. Given the relevance of victim identification and assistance to the thematic focus of the fourth evaluation round of the Convention, this part of the report examines the application of these two provisions. Other provisions of Chapter III of the Convention, which have been examined in detail by GRETA during the previous evaluation rounds, are discussed in the chapter of the report entitled "Follow-up issues".

#### a. Identification of victims of THB

91. The procedures for identifying victims of THB remain as outlined in GRETA's previous reports on Denmark.<sup>58</sup> Three distinct procedures are in place for granting THB victim status, depending on the individual's residence status. If the person is regularly present in Denmark, the CMM grants THB victim status based on an interview conducted by CMM social workers after a final assessment. If the person is irregularly present in Denmark or has applied for asylum, identification is carried out by the Danish Immigration Service (DIS) taking into account information from the CMM and other relevant actors. All the relevant authorities use the same list of THB indicators developed by the CMM. Additionally, Danish courts and the Prosecution Service can grant the status of victim of THB during criminal proceedings.

92. According to the CMM, among the 235 referrals of presumed victims received in 2022, 158 were from the Police (many of which came from other authorities which contacted the Police), 23 from the DIS, 18 from social organisations, 10 were self-referrals, 5 were submitted by trade unions (3F), 4 by Joint Actions, and the remaining by other authorities or individuals. Among the 73 victims identified in 2022, 30 were referred by the Police, 13 by social organisations, 12 by the DIS and the rest by other organisations or individuals. According to available statistics, in 2020-2023, the majority of victims (270 out of 342) were identified by the DIS whereas the CMM identified 72.

93. The CMM continues to operate the national human trafficking hotline (7020 2550), staffed by a social worker. The hotline is available from 09:00 to 15:00 every day. Outside operating hours, there is a recorded message (available only in Danish) and callers can leave a voicemail. Persons can also send an email to the CMM secured mailbox.<sup>59</sup> The authorities noted that communication via WhatsApp is also possible, and a translator can be engaged for non-English-speaking victims who call during working hours. Between 2021 and June 2024, the hotline received 1,397 trafficking-related calls, 285 of which involved potential THB victims. According to the authorities, there has been an increase in calls by potential THB victims, primarily foreign workers employed in agriculture, construction and manufacturing. In response, in December 2023 the CMM developed guidelines for staff on handling self-referrals.<sup>60</sup> Most calls originate from NGOs, the police or other relevant authorities, as the hotline also serves as a helpline for professionals. Additionally, the CMM's website provides an online form for reporting suspected human trafficking, which is sent directly to their secure mailbox. The hotline's performance is evaluated biannually by the CMM.

94. The number of victims of trafficking identified among Danish nationals continues to be very limited (12 during the reporting period). Representatives of NGOs consider that this is notably due to the application of a narrow definition of human trafficking, linking it to the existence of a transnational element in the majority of the cases. As noted in previous GRETA reports, the limited identification of Danish victims suggests that a more comprehensive approach is needed to ensure that all victims, including Danish nationals, receive adequate recognition and support.

<sup>58</sup> See paragraphs 76 of the second GRETA report and 171 of GRETA's third report on Denmark.

<sup>59</sup> Har du mistanke om, at en person kan være utsatt for menneskehandel? | Center mod Menneskehandel

<sup>60</sup> The guidelines provide a question guide for social workers handling hotline calls, data-sharing protocols with relevant authorities, and referral procedures to other organisations for non-THB cases.

95. Since 2022, as part of the current NAP, there has been a division of responsibilities and tasks related to victim detection and identification between the authorities and NGOs. NGOs receiving funding under the NAP no longer conduct informal identification interviews,<sup>61</sup> but carry out outreach work (see paragraph 112) and refer potential victims to the CMM for the purpose of formal identification. With the victim's consent, NGOs may be invited to attend interviews. According to the authorities, this change was introduced to make the identification process clearer and more consistent, and to ensure data protection. However, opinions among civil society representatives are divided. Some regard the change positively, as it offers a clear and well-defined role, enabling them to focus their efforts effectively. Others argue that it has limited their ability to act and engage in the identification process, resulting in fewer identifications and underutilisation of the valuable information held by NGOs.

96. The DIS has a specialised unit which performs screening for possible victims of THB on the bases of cases referred to it by caseworkers after asylum interviews and forwards them to the CMM, in accordance with a THB interview guide drawn up for DIS staff. Where there is no doubt as to the person's status as a victim of THB, the DIS may proceed with identification without the involvement of the CMM. In other cases, the presumed victim is referred to the CMM by the DIS after conducting an interview.<sup>62</sup> If the presumed victim has applied for asylum, the asylum caseworker will ask the applicant for hid/her consent before referring the case to the CMM. If any other actors, such as the Danish Red Cross or DRC becomes aware of trafficking indicators, they themselves can refer the case to the CMM.

97. According to the authorities, DIS asylum caseworkers participate in voluntary information meetings on THB indicators and follow a mandatory three-day training course which covers THB indicators, interviewing vulnerable persons, building trust with the applicants, and assessing applicants' health for special needs (see also paragraph 57). There is also an intranet page where caseworkers can look up information regarding THB and the team related to a case can be contacted in case of doubt. However, civil society representatives and victims met by GRETA raised concerns regarding DIS' processing and assessment of asylum cases involving trafficked persons. These concerns include caseworkers failing to proactively screen for trafficking indicators, prioritising deportation over victim identification, displaying abrupt or harsh behaviour during interviews, not allowing sufficient time for victims to disclose sensitive information, and making referrals to the CMM without considering trafficking as a factor in the asylum claim. According to NGOs, the authorities are changing their perspective and including also men and children as possible victims of trafficking, but the attention given remains inadequate, and existing practices and procedures, including the list of indicators, fail to reflect the risks faced by trafficked men and children.

98. The Ellebæk centre run by the Prison and Probation Service is the only immigration detention centre in Denmark (see also paragraph 62). At the time of GRETA's visit, 52 individuals were detained (including six women), for a total capacity of 120. The average stay in the centre is 30 days, with most detainees apprehended for working without permits. In 2020, the Ellebæk centre introduced a procedure guiding staff on handling suspected human trafficking cases, which is available on its intranet. According to it, the management should be notified immediately when an employee suspects a detainee to be a victim of THB and notify CMM which may visit the centre to clarify any suspicions of THB. It also indicates that the NGO Hope Now can visit detainees under the same conditions as the CMM. Since 2023, a dedicated social worker has been employed to enhance procedural adherence and assess detainees upon arrival. Pedagogical assistants, healthcare staff and the centre's teacher can report suspicions to this social worker, who serves as the primary contact for potential trafficking cases and conducts interviews with potential victims. According to the authorities, the CMM was contacted on 13 occasions concerning 15 potential victims of THB accommodated at Ellebæk. Four of them were formally identified as victims of THB. The CMM indicated that in 2020, 2021 and 2023, it provided Ellebæk staff with training on recognising

<sup>61</sup> The informal identification interview carried out by the NGOs AmiAmi, Reden International and Hope Now before 2022 consisted of filling in a specific form with indicators of human trafficking, which subsequently formed the basis for the formal assessment carried out by DIS and the CMM.

<sup>62</sup> For further details on the identification procedure among asylum seekers, see paragraph 174 of GRETA's third report.

indicators of THB, which has led to enhanced co-ordination and co-operation between the CMM and Ellebæk staff.

99. At the Sandholm reception centre, if caseworkers identify signs of THB when conducting asylum interviews, the CMM is contacted.

100. There continue to be concerns around the concept of "currently trafficked" as explained in GRETA's third report.<sup>63</sup> According to the National Action Plan, access to assistance and support as a victim of human trafficking includes "all people who are in this country as part of a trafficking relationship and who are currently subject to a trafficking relationship". The CMM and DIS guidelines specify that individual assessments should consider the victim's ongoing ties to the trafficker, outstanding debt payments to the trafficker, active threats, and any lasting effects of the trafficking experience that may put the victim at risk of re-trafficking. Victims are given the benefit of the doubt in situations where the current state of trafficking is uncertain. Examples were shared of police officers, social workers and other authorities using this element to assess the case or determine whether to initiate investigations, grant protective measures or take other necessary actions. GRETA reiterates that victims who have been exploited in the past should be recognised as victims of THB and provided with the necessary assistance, as long as their need for support stems from their past victimisation, even if they are not currently being exploited.

101. GRETA once again urges the Danish authorities to step up their efforts to identify victims of trafficking for different forms of exploitation, in particular among third-country nationals who might be staying irregularly in Denmark as a direct consequence of having been trafficked, including by:

- improving the proactive detection and identification of victims of THB, including within the Ellebæk detention centre and throughout the asylum procedure. This should include strengthening efforts to create an atmosphere of trust during interviews, thereby encouraging victims to share their trafficking experiences;
- abandoning the concept of "currently trafficked" and ensure that all victims of trafficking are identified as such and have access to the measures included in Articles 12, 13, 14, 15, 16, 26 and 28 of the Convention.

102. Further, GRETA considers that the Danish authorities should increase efforts to identify possible victims of THB among Danish nationals, including by raising public awareness and providing additional training to relevant professionals on the definition of human trafficking and the identification of victims.

#### b. Assistance to victims

103. Assistance to trafficking victims has continued to be provided in the same manner as during the previous evaluation period and remains short-term (for a maximum of 120 days), reflecting the prevailing practice of repatriating victims of THB to their countries of origin as promptly as possible. The authorities have indicated that the support provided to victims identified under sections 262(a) and 262(b) of the CC is identical, ensuring that all identified victims receive the same level of assistance regardless of whether criminal proceedings are initiated. According to the authorities, Danish nationals receive assistance in accordance with the Danish Social Services Act. In most cases, housing is provided by the local municipalities, while the CMM offers psychological support, legal assistance, and support in reporting the crime to the police.

104. As explained in GRETA's second report,<sup>64</sup> the CMM is responsible for co-ordinating the provision of social assistance and support to victims of trafficking on the basis of the National Action Plans. It is also

<sup>63</sup> See paragraph 181 of GRETA's third report on Denmark.

<sup>64</sup> See paragraph 91 of GRETA's second report on Denmark.

responsible for co-ordinating co-operation and collecting and disseminating knowledge and statistics. The CMM employs 16 people across its three offices (in Odense, Aarhus and Copenhagen): 10 social workers, four researchers and two lawyers. If a potential victim is referred to the CMM by NGOs, a trade union or health-care professionals, or reports him/herself, the CMM can accommodate the person until the victim's formal identification.

105. In accordance with the CMM guidelines on accommodating victims of human trafficking, individuals with legal residence are supported by the CMM. Women are placed at the specialised shelter run by Reden International (see paragraph 108). Men have been accommodated at the Fredericia crisis centre, which is not specialised for victims of trafficking and holds different categories of vulnerable persons. Responsibility for victims without legal residence, including asylum seekers, rests with the DIS (see paragraph 110).

106. According to the Danish authorities, a total of 311 victims of trafficking received assistance during the period 2020-2023, comprising 203 women, 104 men and four transgender persons. There were 22 children amongst the victims who received assistance.

107. The NGO Reden International receives an annual grant of DKK 6.6 million (approximately EUR 885 000) for the operation of a specialised shelter for female victims of THB (see paragraph 108). An additional DKK 1 million was provided in 2022 to improve the conditions in the shelter, including the provision of individual rooms for all victims. The second specialised shelter run by Reden International, in Aalborg, is no longer operational.

108. The GRETA delegation visited the Reden International shelter for female victims of trafficking in Copenhagen. It has a capacity to accommodate eight women, in individual rooms. Women who have children are accommodated in the crisis centre located on the ground floor.

109. Further, the Hørhuset centre for the homeless has an apartment available for victims of THB (both men and women). It consists of three rooms, a bathroom and a kitchen. In 2021-2024, 14 male and eight female victims of THB were accommodated in the apartment. At the time of GRETA's visit, one Nigerian man and two women were residing there. The CMM and Hørhuset are in the process of finalising an agreement for the CMM to use the apartment on a permanent basis, which will be signed once renovations are complete.

110. The majority of trafficking victims do not have legal residence. The DIS is responsible for victims without legal residence and arranges their accommodation, typically within the asylum system.<sup>65</sup> Victims receive cash allowances and/or free meals as well as educational activities and vocational training. An initial medical interview takes place immediately upon arrival to assess the need for a referral to a medical specialist or psychologist or other necessary treatment. Under the CMM guidelines, female victims without legal residence who require special protection not available in the asylum system and who have no accompanying children may also be housed at the Reden International shelter. Male victims without legal residence and with specific protection needs may be accommodated at the Fredericia crisis centre for men.

111. According to the authorities, there is a special unit for vulnerable groups, including victims of THB, at the Jelling asylum centre, which employs reinforced health care personnel, including a psychologist, and social workers, available around the clock.

112. A change introduced by the current National Action Plan took effect in 2022 when the CMM transferred its outreach responsibilities concerning victims of THB to three NGOs: Reden International, AmiAmi and Hope Now. Reden International assumed the CMM's outreach activities in the capital area

<sup>65</sup> Denmark operates asylum reception centres located in Sandholm, Holmegaard, Holstebro (two), Hvding, Jelling, Ranum, Nørre Logum, Skærbæk and Aaløkke; three return centres in Avnstrup, Kærshovedgård and Sjælsmark; two children's centres, one situated in a separate building within the Sandholm reception centre and another in Tønder; and one special care centre, Særcenter Øst, for individuals with special needs. The Red Cross manages the centre in Særcenter Øst, along with three reception centres (Holmegaard, Sandholm and Jelling), one return centre (Avnstrup), and the centre for unaccompanied children in Sandholm, following successful bids in public procurement competitions.

and on Zealand. AmiAmi, which in 2022 already had a grant of DKK 2.6 million for outreach work, took over the CMM's outreach work in the field of prostitution in North and Central Jutland and continues its existing efforts targeting potential victims of THB, particularly foreign women engaged in prostitution within the Southern Region of Denmark. Hope Now's street-level outreach efforts in Copenhagen remain in place. These outreach activities, focused on delivering social and health services to potential victims, were bolstered by an additional allocation of DKK 3 million annually (about EUR 402 000), bringing the average annual expenditure in this area to DKK 9.2 million (approximately EUR 1.2 million).

113. The NGO AmiAmi conducts part of its outreach work through a health clinic in Fredericia, which offers psychological support and healthcare services to sex workers, including undocumented migrants, many of whom are sexually exploited women. The clinic referred 24 potential victims of human trafficking, with social workers reporting a gradual increase in numbers. Operating two hours weekly, it is staffed by volunteer gynaecologists and a permanently employed healthcare worker (trained midwife). A mobile clinic also provides on-site healthcare services to sex workers at their workplaces. The clinic's healthcare budget is funded by the National Action Plan, the Region of Southern Denmark and private donations. Representatives of Hope Now stated that, although they do not have a shelter, victims of THB can stay overnight at their premises in emergency situations, as many of them are not officially recognised as trafficked and thus it is very difficult for them to receive the assistance provided for victims of THB.

114. According to the authorities, the CMM has decided to make a strategy for reporting of cases of presumed victims of THB entirely separated from the change in outreach responsibilities. In cases where persons do not want to report the case, this is either done anonymously or not reported if deemed necessary. Support for people who are assessed as victims continues to be independent of whether a report is made to the police or not..

115. With regard to legal assistance and free legal aid, the situation remains unchanged.<sup>66</sup> The CMM offers legal assistance to THB victims based on an individual assessment of the victim's needs.<sup>67</sup> In 2020-2024, eight victims (four women and four men) received legal assistance from an external lawyer funded by the CMM. However, none of the lawyers involved was specialised in THB. According to the Danish authorities, lawyers are provided with training on THB cases. Most courts maintain an official list of court-appointed lawyers who may provide legal assistance and/or free legal aid to victims of THB in criminal cases upon request.

116. The NGO AmiAmi provides legal assistance to prepare victims for court proceedings and CMM interviews. Hope Now remains the only NGO regularly visiting the Ellebæk detention centre, offering legal assistance, trauma therapy and legal aid to THB victims. The Danish Refugee Council has an asylum department focusing on assisting asylum seekers and refugees with the asylum procedures and including lawyers specialised in asylum who lack expertise and knowledge of THB. Stenbroens Jurister provides legal aid to potential victims of trafficking and is contacted by NGOs under the NAP in case a lawyer is needed to assist victims. They operate from offices in Copenhagen and Aarhus with a team of 15 employees. According to Stenbroens Jurister, victims of THB should be provided with legal assistance at an early stage when they are interviewed by the DIS or the CMM. Civil society representatives highlighted a shortage of experienced THB lawyers and noted that travel costs to remote locations, such as Ellebæk, remain unreimbursed.

117. Due to the focus on repatriating victims of human trafficking to their countries of origin following their recovery and reflection period and the limited access to residence permits (see paragraph 170), access to vocational training and education for victims is practically non-existent. GRETA expresses concern over the negative impact this approach may have on the economic and social inclusion of victims of human trafficking in Denmark.

<sup>66</sup> See paragraph 44 et seq. of GRETA's third report.

<sup>67</sup> Examples may include guidance on rights and opportunities, guidelines to seek compensation, access to legal aid and on the application procedure for residence, including EU residence and family reunification.

118. While welcoming the increased funding allocated to supporting trafficking victims through outreach efforts, as well as the possibility for the CMM to report cases anonymously to the police, GRETA considers that the Danish authorities should:

- further develop the assistance measures offered to victims of THB, in particular by allowing such measures to remain in place long enough to have a positive impact;
- as a matter of priority, provide a permanent solution for offering safe and suitable accommodation for male victims of THB;
- improve access to legal assistance and free legal aid by specialised lawyers, including for victims in remote areas, and review of the remuneration system for support lawyers to enable the reimbursement of reasonable travel expenses;
- provide training to lawyers appointed to provide legal assistance and free legal aid to victims of THB.

c. Identification and assistance of child victims of trafficking

119. From January 2020 to October 2024, 11 unaccompanied children were identified as victims of THB in Denmark, the majority originating from North Africa (Morocco, Tunisia and Algeria), either seeking asylum or residing irregularly in Denmark. The authorities and civil society representatives have noted that this number is remarkably low given the high number of unaccompanied children seeking asylum in Denmark (989 applications recorded between 2020 and September 2024).<sup>68</sup> Civil society representatives expressed concerns about the inadequate identification of unaccompanied child victims of trafficking and the tendency to repatriate them too quickly without a comprehensive risk assessment.

120. Pursuant to the Child's Act, the municipalities are responsible for the provision of social support to children and their families lawfully resident in Denmark. Non-asylum-seeking child victims of THB are first assisted by municipal child protection authorities and placed in municipal accommodation. Copenhagen's child protection services employ over 100 social workers across five local units. During its visit, GRETA was informed that these staff receive no THB training and, in general, were unsure how to proceed with potential cases of child trafficking, which authority to contact, and how to recognise trafficking indicators. Moreover, a high staff turnover appeared to hinder the systematic identification of children. It also did not seem to be within their scope of awareness that Danish children could also be at risk of being trafficked, as the focus was generally on foreign victims.

121. In Denmark, there are three different types of foster families where children can be placed with the intention of matching the different needs of the child: common,<sup>69</sup> reinforced<sup>70</sup> and specialised.<sup>71</sup> In 2023, there were 2,308 common foster families, 2,646 reinforced families and 257 specialised foster families. Moreover, children can be placed in network foster families which are approved by the municipalities. In 2023, there were approximately 1,000 such placements. The Social Supervisory Authority is responsible for checking the standards and services provided by residential facilities to children and from 1 January 2026, it will conduct visits to them at least every third year and to foster families at least every

<sup>68</sup> There were 161 asylum applications from unaccompanied children in 2020, 140 in 2021, 358 in 2022, 229 in 2023, and 101 in 2024 (data includes applications up to 1st September). The majority of applicants were from Afghanistan, Syria and Morocco. These numbers are based on the information given by the applicants about their age during the asylum registration. Hence, the applicants age has not been examined through an age assessment.

<sup>69</sup> These are families who provide support for vulnerable children with mild to moderate needs, such as those exposed to neglect due to parental challenges in providing stable care and stimulation, often linked to abuse or psychological difficulties.

<sup>70</sup> These families support with moderate to severe needs, such as those experiencing significant distress, including anxiety and school absenteeism or self-harming behaviour and suicidal thoughts due to neglect.

<sup>71</sup> These families support children with severe or specialised needs who would still benefit from a family-like environment, such as those with physical and/or mental disabilities or children requiring emergency placement due to extreme neglect.

second year.<sup>72</sup> The Social Supervisory Authority can also receive anonymous alerts about a specific house via their website.

122. According to the Danish authorities, the CMM and the Danish Red Cross have developed a range of tools to help staff and guardians working with children and young people who may be potential victims of human trafficking in identifying trafficking indicators and reporting any concerns.<sup>73</sup> The tools are part of a project funded by the Ministry for Gender Equality and include a 45-minute e-learning course, an educational film for young people (featuring four animated scenes illustrating different forms of trafficking: domestic work, crime, theft, and forced labour), conversation cards to facilitate dialogue (with simple illustrations to support communication, especially in the presence of language barriers), an IT screening tool for human trafficking, and a game based on the screening tool.

123. While welcoming the development of a specialised child interview course for relevant professionals, GRETA once again urges the Danish authorities to:

- make further efforts to improve the identification of child victims of trafficking, especially amongst unaccompanied children;
- ensure that staff from social services are systematically trained and sensitised to identify child victims of trafficking and adopt a harmonised approach across the country;
- train all professionals working with child victims of trafficking to recognise and respond appropriately to their needs.

### 3. Substantive criminal law and procedural law

124. The Convention places on States Parties a series of obligations aimed at enabling the effective prosecution of traffickers and ensuring that they are punished in a proportionate and dissuasive manner. As the implementation of these provisions of the Convention was examined in detail by GRETA during the preceding evaluation rounds, given the focus of the fourth round, particular attention is paid to the notion of "abuse of a position of vulnerability" and its application in case-law. Further, GRETA has decided to examine as part of the fourth evaluation round the application of Article 19 of the Convention on the criminalisation of the use of services of victims of trafficking.

#### a. Notion of "abuse of a position of vulnerability" in the law and case-law

125. Abuse of a position of vulnerability is an integral part of the international legal definition of trafficking in human beings and is central to any understanding of trafficking.<sup>74</sup> It is one of the means by which trafficking acts are committed and is relevant to all forms of trafficking and all exploitative purposes. Abuse of a position of vulnerability occurs when "an individual's personal, situational or circumstantial vulnerability is intentionally used or otherwise taken advantage of, to recruit, transport, transfer, harbour or receive that person for the purpose of exploiting him or her, such that the person believes that submitting to the will of the abuser is the only real or acceptable option available to him or her, and that belief is reasonable in light of the victim's situation."<sup>75</sup>

<sup>72</sup> If it concludes that the facility does not meet the required quality standards, it may impose sanctions, including injunctions or increased supervision, and, in serious cases, the withdrawal of the facility's operating permit.

<sup>73</sup> <https://www.rodekors.dk/vores-arbejde/roede-kors-asy/ekspert-og-viden-i-asy/laering-og-vejledninger/menneskehandel>

<sup>74</sup> See UNODC Issue Paper *Abuse of a position of vulnerability and other "means" within the definition of trafficking in persons*, United Nations, April 2013, p. 3.

<sup>75</sup> UNODC Guidance Note on "abuse of a position of vulnerability" as a means of trafficking in persons in Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized

126. Section 262a of the Danish CC, which criminalises human trafficking, does not include the concept of "abuse of a position of vulnerability" amongst the means to commit THB, but refers to "any other improper method" which has been interpreted by Danish courts to include the abuse of a vulnerable position.<sup>76</sup> According to the Danish authorities, a "vulnerable position" refers to a "situation in which the victim lacks any real or acceptable alternative but to submit to the abuse." The authorities also indicated that Danish criminal law requires not only proof of the victim's vulnerable position but also evidence that the defendant was aware of this vulnerability and intended to exploit it.

127. The Guidelines of the Director of Public Prosecutions on THB on handling of cases of human trafficking are regularly updated, with the most recent revision in June 2022, and provide examples of what may be considered as, on the one hand, improper methods and, on the other, a vulnerable position.<sup>77</sup> In determining whether a victim was in a vulnerable position, the courts consider the presence of multiple factors. These include limited or no proficiency in Danish, minimal education, or a socially disadvantaged background, low self-esteem, financial hardship, and a lack of ties to Denmark. Dependence on the perpetrator, particularly in the context of a romantic or otherwise close relationship, has also been taken into account when assessing vulnerability.

128. The Danish authorities have referred to two cases which illustrate how courts have interpreted the abuse of a victim's position of vulnerability. The first case concerned four Romanian women trafficked for the purpose of forced prostitution. In a judgment dated 9 February 2024 the court found the defendant guilty of human trafficking, partly due to the use of an underlying threat of violence and a cynical combination of care and authority towards the four women who were in a position of vulnerability, as they could not speak Danish and had very limited financial means.<sup>78</sup> The second case concerned four Brazilian women trafficked for the purpose of sexual exploitation. In reaching its decision, the district court considered their vulnerable position, noting that they lacked proficiency in Danish and had limited English language skills, were in a foreign country, were living in unsanitary and degrading conditions, and had no financial means.<sup>79</sup>

129. GRETA was informed that the concept of abuse of a vulnerable position and how to deal with vulnerable victims is covered in the police training and the Danish National Police guidelines on the handling of trafficking cases.

130. GRETA welcomes the application of the concept of abuse of a position of vulnerability in case-law in Denmark and invites the Danish authorities to include in the training of relevant professionals how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking.

#### b. Investigation, prosecution and sanctions

131. As noted in paragraph 16, in addition to section 262(a) of the Danish CC, which criminalises THB, a new section 262(b) was added to the CC in May 2022, criminalising human exploitation.<sup>80</sup> It carries penalties of up to six years' imprisonment. During the legislative process, the scope of Article 262(b) was

<sup>76</sup> See paragraph 150 of GRETA's 2<sup>nd</sup> report on Denmark.

<sup>77</sup> <https://vidensbasen.anklagemyndigheden.dk/h/6dfa19d8-18cc-47d6-b4c4-3bd07bc15ec0/VB/a1e2092e-cb70-4ed0-af0b-c0dd349746ad>, accessed 26 February 2025.

<sup>78</sup> Glostrup District Court, case no. S-4923/2024, 9 February 2024.

<sup>79</sup> Eastern High Court, case no. S-1311/2022, 10 January 2023.

<sup>80</sup> The provision reads as follows (unofficial translation): "Anyone who, by taking advantage of another person's considerable financial or personal difficulties, lack of insight, recklessness or an existing dependency relationship, recruits, transports, transfers, harbours or subsequently receives that person for work under obviously unreasonable conditions shall be punished with imprisonment of up to six years for human exploitation. In the same way, anyone who, under the circumstances mentioned in the first sentence, exploits a person for prostitution, the taking of pornographic photographs or films or performances with pornographic performances, shall be punished."

expanded to also cover sexual exploitation under manifestly unreasonable conditions. The new provision entered into force in June 2022.

132. According to the *travaux préparatoires* to section 262(b) of the CC, this new provision was introduced to protect vulnerable workers from exploitation under manifestly unreasonable conditions and was driven by the challenges in meeting the burden of proof in cases of THB for the purpose of forced labour, where victim testimony is often crucial. Human exploitation under section 262(b) encompasses the same types of offences as human trafficking, but without requiring proof of coercion or that the perpetrator derived financial gain from the exploitation. For exploitation to be established under section 262(b), the work must be performed over a certain period and constitute actual labour. Short-term tasks do not qualify as exploitation (e.g. a short-term task for a limited number of hours over approximately one week). Due to its lower evidentiary threshold, the new provision is expected to facilitate the prosecution of cases where force, fraud or coercion are particularly difficult to prove, potentially leading to more convictions.

133. The guidelines of both the Danish National Police (DNP) and the Director of Public Prosecutions (DPP) include information on the new provision, outlining its key elements and the distinctions between human exploitation and THB. However, judges and prosecutors met during GRETA's visit noted that sections 262(a) and 262(b) are not clearly distinguishable based on the explanation in the guidelines, leading to uncertainty among practitioners regarding their application. In their comments on the draft GRETA report, the authorities noted that section 262(b) is still a relatively new provision in the Danish CC. Thus, relevant professionals' knowledge hereof, including in relation to the distinction between sections 262(a) and 262(b) is limited. However, the authorities stated that the Office of the DPP follows the area closely and the Guidelines of the Director of Public Prosecutions (Circular No. 9626 of 3 June 2022) will be continuously amended in accordance with developments in the area.

134. In December 2020, a political agreement was reached on the financial framework of the DNP and the DPP, securing additional resources for them. The agreement specifically allocated resources to enhance the police's capacity to handle cases related to forced labour and reflected the political commitment to the creation of the National Special Crime Unit (SCU),<sup>81</sup> with the primary objective of strengthening investigations and prosecutions of complex economic and organised crime, including THB cases.<sup>82</sup> The SCU can contribute with specialised skills to ongoing investigations on THB-related cases managed by the 12 police districts. In January 2022, the State Prosecutor for Special Crime (SSK)<sup>83</sup> and the SCU replaced the previously existing State Prosecutor for Serious Economic and International Crime (SEIC). According to the authorities, as a result of the restructuring of the DNP in 2022, the National Investigation Centre (NEC) of the DNP was closed down and tasks and employees were distributed between different police districts, including SCU and the DNP.

135. The responsibility for enforcing the provisions of the CC on THB, including the investigation and prosecution of related criminal offences, is shared between the local police districts and the SCU. As part of the National Police reform initiated in January 2022, greater responsibilities were assigned to police districts to enhance decentralised law enforcement. In their comments on the draft GRETA report, the Danish authorities indicated that there is no designated THB officer in the police districts, but every district has a unit that handles THB and a designated contact person on trafficking. These contact persons have

<sup>81</sup> The SCU was established on existing units and comprises police officers, prosecutors and other personnel, including staff responsible for human resources, communication, and finance. The police component is structured into three divisions: National Police District Support, Intelligence and Investigation East, and Special Investigation Division West. Each division consists of multiple departments and units, providing various forms of support to the police districts. These include international co-operation, physical surveillance, technical assistance, cybercrime expertise, and forensic support.

<sup>82</sup> In cases involving human trafficking, where there may be reason to assume that the offence is of a particularly significant scale or is otherwise of a particularly sophisticated nature, the investigation is handled by the SCU.

<sup>83</sup> The State Prosecutor for Serious Crime is responsible for supervising the SCU processing of criminal cases and handling the conduct of appeals cases before the Eastern and Western High Courts relating to cases investigated by the SCU. The State Prosecutor for Serious Crime also co-operates with the SCU in complex criminal cases involving economic and organised crime.

specialist knowledge on trafficking and are tasked with ensuring effective co-ordination and fostering inter-agency co-operation in the prevention and investigation of THB cases.

136. In May 2022, the South Jutland Police District was designated as the body responsible for national monitoring efforts regarding THB.<sup>84</sup> It produces a monthly statistical report on the number of reports and charges of human trafficking, exploitation (section 262(a) of the CC) and people smuggling, as well as an annual report on human trafficking and exploitation, containing risk profiles, information on typical modus operandi, newly developments and trends. Both reports are distributed to all police districts, the DNP and the SCU.

137. The above-mentioned political agreement on the financial framework of the DNP and the DPP allocated funding for six additional full-time police officers in 2023 to enhance efforts in identifying and detecting cases of forced labour. This funding was distributed among the 12 police districts, providing each district with the equivalent of half a full-time officer. However, the use of these funds was left to the discretion of each police district, with no centralised control over the funds. According to the DIHR, by the end of 2023, it remained unclear how these additional resources were used. The dispersed nature of these six positions across 12 districts further complicated efforts to assess their impact.

138. According to representatives of NGOs doing outreach work, they inform the police about THB cases every week.<sup>85</sup> They expressed concerns that the establishment of the SCU has not improved the investigation of THB cases due to lack of clarity on the responsibility for cases and difficulties in communication with the SCU and the South Jutland Police District co-ordinating unit. Doubts persist regarding the police's commitment to combating trafficking, particularly their proactiveness, expertise in handling cases, and investigative capacity. NGOs emphasised the need for dedicated THB representatives within the police to enhance co-ordination and called for more proactive investigations. According to the Danish authorities, the SCU is working to establish stronger co-operation with NGOs and to ensure effective exchange of information with them.

139. According to data of the DNP,<sup>86</sup> the number of investigations concerning reports of human trafficking was 18 in 2020, 16 in 2021 and 17 in 2022.<sup>87</sup> A significant increase was observed in 2023, with 43 cases recorded in that year, followed by 41 cases in 2024. In 2021-2024, there were a total of 18 prosecutions related to section 262(a) of the CC (three cases per year from 2021 to 2023 and four cases in 2024) and section 262(b) of the CC (three cases in 2023 and two cases in 2024).

140. In 2022-2024, seven individuals were convicted for violations of section 262(a)(1) of the CC, with cases primarily involving trafficking for the purpose of forced prostitution (two convictions in 2022, three in 2023 and two in 2024) and forced criminal activities (one conviction in 2024). No acquittals or convictions under section 262(b) of the CC were recorded. There is currently one pending case before the Eastern High Court concerning violations of section 262(a) (a judgment of 6 December 2024 from the District Court in Glostrup). The first person was convicted under section 262(b) of the CC by a district court judgment delivered on 7 July 2025, which is final. There are currently no pending cases before the two Courts of Appeals concerning violations of section 262(b).

141. Sentences for THB ranged from 6 months to 6 years' imprisonment. According to the DPP, and in line with Danish judicial practice, convictions under section 262(a)(1) related to prostitution were, in most

<sup>84</sup> It consists of 13 police officers, with only two full-time THB analysts, while the rest work on a part-time basis.

<sup>85</sup> According to AmiAmi, in 2023, they reported 123 suspected cases of trafficking to the police and contacted the CMM 112 times. They also informed the Tax Agency on multiple occasions about properties linked to suspected traffickers that were not paying taxes. During outreach work, AmiAmi engaged with 931 women (some potentially contacted more than once), 87 transgender individuals, and 2 men.

<sup>86</sup> The DNP has gathered this information from the police case-management system (POLSSAS), which serves as a recording and case management tool rather than a dedicated statistical system. As a result, the figures presented may be subject to adjustments, depending on the timing of data extraction and potential late entries.

<sup>87</sup> From 2022 onward, the data concerning the number of investigations includes both human trafficking and exploitation.

cases, accompanied by convictions under section 233 of the CC.<sup>88</sup> Notably, only one sentence (6 months' imprisonment) was exclusively based on THB, highlighting the lower penalties traffickers receive when convicted solely for THB.

142. Representatives of the DIHR expressed concern over the limited number of convictions for THB. They attributed this to difficulties in obtaining sufficient evidence to meet the legal threshold for conviction. Furthermore, they noted the application of other legal provisions, such as usury (*åger*) and procuring (*ruffer*), in cases where evidence for THB could not be established, thereby circumventing the appropriate classification and prosecution of trafficking offences. Furthermore, judges and prosecutors highlighted difficulties in obtaining victims' testimony, which is often the key evidence in trafficking cases, due to victims' fear of the perpetrators or of deportation due to their irregular status.

143. According to a report of the Inter-Ministerial Working Group for the protection of vulnerable foreign workers and the fight against THB, prosecuting perpetrators of THB for forced labour remains challenging. Such cases are highly complex and require significant investigative resources. In several cases, perpetrators have instead been convicted of usury (*åger*).

144. Police officers receive training on THB as part of their basic training. The DPP indicated that since GRETA's latest evaluation report, no new training courses on THB involving all police districts and prosecutors have been conducted. There are no prosecutors or judges specialised to deal with THB cases in Denmark. The DPP maintains an online library for public prosecutors. The part of the library containing information about THB, victim compensation and foreign witnesses is available to the general public. The Danish Court Administration indicated that THB was not part of the general training catalogue during the reporting period nor of the annual judicial training programme scheduled for November 2024.

145. The CMM reported that training on THB was provided to 32 judges and a police unit of nine officers in 2021. In 2022, four training sessions were held for police officers and investigators, with 122 participants and three sessions for 66 defence lawyers and judges. In 2023, training was provided to one police unit with 10 officers and three sessions for police investigators (35 participants). In 2024, two sessions were conducted for police investigators, with 42 participants. The CMM has also trained several teams of prosecutors in the reporting period.

146. The guidelines of the DPP on handling of cases of human trafficking are regularly updated, with the most recent revision dated June 2022.<sup>89</sup> The national guidelines on the handling of THB issued by the DNP are also regularly updated, most recently in 2024. Risk profiles on human smuggling were latest produced in 2020 by the DNP. At the local level, police districts generate and disseminate targeted risk analyses, including local risk profiles, for staff at external borders.

147. Since January 2020, there have been three convictions in THB cases where the court ordered confiscation from the convicted persons. However, the convicted persons were also convicted of other crimes and it is not possible to indicate the specific amount of confiscated assets related to the THB offences. There were no convictions of legal entities for THB during the reporting period.

148. The Asset Recovery Office (ARO) continues to trace, seize, and confiscate the proceeds of crime. It provides support in financial investigations across various offences, including THB, particularly in cases where the offence is suspected to have generated illicit profits. The Office comprises a total of 23 employees (5 prosecutors, including the head of the legal department, one head of the police unit within the department, 9 investigators, 4 civilian investigators, and 4 administrative staff members).

<sup>88</sup> It prohibits the organisation of prostitution, defined as arranging for another person to engage in sexual activity with a client in exchange for payment or the promise of payment.

<sup>89</sup> <https://vidensbasen.anklagemyndigheden.dk/h/6dfa19d8-18cc-47d6-b4c4-3bd07bc15ec0/VB/a1e2092e-cb70-4ed0-af0b-c0dd349746ad>, accessed 26 February 2025. They include a section on criminal prosecution as well as another one on co-operation between the police and the prosecuting authority, including CMM and the DIS should be involved in cases related to THB, the identification and questioning of victims, and the preservation of evidence and evidence gathering.

149. According to the Danish Financial Intelligence Unit (FIU),<sup>90</sup> in 2021-2023 it received approximately 2,000 reports including both suspicious transaction reports (STRs) and suspicious activity reports (SARs) which could be related to human trafficking, primarily concerning sexual exploitation, with some cases involving labour exploitation and online abuse of children linked to exploitation.

150. While welcoming the establishment of the National Special Crime Unit and the additional funding provided to law enforcement, GRETA considers that the Danish authorities should take further steps to strengthen the criminal justice response to THB, in particular by:

- enhancing law enforcement capacity to proactively investigate and prosecute THB cases, with a particular focus on labour trafficking;
- improving the monitoring and evaluation of THB-related funding under political agreements to ensure resources effectively enhance investigative capacities;
- ensuring that the DPP and DNP guidelines include a comprehensive explanation of sections 262(a) and 262(b) of the CC to enhance clarity and consistency in their application;
- providing further training and developing the specialisation of investigators, prosecutors and judges to deal with human trafficking cases for different forms of exploitation (including forced criminality) in order to ensure that they are not re-qualified as other offences carrying lighter penalties, which would deprive victims of THB of access to protection, support and compensation;
- strengthening co-operation between law enforcement and NGOs by establishing formal mechanisms for reporting THB cases and facilitating regular multi-agency co-ordination meetings.

c. Criminalisation of the use of services of a victim

151. As noted in previous GRETA reports,<sup>91</sup> Danish legislation does not establish as a criminal offence the use of services of a victim of THB, with the knowledge that the person is a victim. The authorities have referred to section 306 of the CC, pursuant to which legal persons can be held criminally liable for offences committed on their behalf. This liability applies when an offence is committed by individuals acting on behalf of the company, such as directors, employees or representatives, during the course of the company's activities. The Danish authorities have indicated that section 306 can be applied in conjunction with section 262a of the CC. For instance, a company that knowingly employs a victim trafficked for the purpose of forced labour may be subject to criminal liability under these provisions.

152. GRETA considers that the Danish authorities should adopt a legal provision criminalising the use of all services of a victim of trafficking, with the knowledge that the person is a victim of THB, as stipulated by Article 19 of the Convention.

<sup>90</sup>

For further information on the Danish Financial Intelligence Unit, see paragraph 92 of GRETA's third evaluation report.

<sup>91</sup>

See paragraphs 153 and 154 of GRETA's second report.

#### IV. Addressing human trafficking facilitated by information and communication technology (ICT)

153. Countries monitored by GRETA have reported an increased use of information communication technologies (ICT) for recruiting and controlling victims of trafficking. In 2022, GRETA conducted a study to assess the extent to which technology impacts trafficking and explore the operational and legal challenges that states face in detecting, investigating and prosecuting online and ICT-facilitated trafficking.<sup>92</sup> As highlighted by the study, the impact of technology is particularly acute in relation to the recruitment and exploitation of victims, including their control throughout the different stages of the trafficking process. This study highlighted a number of challenges to the identification, investigation and prosecution of THB cases due to the high volume of online activities and the associated high volume of digital evidence, the use of encrypted communications, nicknames and aliases, and the time-consuming process of acquiring evidence from private companies and/or other jurisdictions. At the same time, anti-trafficking stakeholders are using technological innovations to prevent human trafficking, protect victims, and prosecute traffickers. It is therefore essential to invest in human capital and technological tools to harness the potential of ICT for effectively combating human trafficking.

154. According to the authorities, most human trafficking cases in Denmark currently involve at least one online component. A rise in the online recruitment and exploitation of human trafficking victims has been observed across chat forums, encrypted messaging applications, websites, and social media platforms. These digital channels allow traffickers to identify and recruit victims remotely, monitor them, minimise physical contact, and facilitate the digital exchange of criminal proceeds. This concerning trend involves the online recruitment of children in Sweden by criminal networks to commit crimes in Denmark (see paragraph 32). These networks use encrypted messaging apps such as Signal and Telegram offering payment in exchange for criminal acts. Once children respond, they are recruited very easily, instructed and guided online to carry out the crime. Furthermore, NGOs reported that women victims of sexual exploitation are increasingly being recruited through sites like 'OnlyFans', reflecting a growing trend towards online-advertised sexual services rather than exploitation in established locations.

155. To address the online advertisement of sexual services, the police and other authorities are developing and using IT tools to detect indicators of human trafficking.<sup>93</sup> In May 2025, two OSINT positions were advertised in the South Jutland Police District to strengthen efforts against human trafficking, human exploitation and social dumping. In parallel, a pilot project launched by the CMM in autumn 2023, in co-operation with NGOs, uses web scraping of adult services websites to support outreach work and improve understanding of the prostitution environment. Now a permanent initiative, it applies a Danish version of the Sexual Trafficking Identification Matrix (STIM), developed with input from researchers from Sheffield, Copenhagen and Northumbria Universities, to help identify concerning advertisements and enhance risk detection.

156. In 2022, the Danish Police established an online patrol unit, designed to strengthen the police's digital presence so that citizens can engage with a digital police officer online. It patrols social media and gaming platforms where they can engage in dialogue with children, prevent inappropriate behaviour and crimes, including human trafficking, and intervene if crimes are committed. Citizens can also contact the unit via social media, messaging apps or email if they have signs of suspicious behaviour online or need advice on online safety. Police officers working in the online patrol have received an introductory course on the investigation of THB.

<sup>92</sup> Paolo Campana, Online and Technology-Facilitated Trafficking in Human Beings, Council of Europe: <https://rm.coe.int/online-and-technology-facilitated-trafficking-in-human-beings-full-rep/1680a73e49>, published in April 2022.

<sup>93</sup> Web-scrappers are used to investigate content on adult service websites, support the police in finding potential victims and potential criminal THB-networks, while also indicating potential addresses, where prostitution likely is taking place. The Police also uses different OSINT-tools to investigate THB-cases, including manually browsing multiple online adult service websites in specific THB-cases, as well as using certain nationality-based user-profiles to access specific social media groups.

157. The National Cybercrime Centre (NCCC) continues to support police districts by providing technological tools and conducting web scraping. In 2020, it launched an initiative to act as a contact point between tech companies and police districts, which proved effective in obtaining evidence from private companies. The NCCC also collaborates with the online patrol unit to monitor social media and gaming platforms. However, neither the NCCC nor the online patrol unit reported any suspected human trafficking cases during the reporting period. Additionally, no training was provided to prosecutors or judges on human trafficking facilitated by information and communication technology.

158. Concerning co-operation with ICT companies, the authorities have indicated that the forum launched in 2019 to combat technology-facilitated trafficking is no longer active. However, as a result of this initiative, a digital tool focusing on technology-facilitated THB has been developed, published on the CMM website, and shared with the relevant network.<sup>94</sup> It functions by applying a set of indicators to data scraped from adult services websites in order to identify signs of trafficking mediated via online advertisements. The tool supports law enforcement by automatically scanning and flagging potentially risky ads, enhancing risk detection, and streamlining outreach workers' identification efforts. Importantly, its development involved ongoing practitioner-academic collaboration, where police practitioners critically reflect on and refine their assumptions and practices using the tool.<sup>95</sup>

159. Given the ongoing vulnerability of displaced Ukrainians, the CMM has developed information materials in Ukrainian, English, and Russian to warn against trafficking risks, including online threats (see paragraph 56). Additionally, the CMM created an online leaflet for professionals to help them identify trafficking indicators and support at-risk individuals.

160. Denmark is a party to the Council of Europe Convention on Cybercrime (Budapest Convention) after its ratification in 2004, but has not yet signed its Second Additional Protocol on enhanced co-operation and disclosure of electronic evidence.

161. GRETA welcomes the above-mentioned projects and activities and considers that the Danish authorities should:

- strengthen the capacity to detect and investigate cybercrime offences and develop further measures specifically aimed at preventing ICT-facilitated trafficking in human beings by investing in capacity building and digital tools to conduct proactive investigations, including the use of cyber-patrolling, undercover online operations, and social network analysis. This should be supported by targeted training of law enforcement officers, labour inspectors and financial police officers, with a particular focus on the online recruitment and/or exploitation of unaccompanied children, including boys trafficked for criminal activities;
- strengthen inter-agency co-operation and capacity to detect and investigate technology-facilitated trafficking and exploitation, including the online recruitment of unaccompanied children, by enhancing digital monitoring tools, reinforcing child protection measures, and engaging proactively with ICT companies;
- develop data-sharing procedures and co-operation protocols with companies holding relevant data, including social network and gig-economy companies as well as rental platforms to foster the timely provision of information. Such protocols/procedures should clarify the legal requirements under which ICT companies, ISPs and content hosts operate, designate a contact point within companies, and clarify the national

<sup>94</sup> Previously, the initiative involved regular meetings of a network of experts comprising financial institutions, private companies (including PwC, META, MobilePay, and Microsoft), various public authorities (such as the cyber police, tax authorities, and the FIU), as well as social media platforms. The Danish Agency for Digitalisation participated as an observer.

<sup>95</sup> <https://researchprofiles.ku.dk/en/publications/embedding-critical-reflective-practice-in-policing-reflections-fr>

agencies responsible for specific actions, e.g. requesting evidence or taking down THB-related content.

162. Furthermore, GRETA invites the Danish authorities to sign and ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence.

## V. Follow-up topics specific to Denmark

### 1. Recovery and reflection period

163. In its previous reports, GRETA urged the Danish authorities to review the legislation to ensure that all persons with reasonable grounds to be identified as victims of trafficking, including those subject to the Dublin II Regulation, are provided with a recovery and reflection period in line with Article 13 of the Convention, rather than a time-limit to prepare their departure from the country as illegal aliens.

164. The legal situation and practice have not changed since the third GRETA evaluation. Pursuant to section 33(7) of the Danish Aliens Act, if a foreign national has been subjected to human trafficking, the DIS shall, upon request, set the time limit for departure at 30 days, unless there are special reasons to the contrary. The deadline for leaving the country may, upon request, be set at a later date or extended if there are special reasons for doing so, or if the foreign national co-operates in preparing for repatriation. In these situations, the deadline for leaving the country may be extended to a maximum of 120 days. During this period, victims of trafficking are offered various assistance measures, the aim being to prepare their return.

165. In September 2021, the Inter-Ministerial Working Group to Combat Human Trafficking published a report including an in-depth analysis of the social efforts for people exposed to THB, including the offers of support and assistance to victims of THB during the recovery and reflection period in Denmark.

166. In the period 2020-2023, 267 victims of THB were granted a time-limit for departure.<sup>96</sup> Out of them, 195 were women, 69 men and three transgender. There were seven children amongst the victims granted a recovery and reflection period. The majority of the victims were subjected to sexual exploitation followed by forced labour.

167. In the case of victims of THB who are asylum seekers, the time-limit for departure is granted after the rejection of the asylum application by the Refugee Appeals Board.

168. Reiterating the recommendations made in its previous reports on Denmark and referring to its Guidance Note on the recovery and reflection period,<sup>97</sup> GRETA once again urges the Danish authorities to review the legislation in order to ensure that all persons for whom there are reasonable grounds to believe that they are victims of trafficking are provided with a recovery and reflection period, in line with Article 13 of the Convention, rather than a time limit to prepare their departure from the country as irregular migrants. The recovery and reflection period should be granted to victims of trafficking unconditionally, regardless of whether they have co-operated with the authorities and should include at least assistance referred to in Article 12, paragraphs 1 and 2, of the Convention.

<sup>96</sup> 67 victims in 2020, 53 in 2021, 56 in 2022 and 91 in 2023.

<sup>97</sup> <https://rm.coe.int/guidance-note-on-recovery-and-reflection-period-group-of-experts-on-ac/1680b1a3ca>, accessed 14 January.

## 2. Residence permits

169. As outlined in previous GRETA reports,<sup>98</sup> section 9c(4) of the Aliens Act provides that foreign nationals, including victims of trafficking, may be granted a temporary residence permit in Denmark if their presence is necessary for an investigation or prosecution. The residence permit may not be extended beyond the period of the investigation or prosecution. There have been no changes to the legislation in this regard.

170. In the period from January 2020 to May 2024, 39 victims of THB (35 women and four men) were granted a residence permit. Five of them were granted a residence permit for the purpose of co-operation in the investigations/proceedings and the others on other grounds (asylum, family reunification, work or study). GRETA is concerned by the low number of residence permits provided to victims of trafficking. There is little incentive for victims to seek assistance or co-operate in investigations/proceedings, as the majority are ultimately returned to their countries of origin. Victims who fear such a return, for example due to the risk of retaliation from traffickers, are likely to be hesitant to come forward and/or co-operate with the authorities.

171. Victims of THB who claim asylum may be granted a residence permit pursuant to section 7 of the Aliens Act if the person is covered by the 1951 Refugee Convention or if, upon returning to his or her country of origin, the foreign national risks the death penalty or being subjected to torture or inhuman or degrading treatment or punishment. As stressed by the DIHR, victims of trafficking cannot be granted asylum solely on the basis of their trafficking experience, as human trafficking is not recognised as a standalone ground for asylum due to the fact that many of the countries from which victims of THB in Denmark originate are deemed capable of providing adequate protection upon their return. For instance, the Danish authorities consider that Nigeria, one of the most frequently represented nationalities for victims of THB in Denmark, is able to offer such protection.

172. In March 2022, Denmark implemented an emergency law for displaced persons from Ukraine, modelled on the EU Temporary Protection Directive. Under this law, a two-year residence permit issued to individuals who meet the specified eligibility criteria grants access to the labour market, education and health care with the possibility of a one-year extension. Between the start of Russia's full-scale aggression against Ukraine and April 2025, 59,897 individuals were granted temporary protection. Those who do not qualify under the law are informed about standard asylum procedures.

173. Noting with regret that no progress has been made since the previous evaluation, GRETA once again urges the Danish authorities to:

- review the application of the system for granting residence permits to victims of trafficking with a view to ensuring that the victim-centred approach which underpins the Convention is fully applied and in order to prevent re-trafficking;
- give full consideration to the UNHCR's guidelines on the application of the Refugees Convention to trafficked people<sup>99</sup>, including their possible entitlement to asylum when deciding upon applications for asylum of persons who are at risk of being re-trafficked or otherwise persecuted should they be obliged to return to their State of origin or residence. In this context, reference is made to GRETA's Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection.

<sup>98</sup> See paragraph 118 of GRETA's second report and paragraph 204 of GRETA's third report.

<sup>99</sup> UNHCR, Guidelines on International Protection: The application of Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees to victims of trafficking and persons at risk of being trafficked, HCR/GIP/06/07, 7 April 2006.

174. Further, GRETA considers that the Danish authorities should expand the eligibility criteria of the system granting residence permits to victims of THB, taking into account the personal circumstances of victims and their status as trafficked, irrespective of the outcome of criminal proceedings or their participation in investigations or prosecutions.

### 3. Compensation

175. In its third report, GRETA was concerned by the low number of victims of THB who had received compensation.

176. There have been no changes to the Danish Administration of Justice Act regarding the victim compensation procedures. As noted in GRETA's third report,<sup>100</sup> victims can seek compensation either during criminal proceedings (under section 685 of the Act) or through a separate civil court procedure.

177. The Director of Public Prosecutions has examined six THB cases during the reporting period. In three of them, the courts granted compensation to the victims. In one other case, the court postponed the compensation, since contact with the victims could not be established. In two cases, the prosecution did not seek compensation, as the victims did not participate in the court proceedings.

178. The eligibility criteria<sup>101</sup> for state compensation are set out in the Act on State Compensation for Victims of Crime and remain unchanged.<sup>102</sup> Civil society representatives highlighted that, due to these eligibility criteria and other factors, the compensation system remains complex, discouraging victims from applying.

179. The Criminal Injuries Compensation Board (CICB) processes state compensation claims for victims of crime. During the fourth evaluation visit, its representatives indicated that a lawyer is not required for state compensation proceedings. The CICB may decide on reimbursing the victim's costs, including reasonable expenses for legal assistance. If the applicant lacks a lawyer, the CICB must provide guidance. However, its representatives emphasised that having a lawyer should not be a requirement to ensure the victim's rights are adequately supported.

180. From January 2021 to November 2024, the CICB handled nine human trafficking compensation claims, all involving women subjected to sexual exploitation. Victims of THB were awarded between DKK 10 000 and 60 000. However, some compensation awards remaining unpaid due to administrative issues. In 2022, a Thai victim received DKK 13 604 (approximately EUR 1 830), and a Hungarian victim DKK 20 000 (approximately EUR 2 680) after claiming DKK 40 000 (approximately EUR 5 360). A Spanish victim was granted DKK 60 000 (approximately EUR 8 040), but the payment was not processed due to missing transfer details. In 2023, two Brazilian victims were awarded DKK 10 000 DKK (approximately EUR 1 340 EUR) and two other victims were awarded DKK 20 000, all after claiming DKK 60 000. In one case, the payment was withheld due to missing transfer details. In 2024, a Polish and a Russian victim, each claiming DKK 50 000 (approximately EUR 6 700), were granted DKK 10 000. Both payments were awaiting the receipt of information on where to transfer the compensation amount.

<sup>100</sup> See paragraph 60 of GRETA's third report.

<sup>101</sup> State compensation can be awarded if there is no known perpetrator, no court order, if the perpetrator did not pay, or if the perpetrator is under 15 or deemed legally insane. Victims of THB can claim state compensation regardless of immigration status, and claims can be submitted after leaving Denmark. State compensation must usually be claimed within two years of the offence. If there was a court judgment, the deadline starts when the judgment becomes final. The CICB may accept claims after this period if the victim was unaware of the possibility of compensation. If the Police investigated the case but it wasn't taken to court, the deadline starts when the investigation was closed. Furthermore, the crime must generally be reported to the Police within 72 hours, though this requirement is often waived if the victim was unable to report the crime due to physical or other reasons.

<sup>102</sup> See paragraph 68 of GRETA's third report et seq.

181. GRETA was informed that the DPP maintains an online library which includes specific information on human trafficking and compensation to public prosecutors. The CICB held consultations in 2022 to train judges and lawyers on the matter of state compensation. The Danish Court Administration incorporates compensation into its ongoing training for judges in Denmark. It was featured in the Academy of Judges' training sessions in November 2023 and in March 2024.

182. GRETA notes with concern that the number of victims of THB who have been awarded compensation remains low and that many of the problems identified during the previous evaluation persist. Therefore, GRETA once again urges the Danish authorities to take steps to facilitate and guarantee access to compensation, and in particular to:

- simplify, to the extent possible, the procedures for applying for compensation in court and ensure that compensation awarded is effectively paid;
- facilitate access to state compensation by reviewing the eligibility criteria, ensuring that victims' information is accurately collected to enable the proper transfer of compensation;
- grant residence permits to victims of THB for the duration of the legal proceedings, including compensation proceedings, with a view to facilitating access to compensation and redress;
- make full use of the legislation on the freezing and forfeiture of assets to secure compensation to victims of THB.

#### 4. Non-punishment provision

183. As noted in GRETA's third report, there is no specific legal provision on the non-punishment of victims of THB in Denmark. The binding guidelines issued by the Director of Public Prosecutions on the handling of cases of human trafficking, which specify how the non-punishment provision should be applied in relation to victims of THB, have not been further developed on the matter.<sup>103</sup> No training or guidance was provided to police officers on the non-punishment provision.

184. In their comments on the draft GRETA report, the Danish authorities reiterated that the Guidelines from the Director of Public Prosecutions instructs prosecutors on how the non-punishment provision should be applied in relation to victims of THB, including when indictment shall be waived or when penalty may be reduced according to section 722 (2) of the Administration of Justice Act and sections 82 (6) and 83 of the CC. Furthermore, the Danish National Police has guidelines describing the management of cases regarding THB. The guidelines include a description on how the police must inform a potential victim of the possibility of legal aid and how victims of trafficking are assigned a contact person if the police expect the victim to appear in court as a victim. The police must also contact CMM in case of suspicion of trafficking.

185. A recent report by La Strada International on the application of the non-punishment provision in different countries refers to two cases from Denmark in which the non-punishment provision was not applied due to a delayed identification of THB victims.<sup>104</sup> In the first case, the victim was trafficked for the purpose of forced criminal activities, convicted for possessing drugs, sentenced to imprisonment, and issued both a six-year entry ban and a deportation order. The victim remained in prison for eight months and after being identified, accepted a voluntary return to his country of origin. The NGO that assisted him expressed serious concerns about the high risk of retaliation from the criminal organisation that originally trafficked him upon his return. In the second case, a victim was subjected to labour exploitation in Italy before being moved by the trafficker to Denmark, where he was arrested for using false identity

<sup>103</sup> For more details on the content of the guidelines on non-punishment, see paragraph 104 of GRETA's third report.

<sup>104</sup> <https://documentation.lastradainternational.org/doc-center/3588/non-punishment-report>, accessed 15 January 2025.

documents, convicted of fraud, and issued a deportation order and a six-year entry ban. He was detained and tried before being identified as a THB victim in 2023 at the Ellebæk detention centre. Despite being identified and his vulnerable status being acknowledged (he suffered from tuberculosis), the non-punishment principle was not applied, and he remained imprisoned. His asylum application was denied, prompting his lawyer to appeal. Ultimately, he accepted voluntary return and left Denmark in May 2024.

186. GRETA was informed by NGO representatives who visit persons detained at the Ellebæk immigration detention centre about several cases where people were detected as potential victims of THB by the DRA. If a victim has been convicted of fraud,<sup>105</sup> he/she will not be released but will remain in detention until deported or until they agree to a so-called "voluntary return". The chances to appeal the court's decision are almost nonexistent, as it requires substantial evidence in the victim's favour. Victims of THB can receive state compensation for time spent in prison due to failure to be recognised as a victim and for the non-application of the non-punishment provision. However, there is no information indicating that any of these trafficking victims have received compensation for this reason.

187. The Office of the DPP was unable to provide data on THB victims fined or convicted for unlawful acts committed as a direct result of their trafficking. GRETA is concerned about the lack of protection and the risks of THB victims being criminalised without proper application of the non-punishment principle.

188. Reiterating its recommendations made in its third report, GRETA once again urges the Danish authorities to ensure compliance with Article 26 of the Convention through further developing the existing guidance and promoting its application, in particular by:

- encouraging prosecutors to be proactive in establishing whether an accused person is a potential victim of trafficking, and to consider that, having been trafficked, the culpability of the victim may be diminished, or even removed entirely;
- lifting all negative consequences faced by presumed victims of trafficking in human beings, such as any form of detention, entry bans or delays in accessing legal residence in Denmark - including cases where victim status is recognised only after deportation - and ensuring the effective implementation of existing legislation so that victims can obtain compensation for time spent in detention due to failure to be recognised as victims, and for the failure to apply the non-punishment provision;;
- taking steps to ensure that the non-punishment provision is capable of being applied to all offences that victims of THB were compelled to commit.

189. GRETA also considers that the authorities should adopt a specific legal provision ensuring the non-punishment of victims of trafficking for their involvement in unlawful activities, to the extent that they were compelled to do so, and regardless of their co-operation with law enforcement authorities.

## 5. Repatriation and return of victims

190. In its third report, GRETA urged the Danish authorities to ensure that repatriation assistance is available for all trafficking victims, respecting their rights, safety and dignity while protecting them from reprisals and re-trafficking, as well as to systematically assess the risk of re-victimisation before deciding on a victim's return and to ensure compliance with the principle of *non-refoulement*.

---

<sup>105</sup> In most cases, this is due to the fact that they present false documents that have been provided by their traffickers.

191. The operational responsibility for returns was transferred from the Ministry of Justice to the Ministry of Immigration and Integration, with the Danish Return Agency (DRA) assuming the implementation of assisted voluntary return and reintegration programme of victims of THB as of 1 August 2020. The implementation is conducted via local reintegration partners.<sup>106</sup> The budget allocated to cover expenses for planned repatriation is included within the budget of the Ministry of Immigration and Integration and separated from the one allocated to the current National Action Plan.

192. The DRA is also responsible for granting final approval of the victim's reintegration plan before any funds are released.<sup>107</sup> It is prepared in collaboration with the victim, the Danish Refugee Council, the reintegration partner organisation in the country of return and the CMM and includes a combination of cash assistance and in-kind support<sup>108</sup> for 12 months. Victims can receive counselling from the CMM on the options for receiving reintegration support upon return.

193. The Danish Refugee Council indicated that it managed co-operation agreements with 30 local reintegration partners in different countries. Victims are also returned to countries where no local partnership agreement is established.<sup>109</sup> In these cases, all support is provided in cash, typically in instalments over a period of six months, along with advice and counselling for the victim from the CMM and the DRA. According to the Danish authorities, reintegration partners are specifically trained to handle reintegration cases of very vulnerable people.

194. GRETA was informed that in order to monitor reintegration partners, the Danish Refugee Council continuously evaluates the partnership and conducts monitoring visits in the country of return, in which representatives from CMM and DRA may be included. Monitoring visits took place to Thailand and Morocco, resulting in a change in partners in Morocco to improve the reintegration process of victims of THB. The Danish Refugee Council provides quarterly reports to the DRA when significant changes occur, specific circumstances arise, or new partnerships are established.

195. According to the authorities, in the planning phase of a return, a risk assessment is carried out by the CMM in co-operation with the victim.<sup>110</sup> If relevant, and with the victim's consent, the findings from this assessment may be shared with the reintegration partner. According to the Danish authorities, a victim will not be returned if this is considered to constitute a risk for his/her. Danish Refugee Council representatives noted that some victims, particularly from Nigeria, contacted them after facing serious issues upon returning. NGOs representatives reported that in some cases, the local reintegration partner struggled to monitor returned victims. GRETA is concerned that the authorities' focus on rapid repatriation overlooks the genuine risks of human trafficking, fails to ensure proper follow-up on returned victims, and does not adequately assess the risks of revictimisation or provide sufficient protection.

196. GRETA was also informed by civil society representatives that victims had difficulties accessing funds or encountered delays in the implementation of reintegration activities, especially those who lived far from their local reintegration partner. They also raised concern about the fixed character of the reintegration support amount, whose effectiveness varies considerably depending on the cost of living in

<sup>106</sup> Reintegration partners under the European Return and Reintegration Network (ERRIN) or to the Danish Refugee Council, which co-ordinated support through the European Reintegration Support Organisations (ERSO) network, depending on the country of return. Before April 2020, the International Organization for Migration (IOM) managed the programme. A list of reintegration partners in the ERSO network can be found here (Danish language only): <https://asyl.drc.ngo/reintegrationsstøtte/lande-med-reintegrationspartnerne/>, accessed 2 January 2025.

<sup>107</sup> Examples of reintegration plans approved by the DRA include one case of a victim who used reintegration support to set up a chicken farm on her family's property, another who started a school van business by using the support to obtain a driving licence and purchase a van, and a third victim who planned to re-enrol in the local nursing school to complete her degree.

<sup>108</sup> According to the CMM guidelines on repatriation and returns, in-kind support means that expenses must be documented and are not paid out in cash.

<sup>109</sup> The DRA has returned victims of THB without having an established local partnership agreement to Poland, Spain, Ukraine, Italy, Portugal, France, Uzbekistan, United States, Columbia, Panama, Sweden, Vietnam and China. There last two countries have local reintegration partners with limited geographical reach and are therefore not always able to support returnees returning to specific provinces.

<sup>110</sup> The assessment considers which risk factors are associated with the family, the trafficker and local authorities/police.

the country of return. Additionally, victims face difficulties in providing proof of any expenses made, in which case the cash money is not paid. Both returned victims and local reintegration partners suggested that the reintegration process could be simplified, and made more flexible, especially regarding the distribution of funds.

197. From 2020 to 2023, 120 identified victims of THB, including one child in 2022,<sup>111</sup> were returned or repatriated with assisted voluntary return and reintegration support. Among them, 87 were women and 33 were men, with the majority having been subjected to sexual exploitation or forced labour. The countries of return were primarily Thailand (38 victims), Romania (11 victims), Nigeria (9 victims), Ukraine (8 victims), and Brazil (8 victims). According to the authorities, the overall increase in the number of individuals receiving assisted voluntary return, compared to the previous evaluation period, is attributed to victims' desire to return to their home country.

198. However, according to data of the DIHR and civil society representatives, most victims of trafficking choose not to accept assistance from the Danish authorities for various reasons (e.g. failure to attend the meetings with the authorities, withdrawal during the process, or leaving Denmark on their own). In those cases where victims accepted it, voluntary return was often not perceived as a genuine choice, but rather as the only alternative to deportation without support. In their comments on the draft GRETA report, the Danish authorities stated that approximately 6% of identified victims refused to receive any kind of support. According to them, the number of victims of trafficking returned or repatriated with reintegration support has increased and more than one third of the victims identified in the reporting period chose this kind of support. Some victims received other kinds of support e.g. to travel back home, and some chose to stay in Denmark. Approximately 50% were accommodated in shelters or alternative accommodation and approximately 20% were accommodated in the asylum system.

199. GRETA reiterates its recommendations made in the third report and urges the Danish authorities to ensure compliance with Article 16 of the Convention by:

- putting in place repatriation assistance arrangements suitable for all victims of trafficking, with due regard for the rights, safety and dignity of the person concerned and the state of judicial proceedings, and encompassing protection against reprisals and/or against re-trafficking;
- prior to deciding on the return of victims, carrying out comprehensive assessments of the risk of them being re-victimised and re-trafficked; there should be possibilities to stay in Denmark if there are no guarantees that the return would comply with the principle of *non-refoulement*;
- further strengthening co-operation with the countries to which victims of THB return, with a view to improving their protection, reintegration and rehabilitation.

## 6. Co-operation with civil society

200. The Inter-ministerial Working Group to Combat Human Trafficking does not include any NGOs. As indicated in paragraph 21, specialised NGOs were not consulted in the process of preparing the NAP against THB. In their comments on the draft GRETA report, the authorities stated that NGOs were involved in the preparation of the inter-ministerial analysis on the social work effort in relation to human trafficking, which formed the basis for the current NAP. According to the Danish authorities, they will be involved in the preparation of the upcoming NAP (see paragraph 21).

<sup>111</sup> The data refers to victims of THB being identified the current year: 24 victims of THB in 2020, 31 in 2021, 29 in 2022 and 36 in 2023.

201. Since 2024, the NGOs funded under the National Action Plan<sup>112</sup> are invited yearly at the general meetings of the governmental interdisciplinary task force (see paragraph 18) as well as to an annual meeting of the Gender Equality Department of the Ministry of Environment and Gender Equality. According to the authorities, the CMM organises biannual meetings (in June and December) with NGOs to discuss trends, vulnerable groups and data, as well as to facilitate knowledge-sharing. Permanent contact persons have been appointed by the CMM to host quarterly bilateral meetings, each held separately with one of these NGOs. Additionally, the CMM collaborates with NGOs on a permanent project on web scraping (see paragraph 155).

202. Civil society representatives shared concerns about co-operation with law enforcement authorities and labour inspection authorities, noting that it was not clear whom to contact within each relevant authority.

203. In addition, NGOs have raised concerns about the annual funding process. The NAP against THB does not clearly specify the annual allocation to NGOs. The project-based format of state funding, which is provided on an annual basis, requires periodic renegotiation and increases paperwork. GRETA is concerned about the lack of sustainability of the annual funding allocated to NGOs. Securing consistent financial support remains an ongoing challenge, threatening the long-term viability of NGOs' support and services. In their comments on the draft GRETA report, the authorities stated that funding is allocated to NGOs for a four-year period and they prepare a four-year project description, which forms the basis for their funding. Under the current NAP, funds have been allocated to NGOs for 2022-2025. However, since the Danish Finance Act is one year, the funding must be formally adopted annually.

204. In line with Article 35 of the Convention, GRETA considers that the Danish authorities should:

- further develop co-operation with specialised NGOs by adequately involving them in the planning, implementation and evaluation of National Action Plans against THB;
- ensure that NGOs engaged in anti-trafficking action have access to adequate funding and that the process to obtain it is not overly complex or bureaucratic;
- enhance the involvement of NGOs in national co-ordination and planning of action against THB.

---

<sup>112</sup>

These NGOs are AmiAmi, Hope Now and Reden International.

## VI. Conclusions

205. Since the publication of GRETA's third report on Denmark on 17 March 2021, progress has been made in some of the areas covered by that report.

206. The 6th National Action Plan to Combat Trafficking, covering the period 2022-2025, is supported by increased funding, including for outreach activities by specialised NGOs. The National Special Crime Unit was established to strengthen the investigation and prosecution of complex economic and organised crime cases, including THB, and the South Jutland Police District was designated as the body responsible for national monitoring efforts regarding THB. Increased attention has been paid to preventing the exploitation of migrant workers, including through the setting up of an Inter-Ministerial Working Group focusing on measures against social dumping and the protection of vulnerable foreign workers, and the adoption of new legislation. Further, measures aimed at preventing THB amongst displaced persons from Ukraine were introduced.

207. GRETA welcomes these positive developments in Denmark. However, despite the progress achieved, several issues continue to give rise to concern. A certain number of recommendations made repeatedly by GRETA in its preceding reports have not been implemented or have been only partially implemented. In this report, GRETA once again urges the Danish authorities to take action in the following areas:

- Identification of victims (Article 10 of the Convention). The Danish authorities should step up their efforts to identify victims of trafficking for different forms of exploitation, in particular among third-country nationals who might be staying irregularly in Denmark as a direct consequence of having been trafficked, including at the Ellebæk detention centre and throughout the asylum procedure.
- Identification and assistance of child victims of trafficking (Articles 10 and 12 of the Convention). The Danish authorities should make further efforts to improve the identification of child victims of trafficking, especially amongst unaccompanied children, and ensure that staff from social services are systematically trained and sensitised to identify child victims of trafficking and adopt a harmonised approach across the country.
- Recovery and reflection period (Article 13 of the Convention) The Danish authorities should review the legislation in order to ensure that all persons for whom there are reasonable grounds to believe that they are victims of trafficking are provided with a recovery and reflection period, rather than a time limit to prepare their departure from the country as irregular migrants.

208. Given that these recommendations have been made repeatedly, their priority implementation is requested and will be followed up as part of the monitoring of the implementation of the Convention.

209. As regards the thematic focus of the fourth evaluation round, which is on vulnerabilities to trafficking in human beings, the Danish authorities consider that undocumented migrants, asylum seekers and refugees are at risk of various forms of exploitation. Factors that increase vulnerability include debt-based coercion, withheld wages, financial responsibility for family members in the home country, abuse, poverty, and lack of information about rights in Denmark. Unaccompanied children are considered to be at high risk of falling victim to THB. Women from both EU and non-EU countries who are engaged in prostitution are at risk of sexual exploitation. Additionally, LGBTI persons, especially transgender women, are particularly vulnerable to sexual exploitation. As a preventive measure, the 6th National Action Plan has strengthened outreach work in the field of prostitution.

210. While measures have been taken by the Danish authorities to prevent trafficking including through measures addressed at vulnerable groups, GRETA has identified a number of areas of concern which require further action. The following issues should be addressed as a matter or priority:

- address the issue of unaccompanied children disappearing from reception facilities by providing them with a safe environment and raise awareness among unaccompanied children regarding their rights and the risks of human trafficking (including recruitment and abuse through Internet/social networks);
- strengthen the capacities and training of the agencies conducting labour inspections to ensure that they can be proactively involved in the prevention of trafficking for the purpose of labour exploitation and the detection of possible victims among migrant workers;
- establish a systematic and comprehensive vulnerability assessment for all persons accommodated in asylum reception centres and immigration centres to identify individual protection needs and ensure timely support, while enhancing the awareness of professionals involved in the registration of asylum seekers regarding vulnerabilities linked to human trafficking;
- ensure that homeless people are provided with secure accommodation and access to essential services, in a manner that prevents them from becoming victims of THB and exploitation;
- counteract the risks of THB and exploitation of sexual service providers, through information and awareness raising aimed at eliminating gender stereotypes, and by supporting migrants, especially migrant women, to access vocational training, education and employment.

211. The Danish authorities have taken a number of steps to address the growing use of technologies to recruit and exploit victims of THB, including the launch of a project on web scraping of adult services websites and the development of a digital tool focusing on technology-facilitated THB. The Danish authorities should strengthen the capacity to detect and investigate cybercrime offences and develop further measures specifically aimed at preventing ICT-facilitated trafficking in human beings by investing in capacity building and digital tools to conduct proactive investigations, including the use of cyber-patrolling, undercover online operations, and social network analysis. Further, the authorities should strengthen inter-agency co-operation and develop data-sharing procedures and co-operation protocols with companies holding relevant data, including social network and gig-economy companies as well as rental platforms to foster the timely provision of information.

212. GRETA invites the Danish authorities to keep it regularly informed of developments as regards the implementation of the Convention. GRETA trusts that there will continue to be a political commitment in Denmark to sustain the efforts to combat human trafficking by following the human-rights based approach of the Convention, and looks forward to continuing the dialogue with the Danish authorities and civil society.

## Appendix 1

### Statistics on victims and criminal cases of THB in Denmark

The data presented in the table is not directly comparable across States Parties to the Convention due to variations in the methodologies used for data collection.

Indicator	Years				
	2020	2021	2022	2023	2024
Number of persons referred for an identification interview <sup>113</sup>					
Total	182	193	235	289	228
Number of identified victims <sup>114</sup>					
Total	77	80	73	112	78
Female	55	42	48	76	48
Male	21	37	24	35	30
Transgender	1	1	1	1	0
Out of the above, children <sup>115</sup>	9	5	6	3	4
Nationals	5	1	0	3	3
Foreign nationals	72	79	73	109	75
By forms of exploitation:					
Sexual	44	33	38	58	32
Forced Labour	9	19	12	23	25
Criminal activities	9	18	12	15	12
Slavelike conditions	3	3	4	11	4
Other (forced begging, forced marriage, etc)	12	7	7	5	5
	Total	77	80	73	112
Number of investigations	Total	18	16	17	43
Number of prosecutions for THB	Total	n.a. <sup>116</sup>	3	3	6
Number of suspected or indicted traffickers	Total	3	3	3	0
Number of convicted traffickers	Total	0	0	2	3
	Women	0	0	1	3
	Men	0	0	1	n.a.
By forms of exploitation					
Sexual	0	0	2	3	n.a.
Forced Labour	0	0	0	0	n.a.
Criminal activities	0	0	0	0	n.a.
Slave-like conditions	0	0	0	0	n.a.
Other (forced begging, forced marriage, etc)	0	0	0	0	n.a.

<sup>113</sup> Registered by the Danish Centre against Human Trafficking.

<sup>114</sup> Registered by the Danish Centre against Human Trafficking.

<sup>115</sup> As the sex of the children is unknown, this data has already been included in the total number as either men, women or transgender.

<sup>116</sup> N.a.: not available. Indicates that the information could not be obtained or was not provided at the time of drafting the report.

## Appendix 2

### List of GRETA's conclusions and proposals for action

The position of the proposals for action in the text of the report is shown in parentheses.

#### Topics related to the fourth evaluation round of the Convention

##### *Measures to prevent the vulnerability of specific groups to trafficking in human beings*

###### *Children*

- GRETA urges the Danish authorities to take steps to:
  - address the issue of unaccompanied children disappearing from reception facilities by providing them with a safe environment and living conditions that meet their needs and vulnerabilities and offer effective protection;
  - relocate the centre for unaccompanied children outside the Sandholm reception centre to provide a safer and more protective environment;
  - raise awareness among unaccompanied children regarding their rights and the risks of human trafficking (including recruitment and abuse through Internet/social networks) (paragraph 40);
- GRETA considers that the Danish authorities should strengthen measures to prevent trafficking of children, and in particular:
  - mainstream the prevention of child trafficking through the school Common Objectives, for example by including it in the existing school programmes for developing children's life and critical skills;
  - provide training on trafficking in human beings to teachers and other professionals working with children, in particular legal guardians, staff working at both the children's centres and at the asylum reception centres (paragraph 41).

###### *Migrant workers*

- Referring to GRETA's Guidance Note on combating trafficking for labour exploitation and the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation, GRETA considers that the Danish authorities should take further steps to prevent THB of migrant workers, in particular by:
  - strengthening the capacities and training of the agencies conducting labour inspections to ensure that they can be proactively involved in the prevention of trafficking for the purpose of labour exploitation and the detection of possible victims;
  - encouraging regular and co-ordinated multi-agency labour inspections and enhanced co-operation between relevant agencies, in order to strengthen the detection and identification of victims of THB in workplaces, prioritising both over immigration control (see also the recommendation in paragraph 63);
  - taking steps to licence and monitor temporary employment and recruitment agencies to strengthen prevention of THB and labour exploitation;
  - encouraging safe reporting procedures for foreign workers and creating incentives
  - to come forward (paragraph 53).

### *Asylum seekers, refugees and irregular migrants*

- GRETA urges the Danish authorities to ensure that persons whom the authorities have reasonable grounds to believe to be victims of trafficking are not expelled from Denmark until the identification process has been completed, in compliance with Article 13 of the Convention, and are transferred to appropriate accommodation, in line with Article 12 of the Convention (paragraph 63);
- GRETA considers that the Danish authorities should take further measures to prevent asylum seekers, refugees and irregular migrants from becoming victims of trafficking in human beings, in particular by:
  - establishing a systematic and comprehensive vulnerability assessment for all persons accommodated in asylum reception centres and immigration centres to identify individual protection needs and ensure timely support, while enhancing the awareness of professionals involved in the registration of asylum seekers regarding vulnerabilities linked to human trafficking;
  - ensuring that the Refugee Appeals Board and the Danish Immigration Service conduct thorough and systematic risk assessments in all asylum cases, taking into account applicants' individual vulnerabilities and protection needs, including the risks of persecution, re-trafficking and other forms of harm upon return;
  - continuing to provide training to relevant professionals, including border officials, asylum caseworkers and staff at the reception and immigration centres, to strengthen their capacity to recognise signs of trafficking, and refer to identification and assistance possible victims of THB (paragraph 64).

### *Vulnerabilities related to the gender dimension of human trafficking and of persons engaged in prostitution*

- GRETA welcomes the steps taken by the Danish authorities to address the vulnerabilities related to the gender dimension of human trafficking, and considers that they should continue taking measures to counteract the risks of THB and exploitation of sexual service providers, through information and awareness raising aimed at eliminating gender stereotypes, and by supporting migrants, especially migrant women, to access vocational training, education and employment (paragraph 69).

### *LGBTI persons*

- GRETA considers that the Danish authorities should take steps to address the vulnerability of LGBTI persons to trafficking in human beings, in close co-operation with civil society organisations (paragraph 74).

### *Homeless people*

- GRETA considers that the Danish authorities should ensure that homeless people are provided with secure accommodation and access to essential services, in a manner that prevents them from becoming victims of THB and exploitation (paragraph 81);
- GRETA considers that the Danish authorities should strengthen their efforts to prevent trafficking in human beings among homeless people, in particular by providing training on THB to staff working in homeless shelters so that they can recognise the signs of trafficking and assist and refer potential victims of THB (paragraph 82).

### *Persons with disabilities*

- GRETA considers that the Danish authorities should:
  - strengthen safeguards to prevent abuse and trafficking within residential facilities and closed care institutions, ensuring that adequate care, support and protection measures are in place for people with disabilities, in particular vulnerable children;
  - extend the support measures for persons with disabilities to asylum seekers in order to reduce their vulnerability and prevent them from becoming victims of exploitation and human trafficking;
  - conduct research into the vulnerabilities of persons with disabilities to trafficking in human beings and develop preventive measures specifically aimed at this group (paragraph 89).

### *Identification of victims of THB*

- GRETA once again urges the Danish authorities to step up their efforts to identify victims of trafficking for different forms of exploitation, in particular among third-country nationals who might be staying irregularly in Denmark as a direct consequence of having been trafficked, including by:
  - improving the proactive detection and identification of victims of THB, including within the Ellebæk detention centre and throughout the asylum procedure. This should include strengthening efforts to create an atmosphere of trust during interviews, thereby encouraging victims to share their trafficking experiences;
  - abandoning the concept of "currently trafficked", and ensure that all victims of trafficking are identified as such and have access to the measures included in Articles 12, 13, 14, 15, 16, 26 and 28 of the Convention (paragraph 101);
- GRETA considers that the Danish authorities should increase efforts to identify possible victims of THB among Danish nationals, including by raising public awareness and providing additional training to relevant professionals on the definition of human trafficking and the identification of victims (paragraph 102).

### *Assistance to victims*

- While welcoming the increased funding allocated to supporting trafficking victims through outreach efforts, as well as the possibility for the CMM to report cases anonymously to the police, GRETA considers that the Danish authorities should:
  - further develop the assistance measures offered to victims of THB, in particular by allowing such measures to remain in place long enough to have a positive impact;
  - as a matter of priority, provide a permanent solution for offering safe and suitable accommodation for male victims of THB;
  - improve access to legal assistance and free legal aid by specialised lawyers, including for victims in remote areas, and review of the remuneration system for support lawyers to enable the reimbursement of reasonable travel expenses;
  - provide training to lawyers appointed to provide legal assistance and free legal aid to victims of THB (paragraph 118).

### *Identification and assistance of child victims of trafficking*

- GRETA once again urges the Danish authorities to:
  - make further efforts to improve the identification of child victims of trafficking, especially amongst unaccompanied children;
  - ensure that staff from social services are systematically trained and sensitised to identify child victims of trafficking and adopt a harmonised approach across the country;
  - train all professionals working with child victims of trafficking to recognise and respond appropriately to their needs (paragraph 123).

### *Notion of "abuse of a position of vulnerability" in the law and case-law*

- GRETA welcomes the application of the concept of abuse of a position of vulnerability in case-law in Denmark, and invites the Danish authorities to include in the training of relevant professionals how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking (paragraph 130).

### *Investigation, prosecution and sanctions*

- GRETA considers that the Danish authorities should take further steps to strengthen the criminal justice response to THB, in particular by:
  - enhancing law enforcement capacity to proactively investigate and prosecute THB cases, with a particular focus on labour trafficking;
  - improving the monitoring and evaluation of THB-related funding under political agreements to ensure resources effectively enhance investigative capacities;
  - ensuring that the DPP and DNP guidelines include a comprehensive explanation of sections 262(a) and 262(b) of the CC to enhance clarity and consistency in their application;
  - providing further training and developing the specialisation of investigators, prosecutors and judges to deal with human trafficking cases for different forms of exploitation (including forced criminality) in order to ensure that they are not re-qualified as other offences carrying lighter penalties, which would deprive victims of THB of access to protection, support and compensation;
  - strengthening co-operation between law enforcement and NGOs by establishing formal mechanisms for reporting THB cases and facilitating regular multi-agency co-ordination meetings (paragraph 150).

### *Criminalisation of the use of services of a victim*

- GRETA considers that the Danish authorities should adopt a legal provision criminalising the use of all services of a victim of trafficking, with the knowledge that the person is a victim of THB, as stipulated by Article 19 of the Convention (paragraph 152).

### *Addressing human trafficking facilitated by information and communication technology (ICT)*

- GRETA welcomes the above-mentioned projects and activities and considers that the Danish authorities should:
  - strengthen the capacity to detect and investigate cybercrime offences and develop further measures specifically aimed at preventing ICT-facilitated trafficking in human beings by investing in capacity building and digital tools to conduct proactive investigations, including the use of cyber-patrolling, undercover online operations, and social network analysis. This should

be supported by targeted training of law enforcement officers, labour inspectors and financial police officers, with a particular focus on the online recruitment and/or exploitation of unaccompanied children, including boys trafficked for criminal activities;

- strengthen inter-agency co-operation and capacity to detect and investigate technology-facilitated trafficking and exploitation, including the online recruitment of unaccompanied children, by enhancing digital monitoring tools, reinforcing child protection measures, and engaging proactively with ICT companies;
- develop data-sharing procedures and co-operation protocols with companies holding relevant data, including social network and gig-economy companies as well as rental platforms to foster the timely provision of information. Such protocols/procedures should clarify the legal requirements under which ICT companies, ISPs and content hosts operate, designate a contact point within companies, and clarify the national agencies responsible for specific actions, e.g. requesting evidence or taking down THB-related content (paragraph 161);

➤ GRETA invites the Danish authorities to sign and ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence (paragraph 162).

## Follow-up topics specific to Denmark

### *Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking*

➤ Reiterating its recommendation from the third evaluation report, GRETA considers that the Danish authorities should examine the possibility of establishing an independent National Rapporteur or designating another, independent, mechanism capable of monitoring the anti-trafficking activities of state institutions and making recommendations to persons and institutions concerned, as provided for in Article 29, paragraph 4, of the Convention (paragraph 24).

### *Recovery and reflection period*

➤ Reiterating the recommendations made in its previous reports on Denmark and referring to its Guidance Note on the recovery and reflection period, GRETA once again urges the Danish authorities to review the legislation in order to ensure that all persons for whom there are reasonable grounds to believe that they are victims of trafficking are provided with a recovery and reflection period, in line with Article 13 of the Convention, rather than a time limit to prepare their departure from the country as irregular migrants. The recovery and reflection period should be granted to victims of trafficking unconditionally, regardless of whether they have co-operated with the authorities and should include at least assistance referred to in Article 12, paragraphs 1 and 2, of the Convention (paragraph 168).

### *Residence permits*

➤ Noting with regret that no progress has been made since the previous evaluation, GRETA once again urges the Danish authorities to:

- review the application of the system for granting residence permits to victims of trafficking with a view to ensuring that the victim-centred approach which underpins the Convention is fully applied and in order to prevent re-trafficking;
- give full consideration to the UNHCR's guidelines on the application of the Refugees Convention to trafficked people, including their possible entitlement to asylum when deciding upon applications for asylum of persons who are at risk of being re-trafficked or otherwise persecuted

should they be obliged to return to their State of origin or residence. In this context, reference is made to GRETA's Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection (paragraph 173);

- GRETA considers that the Danish authorities should expand the eligibility criteria of the system granting residence permits to victims of THB, taking into account the personal circumstances of victims and their status as trafficked, irrespective of the outcome of criminal proceedings or their participation in investigations or prosecutions (paragraph 174).

### *Compensation*

- GRETA once again urges the Danish authorities to take steps to facilitate and guarantee access to compensation, and in particular to:
  - simplify, to the extent possible, the procedures for applying for compensation in court and ensure that compensation awarded is effectively paid;
  - facilitate access to state compensation by reviewing the eligibility criteria, ensuring that victims' information is accurately collected to enable the proper transfer of compensation;
  - grant residence permits to victims of THB for the duration of the legal proceedings, including compensation proceedings, with a view to facilitating access to compensation and redress;
  - make full use of the legislation on the freezing and forfeiture of assets to secure compensation to victims of THB (paragraph 182).

### *Non-punishment provision*

- Reiterating its recommendations made in its third report, GRETA once again urges the Danish authorities to ensure compliance with Article 26 of the Convention through further developing the existing guidance and promoting its application, in particular by:
  - encouraging prosecutors to be proactive in establishing whether an accused person is a potential victim of trafficking, and to consider that, having been trafficked, the culpability of the victim may be diminished, or even removed entirely;
  - lifting all negative consequences faced by presumed victims of trafficking in human beings, such as any form of detention, entry bans or delays in accessing legal residence in Denmark - including cases where victim status is recognised only after deportation - and ensuring the effective implementation of existing legislation so that victims can obtain compensation for time spent in detention due to failure to be recognised as victims, and for the failure to apply the non-punishment provision;;
  - taking steps to ensure that the non-punishment provision is capable of being applied to all offences that victims of THB were compelled to commit (paragraph 188);
- GRETA also considers that the authorities should adopt a specific legal provision ensuring the non-punishment of victims of trafficking for their involvement in unlawful activities, to the extent that they were compelled to do so, and regardless of their co-operation with law enforcement authorities (paragraph 189).

*Repatriation and return of victims*

- GRETA reiterates its recommendations made in the third report and urges the Danish authorities to ensure compliance with Article 16 of the Convention by:
  - putting in place repatriation assistance arrangements suitable for all victims of trafficking, with due regard for the rights, safety and dignity of the person concerned and the state of judicial proceedings, and encompassing protection against reprisals and/or against re-trafficking;
  - prior to deciding on the return of victims, carrying out comprehensive assessments of the risk of them being re-victimised and re-trafficked; there should be possibilities to stay in Denmark if there are no guarantees that the return would comply with the principle of non-refoulement;
  - further strengthening co-operation with the countries to which victims of THB return, with a view to improving their protection, reintegration and rehabilitation (paragraph 199).

*Co-operation with civil society*

- In line with Article 35 of the Convention, GRETA considers that the Danish authorities should:
  - further develop co-operation with specialised NGOs by adequately involving them in the planning, implementation and evaluation of National Action Plans against THB;
  - ensure that NGOs engaged in anti-trafficking action have access to adequate funding and that the process to obtain it is not overly complex or bureaucratic;
  - enhance the involvement of NGOs in national co-ordination and planning of action against THB (paragraph 204).

## Appendix 3

### List of public bodies, intergovernmental organisations and civil society actors with which GRETA held consultations

#### Public bodies

- Ministry of Environment and Gender Equality
  - o Department for Gender Equality
  - o Danish Centre Against Human Trafficking (CMM)
- Ministry of Justice
  - o Criminal Injuries Compensation Board
  - o Office of the Director of Public Prosecutions
  - o Danish Prison and Probation Service
  - o Danish National Police
    - National Special Crime Unit
      - National Cyber Crime Centre
    - Assets Recovery Office
    - Financial Intelligence Unit
    - Police Academy
    - South Jutland Police
- Ministry of Immigration and Integration
  - o Agency for International Recruitment and Integration
  - o Danish Immigration Service
  - o Return Agency
- Ministry of Employment
  - o Working Environment Authority
  - o Agency for Labour Market and Recruitment
- Ministry of Social Affairs and Housing
- Ministry of Taxation
  - o Tax Agency
- Judges of the Western High Court and Eastern High Court
- Danish Parliament
- Danish Institute of Human Rights
- Social services of Copenhagen municipality

### Civil society organisations

- AmiAmi
- Danish Refugee Council
- Hope Now
- Reden International
- Stenbroens Jurister

### Government's comments

The following comments do not form part of GRETA's analysis concerning the situation in Denmark

GRETA engaged in a dialogue with the Danish authorities on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version.

The Convention requires that "the report and conclusions of GRETA shall be made public as from their adoption, together with eventual comments by the Party concerned." GRETA transmitted its final report to the Danish authorities on 28 August 2025 and invited them to submit any final comments. The comments of the authorities, submitted on 24 October 2025, are reproduced hereafter.