Committee of the Parties
to the Council of Europe Convention
on Action against Trafficking in Human Beings

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

CP(2023)04

Report submitted by the authorities of Denmark on measures taken to comply with Committee of the Parties Recommendation CP/Rec(2021)02 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings

Third evaluation round

Received on 13 June 2023

Ce document n'est disponible qu'en anglais.

Report submitted by the Danish authorities on measures taken to comply with the Committee of the Parties Recommendation CP/Rec(2021)02 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Denmark

A) The Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings recommends that the Government of Denmark take measures to address the following issues for immediate action identified in GRETA's report:

1. Make additional efforts to guarantee effective access to compensation for victims of THB, in particular by:

1.1 simplifying, to the extent possible, the procedures for applying for compensation in court; prosecutors and judges should use all the possibilities the law offers them to uphold compensation claims, and courts should state, where applicable, why compensation is not considered;

According to section 991 of the Danish Administration of Justice Act the Prosecution Service is committed to apply for compensation during criminal proceedings on behalf of the victim, if the victim of the crime requests the Prosecution Service to do so. The courts can postpone the application

for compensation from the criminal case, if the application for compensation is of such complexity that the criminal proceedings are affected or delayed by joint consideration.

Since GRETAS's third evaluation report, there have been four court decisions, resulting in the conviction of five persons for human trafficking offences (7th of April 2022 – 1st of February 2023). In all four cases, the victims were provided with a support attorney. In three of the cases, the courts ordered compensation for injury to the victims (tortgodtgørelse). In the last case, the court postponed the question regarding compensation, since neither the court nor the support attorney had contact with the victims.

Thus, The Government finds that the procedures for applying for compensation in court are already simplified and applied in practice in cases relating to criminal offences. There have accordingly not been legislative changes in the Danish Administration of Justice Act regarding procedures for applying for compensation in court, since the third evaluation round.

1.2 facilitating access to State compensation by reviewing the eligibility criteria and threshold for granting moral damages in order to ensure their applicability to all forms of THB;

Victims of human trafficking have an equal right to state compensation as other victims of crime according to the Act on State Compensation to Victims of Crime.

The state may award compensation and damages for personal injury inflicted as a result of violations of the Criminal Code or the Act on Restraining, Exclusion Orders and Expulsion, if the eligibility criteria laid down in the Act on State Compensation to Victims of Crime are met. Victims of crime, including victims of THB, may thus apply for state compensation. Applications are processed by the Criminal Injuries Compensation Board, which assesses whether the criteria for state compensation are met.

The right to apply for state compensation from the Criminal Injuries Compensation Board is free of charge. Further, the right to claim state compensation is not linked to immigration status and a compensation claim can be submitted after the victim has left Denmark. There are no limitations specifically relating to e.g. THB cases. Reference can be made to the comments of the Danish Government on GRETA's Final Report on Denmark, dated 26 February 2021.

1.3 granting 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;

The Danish Aliens Act section 9 c (5) provides that a residence permit may be granted to an alien whose presence in Denmark is required for the purpose of investigation or prosecution. The residence permit that is granted, is thus confined to the period in which the alien is required to be in the country for the purpose of participation in the investigation or prosecution. The Government finds that the said residence permit which can be granted to e.g. a victim of THB in a sufficiently manner meets the recommendation. Accordingly, there has not been legislative changes in the Danish Aliens Act providing a specific residence permit to victims of THB during legal proceedings.

1.4 making full use of the legislation on the freezing and forfeiture of assets to secure compensation to victims of THB;

The guidelines on THB issued by the Director of Public Prosecutions, set out the specific measures that may be taken in order to confiscate assets of perpetrators. This includes receiving assistance from the taxation authorities and from the Danish Asset Recovery Office (ARO).

The ARO is a special unit within the Special Crime Unit (NSK). The ARO assists with the financial investigation regarding all sorts of crimes, among others trafficking in human beings, for example in cases where it seems likely that the crime in hand has generated illicit profit. The task is to trace, seize and eventually confiscate the proceeds of crime in order to secure that crime does not pay. All investigative techniques in hand are used, among others bank account information, information from tax authorities, intelligence from FIUs, house searches, OSINT, HUMINT/informants and wiretapping.

The Government thus considers that Denmark is making full use of the legislation on the freezing and forfeiture of assets to secure compensation to victims of THB.

1.5 providing training to prosecutors and judges on the issue of compensation;

The Director of Public Prosecutions has the main responsibility to train and educate the entire Danish Prosecution Service. All prosecutor trainees must attend a training program consisting of nine modules. This program includes courses concerning the role of the prosecutor in investigations, good governance and code of conduct in the public sector.

As a part of the daily training of prosecutors, The Director of Public Prosecution provides knowledge through an online library, where there is specific information about human trafficking, compensation, guidance and information of victims and a section about foreign witnesses. THB has continuously been discussed in the academic networks for personal and organized crime, where all police districts and the State Prosecutors are represented.

The Danish Court Administration is responsible for the continuous training of judges in Denmark.

The Court Administration continuously evaluate the needs and the demand for courses in cooperation with the courts. The demand for training in regard to international conventions, among other on antitrafficking, is part of these ongoing evaluations.

The issue of compensation will be included in the education of judges as part of the Academy of Judges.

1.6 exempting victims of THB resident outside the European Economic Area from the possible demand of providing security for the costs of the court procedures related to their compensation claims (paragraph 76);

A claimant does not need to provide security for claims for compensation handled by the Prosecution Service in relation to a criminal case (see under 1.1.).

Further, as stated above in section 1.2, victims of THB, are able to apply for compensation from the

Criminal Injuries Compensation Board free of charge.

Furthermore, according to section 321 of the Danish Administration of Justice Act, the courts decide, whether there are grounds for exempting a plaintiff of providing security for the costs of the court procedures related to their compensation claims. Exemption is only given under special circumstances.

This decision is made by the court on the basis of a specific assessment of the circumstances in the given case.

Thus, under Danish law the possibility of exempting victims of THB from providing security for the costs of the court procedures already exists. Consequently, there are multiple possibilities of applying for compensation without costs for victims of crimes, including victims of THB.

2. Allocate necessary human and financial resources to ensure that cases of THB are proactively investigated, prosecuted and lead to effective, proportionate and dissuasive sanctions, including by:

2.1 prioritising the use of special investigation techniques and financial investigations in THB investigations, which will make prosecution less dependent on the testimony of victims of THB;

In investigations regarding THB, the police use a wide range of investigation techniques both reactively and proactively, including coercive interventions cf. the Administration of Justice Act. All common investigation methods are thus in use in investigations of THB, including interviews and consultation in relevant databases. In addition, surveillance can be used, for example via constant observation.

According to the Administration of Justice Act, certain types of investigative measures can only be used in connection with criminal matters of a certain degree of severity and scope. The use of special investigative techniques/tools, such as wiretapping, undercover operations and controlled delivery, is applicable in the investigation of cases regarding human trafficking and human exploitation, as these offences meet the conditions of the Administration of Justice Act.

A strong focus on the financial part of the human trafficking area is a natural and decisive part of the efforts and investigation against human trafficking. The special skills of the police investigation departments for economic crime and the international cooperation in relation to economic crime and money flows are crucial for combating human trafficking.

2.2 providing adequate resources to the police and the Prosecution Service, and setting specific targets concerning THB in the annual target plan of the Prosecution Service (paragraph 100);

In December 2020, a political agreement was reached regarding the financial framework of the Danish police and Prosecution Service (“the multiannual agreement”), which added more resources to the Danish police and the Public Prosecution Service in general. The agreement also added resources to the police to handle cases regarding forced labour. Within this area the Danish police have a broad and systematic effort and the police districts prioritize THB cases as a part of the local prioritization.

The agreement also ensured the establishment of the new Special Crime Unit (NSK). The Special Crime Unit’s main objective is to strengthen the investigation and prosecution against the most complex economic and organized crime. The NSK will also be able to handle or provide assistance to the police districts in certain cases regarding THB.

In May 2022 a bill was adopted by which a new provision was added to the Danish Criminal Code criminalizing exploitation of workers under manifestly unreasonable conditions. During the reading of the bill the provision was extended to also cover sexual exploitation under manifestly unreasonable conditions. The new provision entered into force June 1 2022.

The new provision does not require the presence of coercion, which is a requirement for convictions under the anti-trafficking provision. In view of this offences falling within the scope of the new provision may not necessarily be classified as "anti-trafficking offences".

The previous government established a inter-ministerial working group which was tasked to work with initiatives to protect vulnerable foreign workers and victims of THB. The working group has among other things looked at the prosecution of criminals related to THB including police investigation and the legislation to avoid exploitation of vulnerable foreign workers. The working group also looked at experiences from other countries. The recommendations from the working group from September 2021 were used to form the Danish National Action Plan to Combat Trafficking in Human Beings 2022-2025 and were also the background for the new provision in the Danish Criminal Code criminalizing exploitation of workers under manifestly unreasonable conditions.

The Danish government does not consider it relevant or appropriate to set specific goals for the handling of THB cases, as the Danish Prosecution Service in all criminal cases is subject to a statutory principle of objectivity according to Article 96 (2) of the Danish Administration of Justice Act. Pursuant to this principle the Danish Prosecution Service is under an obligation to only commence legal proceedings in cases with sufficient grounds.

3. Ensure compliance with Article 26 of the Convention through further developing the existing guidance and promoting its application (paragraph 108);

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 Article 722 (2) of the Administration of Justice Act and article 82 (6) and article 83 in the Danish Criminal Code.

The legislation provides in this way a possibility of not imposing penalties upon victims of THB for their involvement in unlawful activities.

It thus remains Denmark's view, that Danish law is in full compliance with Article 26 of the Convention and there have thus been no legislative changes in the Danish Administration of Justice Act regarding the non-punishment provision in Article 26 of the Convention, since the third evaluation round.

4. Ensure that the practice of cross-examination (direct confrontation) of victims and defendants in THB cases is avoided, to the extent possible, making use of audio-visual equipment and other appropriate methods (paragraph 117);

According to Section 856 of the Administration of Justice Act, the presiding judge may decide that the defendant should not be present while the victim is questioned, if the defendant's presence will prevent an unreserved statement from the witness. If the court decides that the name, occupation and address of a witness, including the victim, must not be disclosed to the defendant, the court may also decide that the defendant must leave the court room during the witness' testimony. The decision may be made prior to a trial hearing upon request from the prosecution service, the defense or a witness, including the victim.

The rules regarding door closure in section 29 (a) of the Administration of Justice Act also ensure respect for the victims´ right to safety, privacy and confidentiality during court proceedings.

During the court proceedings, the court can decide that the proceedings will not be open to the public if the victim is considered to be in danger. Section 29 (1) of the Administration of Justice Act further provides for the possibility to hold court proceedings in camera if the hearing in public will cause somebody to be unnecessarily aggrieved. Moreover, the court can decide that the victim's identity may not be made public.

The courts may decide that the defendant has to leave the courtroom while the victim gives testimony, if there is reason to believe that the victim will not be able to give an unreserved testimony with the defendant present. Children can give video recorded statements for courts.

The guidelines on THB from the Director of Public Prosecutions, also state that since foreign trafficking victims often disappear, police and prosecution authorities should consider holding a preliminary court hearing with the victim at an early stage of the investigations, in particular if the police assess that there is a risk that the victim will leave the country before any main court hearing in the case. This also includes child victims.

In the four cases mentioned to the reply to question 1.1., the victims gave their statements in preliminary court hearings and were thus not subjected to cross examination with the defendant in the courtroom, however the defense were present. In one of the cases, the victim made a statement in the main court hearing.

5. Step up efforts to identify victims of trafficking for all 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:

5.1 further strengthening co-operation with NGOs which may come into direct contact with victims of trafficking;

The new national action plan against human trafficking for 2022-2025 strengthens the health and social outreach work carried out by NGO's in relation to victims of human trafficking. The outreach work is particular aimed at women in prostitution and is strengthened by 3.0 million DKK annually, so that on average 9.2 million DKK is now used annually on this part of the effort.

To ensure a close cooperation and knowledge-sharing with the NGO's, the Danish Centre against Human Trafficking (CMM) hosted a workshop in the beginning of 2022 to discuss how this can be fruitfully implemented.

For now, the procedure entails an annual meeting with the NGO's working under the action plan to discuss trends, data and facilitate a discussion and knowledge-sharing between the NGO's. The CMM has appointed permanent contact persons responsible for hosting quarterly bilateral meetings with the NGO's. The CMM is working on cooperation agreements with each NGO, which aim at enhancing and strengthening the important cooperation and knowledge-sharing. The CMM includes NGO's in discussions on data published by the CMM annually.

The CMM hosts a knowledge-sharing network with NGO's, researchers and practitioners to inspire dialogue through thematic meetings. Furthermore, the CMM has invited NGO's to participate in a pilot project regarding webscraping and technology facilitated human trafficking.

5.2 introducing measures to identify victims of trafficking in immigration detention centres;

In 2020 Immigration detention center Ellebæk published a procedure for the staff on how to act in case of a suspicion of human trafficking. The procedure is introduced to the staff and is accessible online for all staff on Ellebæk's intranet. The procedure states that the management should be notified immediately when an employee suspects a detainee to be a victim of human trafficking, and thus, notify CMM. Hereafter a visit from CMM can be arranged in order to clarify any suspicions of human trafficking. Approved staff from CMM has free access to visit detainees during opening hours. In addition, the organization HopeNow can visit detainees under the same conditions as the CMM.

In 2020 and 2021 Immigration detention center Ellebæk cooperated with the CMM in preparing an educational program for the staff at Ellebæk. Due to the Covid-19-pandemic the education of the staff was cancelled several times and eventually put on hold. Immigration detention center Ellebæk and CMM are currently at the early stages of planning and re-establishing the educational program for the staff at Ellebæk in order to maintain focus on detecting possible victims of human trafficking.

Currently the management, pedagogical assistants and the teacher at the immigration detention center are main responsible for identifying victims of human trafficking, but Ellebæk is in the process of employing a social worker to be the primary resource in identifying, consulting and acting on possible victims of human trafficking.

5.3 improving the identification of victims of THB in the asylum procedure, including by increasing efforts to create an atmosphere of trust in asylum interviews, which would make it easier for victims to speak of their trafficking experiences;

The Danish Ministry of Immigration and Integration finds that the current measures for identification of victims of THB performed in the Danish Immigration Service (DIS) are sufficient. The DIS notes that there has not been initiated any additional measures based on the GRETA 3rd evaluation round recommendations.

All caseworkers in the DIS participate in interviewing courses, where they are taught interviewing methods according to the cognitive interview technical principles. This entails, among other things, that the interview must be adapted to the individual applicant's abilities and personal circumstances. In the interview, the focus is on giving the applicant space and time to explain about his/her situation by being able to speak freely. During the interview course, the caseworkers also learn how to interview people affected by trauma and how the memory system works. Managers and team coordinators also participate in interviewing courses, and can thus support the method.

Concerning interviewing children, no matter their status as e.g. unaccompanied minors or accompanied minors, the caseworkers conducting such interviews further participate in a specific child interviewing course. This course is also taught according to the cognitive interview technical principles. Focus is, among other subjects, on how children can be affected by trauma, their ability to express themselves according to age and maturity, and how a child's memory system works.

Furthermore, the importance of the trust and relationship between the child and the caseworker is touched upon as an important way to understand what is said during an interview. In both interviews with adults and minors, the caseworker is attentive to the state of the asylum seeker and to ensure a necessary amount of breaks and time for the asylum seeker to process the subjects, which are covered during the interview.

See also the answer for recommendation 6 regarding the designated trafficking team in DIS.

5.4 increasing efforts to identify possible victims of THB among Danish nationals;

The CMM carries out a range of trainings and presentations for public and private actors on indicators of trafficking. As part of presenting trafficking as a phenomenon, it is common to highlight that trafficking does not always entail a physical removal across borders and that Danish nationals occur in statistics from time to time. The CMM has also shed light on cases of social control and forced marriage at a knowledge-sharing network meeting. Moreover, the CMM has initiated meetings with the Danish Agency for International Recruitment and Integration, and started a new cooperation with the Danish Agency of Family Law.

If the police become aware of conditions that indicate that Danish nationals or other nationals may be or have been victims of human trafficking, the police will try to identify the victim and investigate the case.

Within the police, there are operational orders that regulate various checks with focus on identifying trafficked persons. These are for example checks on brothels and checks with a focus on social dumping. Also, there is (and has been) focus on human smuggling in connection with the temporary border control between Denmark and Germany.

The Danish Working Environment Authority (WEA) has hosted a seminar about THB in each of the three inspection centers together with CMM in 2020 and 2021. All inspectors working with the Danish social dumping effort attended the seminars. The focus of the seminars was on how inspectors from WEA can help identifying possible victims of THB.

In 2022, seminars for the police, tax agency and WEA were held again and CMM gave a presentation

at two of these. All seminars included discussion about how to identify possible victims of THB.

5.5 abandoning the concept of "currently trafficked", and ensuring 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 183);

When identifying a victim of trafficking a broad understanding of the concept of "currently trafficked" is applied. Factors such as if the person is still affected by the trafficking case, if it might lead to re-trafficking, if there are threats against the family or other repercussions when returning to the home country is taken into consideration when assessing each case. Victims are given the benefit of the doubt in situations where the current state of trafficking is uncertain.

The National Police has issued guidelines for handling cases related to human trafficking. The guidelines state that the police must be aware of a number of listed signs/indicators, when operating in environments where human trafficking may occur, that could indicate that the police are dealing with possible victims of human trafficking. It is also stated in the guidelines that the police must notify CMM, if the police have a suspicion about human trafficking. Also, the local prosecutor's office must always be contacted if human trafficking is suspected. In 2022 the police contacted CMM 158 times, where CMM held identification interviews. Consequently, 30 persons were identified as victims of human trafficking by the CMM. This indicates that the police are aware of contacting CMM, when the police have a suspicion about a human trafficking case, also in cases where the CMM afterwards assesses, that the person is not a victim of human trafficking.

6. Make further efforts to improve the identification of child victims of trafficking, especially amongst unaccompanied asylum-seeking children, and take steps to address effectively the problem of disappearance of unaccompanied children from reception facilities, by providing

suitable safe accommodation and sufficient numbers of adequately trained supervisors (paragraph 201);

The Danish Ministry of Immigration and Integration does not find reason to adjust the current efforts regarding identification of child victims of trafficking. However, the disappearance of unaccompanied children is recognized within the EU to be an issue, causing great concern and an issue to which still remains to be found a sustainable solution. The Ministry of Immigration and Integration thus urges GRETA, as mentioned at the meeting held with GRETA in Copenhagen on the 9 March 2023, to consider developing more tangible proposals in order to address this issue.

Regarding accommodation:
The DIS provides suitable and safe accommodation for unaccompanied minors and has not taken any additional measures based on the GRETA 3rd evaluation round recommendations.

The specialized accommodation facilities for unaccompanied minors are staffed 24 hours a day with a sufficient number of adequately trained personnel. The existing legal framework does not provide for the detention of unaccompanied minors solely based on the risk of disappearance.

The problem regarding disappearance of unaccompanied children is broadly occurring and well known throughout the European countries.

Regarding identification:
The DIS provides sufficient measures for the identification of child victims of trafficking and the DIS has not taken any additional measures based on the GRETA 3rd evaluation round recommendations.

In addition to the regular interview course, caseworkers who handle cases of unaccompanied minor asylum seekers, participate in a five-day special child interview course. The focus of this course is on interviewing children, including particularly young and vulnerable children. Among other things, the course teaches about children's development, cognitive abilities, children's memory system, etc. There is a special focus on how to create a safe space where the child can speak freely. During the course, the participants also interview children of approx. 10-11 years from a Danish school class in order to turn the teachings into practice.

The DIS has a designated team handling cases of human trafficking among asylum seekers – both adults and children. The caseworkers in this team ensure an attentiveness to details during an asylum interview that could relate to human trafficking by continuously informing every caseworker in the Asylum Division about the process of identification of victims of human trafficking. Furthermore, the caseworkers in the human trafficking team are often caseworkers, who on a daily basis conduct asylum interviews with children and therefore have a specific knowledge about this group.

The human trafficking team is in close contact with the CMM if new tendencies in trafficking patterns, routes taken by traffickers or new types of abuse are emerging during interviews with victims of human trafficking.

7. Review the legislation in order to ensure that all persons for whom there are reasonable grounds to believe that they are victims of trafficking, including those to whom the Dublin II Regulation is applicable, 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 (paragraph 207);

According to Section 33 (7) of the Danish Aliens Act, presumed victims of trafficking who do not have permission to stay in Denmark are granted a recovery and reflection period of 30 days. The reflection

period is granted regardless of whether or not the victim cooperates with the authorities. Furthermore, the reflection period can be prolonged up to a total of 120 days if special reasons make it appropriate or if the foreigner accepts an offer of a prepared return and cooperates in the efforts of planning this. “Special reasons” imply, inter alia, medical reasons or that the foreigner’s assistance is needed for a shorter period of time regarding criminal investigations or proceedings.

Ensuring special support for victims of human trafficking is important to the Danish Government, and when considering possible legal amendments within this field, the recommendations from GRETA is obviously considered closely. This is also the case with regard to the Dublin procedure.

8. 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 (paragraph 208).

On the same terms as other foreigners in Denmark, victims of human trafficking have access to submit an application for residence permit in Denmark pursuant to the provisions in the Danish Aliens Act, including an application for asylum. If a person applying for asylum is considered to be in risk of persecution in case of return to his/her country of origin according to the Refugee Convention or Article 3 of the European Convention in Human Rights, the person in question will be granted asylum.

9. Improve the procedures for repatriation of victims of THB, including by:

9.1 ensuring that there are 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; this encompasses protection against reprisals and/or against re-trafficking;

In the planning phase of a prepared return, a risk assessment is made in cooperation between the alien and CMM. This assessment considers which risk factors are associated with:

1) The alien and his/her family (physically, psychologically, socially, economically, best interest of the child)
2) The organizer/organizers (of trafficking) (knowledge of/ information about the family/ relatives, knowledge of the whereabouts of the alien in Denmark and in the country of origin, threats and attempts to contact the alien, whether the organizer is aware of the involvement in the case of the Danish authorities)
3) Local authorities/police (contact, cooperation, investigation/prosecution, whether the organizer is at large or arrested in Denmark or in the country of origin).

During the prepared return-interview between the alien, the CMM and the Danish Return Agency the risk assessment is evaluated, if return to the country of origin is considered to constitute a risk for the alien and/or if this issue is brought up by the alien.

If this is the case, The Danish Return Agency and the CMM provides guidance concerning which precautions the alien himself/herself can take upon return – for instance avoiding contact with the organizer, settling in a different area than where the organizer residences/ is operating. Guidance is also provided as to whom the alien can contact in the country of origin (Danish embassy, relevant embassy of a Nordic country, local authorities or local police).

If the alien consents, The Danish Return Agency will inform the Danish Refugee Council (DRC) about the aliens' fear of reprisals, and the DRC is requested to inform the local partner organization about this. The local partner organization will discuss this issue with the alien before departure to and upon arrival in the country of origin. Additionally, the local partner organization will provide support and

guidance to the alien as to precautions that may be taken and as to whether a file a report to the police.

In countries where the Danish Return Agency has no active partnership agreement, contact is made to relevant NGOs in the country of origin in order for them to be able to provide support and guidance about the above-mentioned before departure to and after arrival in the country of origin/ country of return.

When returning victims of THB to a country in which Denmark has no agreement with a reintegration partner in that specific country, the Danish Return Agency has to explore whether an agreement with a partner, in the country of return, is possible. The Danish Return Agency has the task of monitoring reintegration partners, including partners who handle the return of victims of THB. Such monitoring, as mentioned above, did in 2022, lead to Denmark making a change in partners in Morocco (through the ERSO network) to improve the reintegration process of victims of THB.

9.2 prior to deciding on the return of victims, ensuring the systematic carrying out of comprehensive assessments of the risk of them being re-victimised and re-trafficked, including victims falling under the Dublin procedure and children, taking into account the best interests of the child; there should be possibilities to stay in Denmark if there are no guarantees that the return would comply with the principle of non-refoulement;

When returning victims of THB under the Dublin procedure it is not possible to offer reintegration assistance. However, the principle of non-refoulement is fully integrated in Danish law entailing that all public officials are bound to act in its conformity. The legal basis for the Refugee Convention's principle of non-refoulement follows from Section 31 of the Danish Aliens Act.

9.3 further strengthening co-operation with the countries to which victims of THB return, with a view to improving their protection, reintegration and rehabilitation (paragraph 221).

In 2022, the Danish Return Agency visited and monitored the reintegration partner in Thailand, and plan to visit both the reintegration partner and the anti-trafficking agency in Morocco in May 2023. The main purpose of these initiatives is to further strengthen the co-operation with the main countries of victims of THB, and to better understand how to improve the reintegration process for victims of THB in general.