



Convention on the Rights of the Child

CRC/C/OPSC/DNK/130 November 2005

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 12 (1) OF THE OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

Initial reports of States parties due in 2004

denmark

[24 August 2005]

GE.05-45305 (E) 060306

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I. introduction

1. On 24 July 2003, Denmark ratified the Optional Protocol of 25 May 2000 to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The Protocol entered into force for Denmark on 24 August 2003 and was promulgated in the Danish Law Gazette C as Executive Order No. 34 of 23 October 2003. A Danish translation of the Protocol is available to the public at the website of *Retsinformation*, the official online legal information system of the Danish State, www.retsinfo.dk.

2. Before Denmark ratified the Protocol, a number of amendments were made to Danish legislation by Act No. 228 of 2 April 2003 to ensure that Danish law fully meets the obligations set out in the Protocol. Amendments were thus made to the Criminal Code (*straffeloven*), the Adoption Act (*adoptionsloven*) and the Administration of Justice Act (*retsplejeloven*). Please see Denmark's third periodic report to the Committee on the Rights of the Child for a general description of the amendments.

3. The Protocol on the sale of children, child prostitution and child pornography can be invoked by citizens, and it is applied by the courts and other law-applying authorities.

4. This report is submitted to the Committee on the Rights of the Child pursuant to article 12 (1) of the Protocol. The following parts of the report describe how the provisions of the Protocol have been implemented in Denmark.

5. Effective protection of children against sale, child prostitution and child pornography necessitates action in a large number of fields.

A large number of public authorities, both at national level and at local authority level, are therefore in charge of the relevant initiatives, in many cases in cooperation with NGOs. This report describes relevant initiatives in the main areas of responsibility of the following ministries in particular: the Ministry of the Interior and Health, the Ministry of Justice, the Ministry of Culture, the Ministry of Family and Consumer Affairs, the Ministry of Social Affairs and the Ministry of Foreign Affairs.

6. This report will be submitted to the Legal Affairs Committee of the Danish Parliament and will also be published on the website of the Ministry of Justice, www.jm.dk. It has been drafted in both Danish and English.

II. Prohibition against the sale of children, child pornography and child prostitution

Sexual offences relating to children and young people in general

7. In Denmark the age of sexual consent is 15 years. Pursuant to section 222 of the Criminal Code, sexual intercourse with a child under the age of 15 may be punished with imprisonment for any term not exceeding eight years. This prohibition is absolute and thus applies whether or not coercion has been applied. If the child was under the age of 12, or if the perpetrator enforced the sexual intercourse by coercion or intimidation, the punishment may be increased to imprisonment for any term not exceeding 12 years.

8. Several rules also exist to protect children and young people against abuse by persons holding a special position in relation to the child or the young person. The following acts are thus punishable:

Sexual intercourse between an employee of a children's home or youth home and a child or young person admitted to the institution;

Sexual intercourse by grave abuse of a person's subordinate position or financial dependence (increased punishment if the victim is under the age of 21);

Sexual intercourse with a person under the age of 18 who is the perpetrator's adopted child, stepchild or foster child or has been entrusted to the perpetrator for instruction or education; and

Inducement of a person to have sexual intercourse with the perpetrator by grave abuse of the perpetrator's superior age or experience.

9. These provisions all apply correspondingly to sexual relations other than sexual intercourse, cf. section 224 of the Criminal Code, and to sexual relations with a person of the same sex, cf. section 225 of the Criminal Code.

10. It is a condition for criminal liability under the above provisions that the perpetrator acted with intent. The perpetrator may, however, also be punished pursuant to the above provisions even though he only acted negligently in relation to the victim's age, but in such case, the punishment will be reduced proportionately, cf. section 226 of the Criminal Code.

Trafficking in children

11. In 2002, a new provision on trafficking in human beings was inserted into the Criminal Code by Act No. 380 of 6 June 2002. The provision is worded on the basis of the Protocol to the United Nations Convention against Transnational Organized Crime (Palermo Convention) to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the European Council Framework Decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings.

12. The provision (sect. 262a) criminalizes trafficking in human beings as a specific crime and deals with all aspects of human trafficking and the underlying exploitation. The provision covers any person who recruits, transports, transfers, harbours or subsequently receives a person by means, whether present or past, of unlawful coercion pursuant to section 260, deprivation of liberty pursuant to section 261, threats pursuant to section 266, the unlawful creation, confirmation or exploitation of a mistake or any other undue method for the purpose of exploitation of that person by sexual immorality, forced labour or services, slavery or practices similar to slavery, or the removal of organs. Violation of section 262a is punishable by imprisonment for any term not exceeding eight years.

13. If the victim is a person under the age of 18, the penalty for trafficking in human beings may be applied pursuant to section 262a (2), even though none of the means of coercion referred to in section 262a (1) was applied. This is also the case if, by means of payment or provision of any other benefit, the perpetrator achieves consent to the exploitation from a person having control over the victim, cf. section 262a (2) (ii). Also in these cases, the maximum penalty is imprisonment for any term not exceeding eight years.

Child prostitution

14. In addition to section 262a, the Criminal Code also has general prohibitions, sanctioned by punishments, against the promotion and exploitation of prostitution (procuring).

15. Thus, for example, any person who keeps a brothel or promotes sexual immorality by acting as an intermediary for the purpose of gain or in frequently repeated cases is liable to punishment. Moreover, section 228 (2) of the Criminal Code has a special provision about young people under the age of 21, according to which any person who incites or helps a person under the age of 21 to engage in sexual immorality as a profession, and any person who abets another person to leave the country in order that the latter shall engage in sexual immorality as a profession abroad or shall be used for such immorality where that person is under the age of 21 or is ignorant of the purpose, may be punished with imprisonment for any term not exceeding four years.

16. Moreover, a provision (section 223a) was inserted into the Criminal Code in 1999, which criminalizes clients of prostitutes under the age of 18. Pursuant to this provision, any person who, as a client, has sexual intercourse with a person under the age of 18 against

payment or a promise of payment is liable to a fine or imprisonment for any term not exceeding two years.

17. Sections 224 to 226 of the Criminal Code referred to above apply correspondingly to these provisions.

Child pornography

18. Protection under criminal law against the recording and dissemination of child pornography is provided by sections 230 and 235 of the Criminal Code.

19. Pursuant to section 230, it is a criminal offence to use children under the age of 18 as pornographic models. Violation of the provision is punishable by a fine or imprisonment for any term not exceeding two years, and in particularly aggravating circumstances with imprisonment for any term not exceeding six years.

20. Pursuant to section 235, it is a criminal offence to disseminate, possess or, against remuneration, acquaint oneself with pornography showing persons under the age of 18. If the identity and the age of the model are unknown, the punishability hinges upon whether the model appears younger than 18 in the pornographic material. This provision comprises both photographs and films and fictitious child pornography.

21. The punishment for dissemination is a fine or imprisonment for any term not exceeding two years, or in particularly aggravating circumstances imprisonment for any term not exceeding six years, while the punishment for possession, etc., is a fine or imprisonment for any term not exceeding one year. Pursuant to section 235 (3), however, possession is not punishable if the person shown on the photo has reached the age of 15 and has consented to the possessor having the photo.

22. The maximum punishments set out in sections 230 and 235 have been increased, most recently by the amendment in 2003, cf. Part I above. A description of case law prepared by the Director of Public Prosecutions in April 2005 shows that the increases are actually being widely applied by the courts in practice.

Attempt and contribution

23. The general rules on attempt and contribution are provided in sections 21 and 23 of the Criminal Code. Attempts to commit an offence are criminalized by section 21 of the Criminal Code. The provision applies to both violations of the Criminal Code and offences governed by other legislation. Attempts will only be punished, however, if the maximum punishment for such violations exceeds imprisonment for four months.

24. Contribution to an offence is criminalized by section 23 of the Criminal Code. This provision comprises everybody who has contributed to the act by instigation, advice or action. The maximum punishment for contribution is the same as for an independent violation of the relevant provision.

Criminal liability of legal persons

25. Legal persons may be punished for violation of the Criminal Code and for most offences governed by other legislation. Legal persons may be punished for all the offences comprised by the Protocol.

26. Criminal liability of a legal person presupposes that the violation has been committed within the framework of the legal person by a person connected to the legal person, or by the legal person as such. The violation must be imputable to the legal person.

27. In all cases, the punishment is a fine. The fact that a legal person is held criminally liable for a violation of the Criminal Code does not prevent the natural person who has committed the violation from being held individually liable under criminal law as well.

28. A "legal person" means any legal entity, including public and private limited companies, cooperative societies, partnerships, associations and societies, foundations, estates, local authorities, state authorities and sole proprietorships.

Limitation

29. Basically, the period of limitation of the criminal liability depends on the length of the maximum punishment. The period of limitation is 5 years where the offence is not punishable by a penalty more severe than imprisonment for 4 years, 10 years where the offence is not

punishable by a penalty more severe than imprisonment for 10 years, and 15 years where the offence is not punishable by a penalty more severe than imprisonment for a determinate period. However, in cases of sexual abuse of children, including sections 222 and 262a (2), which are mentioned above, the period of limitation of the criminal liability starts at the earliest from the date when the victim reaches the age of 18.

Adoption

30. The 1993 Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption entered into force in Denmark on 1 November 1997, and the Department of Family Affairs (*Familiestyrelsen*), an agency under the Ministry of Family and Consumer Affairs, is the central authority relevant to the Convention.

31. The Danish Adoption Act satisfies the requirements made by the Hague Convention and, like the Hague Convention, builds on the fundamental principle that the adoption must be in the best interest of the child.

32. Part 5 of the Act provides rules on the placement of children. It appears from this that the Minister of Family and Consumer Affairs (in practice the Department of Family Affairs) may authorize one or more private organizations to act as adoption placement agencies for children who are not Danish nationals. Two organizations have been granted such authority. Section 31 of the Act prohibits others from providing adoption assistance, and violation thereof may result in a punishment under section 34 of the Act.

33. Pursuant to section 32 of Executive Order No. 198 of 22 March 2000 (as amended) on approval as an adopter (*bekendtgørelse om godkendelse som adoptant*), it is a fundamental requirement that adoption of a foreign child must take place with the assistance of one of these two organizations. In special circumstances, however, the Department of Family Affairs may permit an adoption to take place without the assistance of the organizations, and in that case the Department ensures that the adoption is lawful and ethically justifiable according to both Danish and foreign standards.

34. The Department of Family Affairs is the superior administrative authority in the adoption field and supervises the adoption assistance organizations together with the Adoption Board (*Adoptionsnævnet*). In that connection, the Department checks the financial, organizational and legislative affairs of the organizations, and the Department also approves the collaborators of the organizations abroad and considers complaints of the organizations. The Adoption Board supervises the organizations' work of matching specific children with prospective adoptive parents in Denmark as well as the activities of the organizations abroad.

III. Issues of criminal procedure

Jurisdiction

35. Acts falling within the Protocol and committed on Danish territory or on board a Danish vessel or aircraft are subject to Danish criminal jurisdiction pursuant to sections 6 to 9 of the Criminal Code.

36. Concerning the situations referred to in article 4 (2) of the Protocol, Danish criminal jurisdiction will apply to acts committed outside Denmark by a Danish national or a person residing within Danish territory where the act was committed outside the territory recognized under international law as belonging to a foreign state provided that acts of the nature in question may result in a punishment more severe than imprisonment for four months, or where the act was committed within such territory provided that it is punishable also under the legislation applicable there.

37. Moreover, irrespective of the perpetrator's nationality and residence, Danish criminal jurisdiction will apply to acts committed outside Danish territory where an act committed outside the territory recognized under international law as belonging to a foreign state violates a Danish national or a person residing in Denmark and acts of such nature may result in a punishment more severe than imprisonment for four months.

38. Acts falling within the Protocol and committed outside Danish territory are also subject to Danish criminal jurisdiction, irrespective of the perpetrator's nationality and residence where extradition of a person charged for prosecution in another country is refused because the alleged perpetrator is a Danish national, cf. section 8 (v) and (vi) of the Criminal Code.

Extradition

39. Extradition of offenders from Denmark is governed by the Extradition of Offenders (Consolidation) Act No. 110 of 18 February 1998 (as amended) (*lov om udlevering af lovovertrædere*) (the Extradition Act). Concerning extradition to other Nordic countries, Act No. 27 of 3 February 1960 (as amended) applies (the Nordic Extradition Act). Extradition is not conditional upon an agreement with the state in question.

40. Pursuant to the Extradition Act, it is a general condition for extradition to a state outside the European Union that the act is also punishable in Denmark.

41. Concerning extradition of a foreigner for prosecution or sentence enforcement in a state outside the European Union, it is further a general condition that the act is punishable by imprisonment for at least one year under Danish law. However, if Denmark has concluded a treaty with the state in question, the foreigner may be extradited even though the act may only result in a shorter prison sentence under Danish law.

42. In case of extradition of a Danish national for prosecution in a state outside the European Union, the Danish national may be extradited (on the basis of a treaty or if otherwise warranted by special law enforcement considerations) if he has resided in the state requesting extradition for the last two years prior to the punishable offence and the act is punishable by imprisonment for at least one year under Danish law, or if the act is punishable by imprisonment for more than four years under Danish law.

43. Extradition for prosecution or sentence enforcement to a member State of the European Union is made pursuant to the rules of Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between

member States. This implies, *inter alia*, that no requirement of dual criminality is made in cases of sexual exploitation of children and child pornography. The Nordic Extradition Act also provides a particularly extensive access to extradition in that, to a wide extent, no requirement of dual criminality is made.

International assistance

44. The basis for grants of assistance by Danish authorities to foreign states is provided by a number of international conventions.

45. It follows from case law that international requests for investigative measures, such as seizure of evidence for use in criminal

proceedings abroad, may be carried out on the basis of the Administration of Justice Act or by analogy with it. It will thus be possible to comply with an international request for assistance if the measure requested could be made in corresponding criminal proceedings in Denmark.

46. As for extradition, special rules apply to the granting of international requests for assistance and to their consideration between the EU member States and between the Nordic countries.

Seizure, confiscation and closure

47. Seizures may be made pursuant to the rules of Part 74 of the Administration of Justice Act. Seizure may be made, *inter alia*, to secure evidence, to secure public claims for costs, confiscation and fines, and to secure victims' claims for return or compensation.

48. The rules on confiscation are provided in sections 75 to 77a of the Criminal Code. Pursuant to section 75, the proceeds of a criminal act or a corresponding amount may be confiscated. Objects used or intended to be used in a criminal act, objects produced by a criminal act, and objects with respect to which a criminal act has otherwise been committed, or an amount equivalent to their value, may be confiscated if deemed necessary to prevent further offences, or if otherwise warranted by special circumstances. Moreover, where there is reason to believe that objects may be used in a criminal act because of the nature of such objects combined with other existing circumstances, the objects may be confiscated if deemed necessary to prevent the criminal act.

49. One of the tasks of the police is to put an end to criminal activities and to investigate and prosecute criminal offences. In that connection, the police may temporarily cordon off an area to secure evidence, including closing premises used for the commission of offences.

IV. Investigation, etc.

Combat against child pornography on the Internet

50. The Office of the National Commissioner of Police has established a special IT Investigation Unit which provides assistance for the investigation of criminal offences committed on the Internet, particularly cases concerning child pornography.

51. Within the past two years, the IT Investigation Unit has been considerably strengthened by further staff resources in the form of civil IT experts and by other means.

52. Criminal offences committed by means of IT, including the distribution, etc., of child pornography on the Internet, may be electronically reported directly to the IT Investigation Unit of the National Police, which can then carry out certain urgent investigative measures.

53. During the spring of 2004, the National Commissioner of Police and the police districts cooperated on two targeted actions against persons suspected of possessing and distributing child pornography. The actions were called "Mjølner" and "Enea".

54. The investigation in the "Mjølner" action was carried out on the basis of information from American authorities which documented how Danish payment cards had been used to buy child pornography. On 30 March 2004, a concerted police action was carried out on that basis against 119 suspects in Denmark.

55. The background of the "Enea" action was a number of reports from police districts, the public, the organization Save the Children Denmark (*Red Barnet*) and foreign police authorities about the distribution of child pornography by use of file sharing systems on the Internet. Together with the Norwegian Police Computer Crime Centre (*Datakrimcenter*), the National Commissioner of Police developed a computer program able to reveal users who had made child pornography available to others through file sharing systems on the Internet. The investigation identified 35 Danish suspects, and from a corresponding action in Italy the Danish police received information on further eight suspects in Denmark. On 25 May 2004, the Norwegian and the Danish police carried out a concerted police action against the suspects.

56. Most recently, in the spring of 2005, an action was carried out under the name of "Callidus" within the framework of the European police cooperation. Like the "Enea" action, the "Callidus" action was aimed at the distribution of child pornography by use of file sharing systems on the Internet. This action identified two Danish suspects, and these cases have now been passed on to the relevant police districts for further investigation.

Combat against trafficking in children and child prostitution

57. The combat against trafficking in children and child prostitution is part of the police action to combat trafficking in human beings, and this field has a high priority with the police, both at national and international levels.

58. Trafficking in human beings is thus one of the criminal areas which are subject to systematic police monitoring by the National Centre of Investigative Support of the National Police (*Rigspolitiets Nationale Efterforskningsstøttecenter*). As part of the systematic police monitoring, the police districts have to report, on a continuous basis, all data available that may be of importance to the combat against trafficking in human beings for sexual exploitation, whereupon the data are processed and analysed.

59. For any investigation within the criminal areas subject to systematic National Commissioner of Police monitoring, including trafficking in human beings, the police districts may obtain information from the National Centre of Investigative Support of the National Police, and the Centre will also, on its own initiative, pass on information deemed of interest to the work of the police districts to counter and clear up relevant crime or otherwise deemed of importance to the tasks of the police districts.

60. The National Centre of Investigative Support passes on relevant information and analyses as fast as possible to the relevant police district for its further considerations on initiation of a concrete police action. In relevant cases, the police district and the Centre together prepare operative and tactical plans based on the information gathered by the Centre.

61. It should be noted that the National Commissioner of Police has only once received a report within the monitoring system from the police districts of a case where the victim was under the age of 18.

62. In cases of human trafficking, the National Centre of Investigative Support also provides assistance by its serious crime squad to the police districts for the investigation of specific cases. It should be noted in that connection that uncertainty about a victim's actual age does not prevent a criminal investigation from being instituted, including an investigation to determine the victim's age.

63. In addition, the National Centre of Investigative Support provides assistance to the police districts for the purpose of witness protection, agent activities, observations, including in connection with controlled deliveries, and the use of technical monitoring and tapping equipment, and the Centre also disposes of a special task force and a negotiating group for the resolution of hostage situations, etc. These kinds of assistance may also be relevant in cases concerning the trafficking in human beings.

64. Furthermore, contact persons have been appointed in the police districts as concerns exploitation in connection with prostitution. The contact person scheme was established to ensure efficient cooperation with relevant NGOs. When the contact person scheme was introduced, the National Commissioner of Police held a seminar on trafficking in women in March this year attended by the contact persons of the police districts and NGOs.

65. Attached to the contact person scheme is an anthropologist employed by the National Commissioner of Police and working at the National Centre of Investigative Support. One of the anthropologist's tasks is to further the cooperation between the police district contact persons and the NGOs. In addition, the anthropologist assists the police districts in cases concerning victims who have been exploited in connection with prostitution.

Return

66. It is a police task to see to the return of foreigners who are not entitled to reside in Denmark.

67. If the foreigner has no travel documents, the police assist the foreigner in obtaining them. To do so, the police may contact the mission of the relevant country in Denmark or the authorities of the foreigner's country of origin through a Danish mission abroad.

68. The police may also assist in arranging the actual return by planning the travel route and buying (and possibly paying for) the ticket and other travel expenses.

69. In addition, the police may escort the foreigner on the actual trip if warranted by circumstances.

70. Before a return, the police are prepared to notify the foreigner's relatives, social authorities or others in the relevant country of the time of arrival in that country. This presupposes that relevant contact addresses are available to the police.

V. Protection of the rights of child victims of crime

(a) Criminal procedure

71. The Danish Administration of Justice Act provides a number of rules on the conduct of criminal proceedings, including proceedings about sexual abuse of children. The majority by far of the criminal acts, including those relevant in relation to the Protocol, are subject to public prosecution, and therefore investigation and prosecution do not depend on the victim or others reporting the criminal act to the police.

Victim advocate and compensation

72. According to section 741a of the Administration of Justice Act, the court has to assign a victim advocate in certain types of cases, including cases on certain sexual offences and cases falling within section 262a of the Criminal Code, if the victim so requests. Assignment of a victim advocate may only be refused if the offence is not very grave and his assistance must be considered obviously unnecessary. If the case concerns rape, including the rape of children, or incest, etc., a victim advocate is assigned unless the victim declines it after having been counselled on his or her right to assignment of a victim advocate.

73. Before the victim is interviewed the first time, the police have to counsel the victim about the rules on assignment of a victim advocate. The counselling must be repeated in connection with and before the second interview. If the victim does not request assignment of a victim advocate, a victim advocate may be assigned to the victim during the investigation at the request of the police.

74. The victim advocate, who is remunerated by the Treasury, has to safeguard the victim's interests during the proceedings, including any claim for compensation against the offender. The victim advocate is entitled to attend interviews of the victim with the police and in court and has the right to ask additional questions of the victim. The victim advocate also has the right to make himself acquainted with the material procured by the police.

75. If a claim for compensation is not adjudicated during the criminal proceedings, the victim may institute civil proceedings and may apply for legal aid to cover legal costs in that connection.

76. Pursuant to the State Compensation to Victims of Crime Act (*lov om erstatning fra staten til ofre for forbrydelser*), a victim who has suffered personal injury as a consequence of a criminal offence committed in Denmark may be awarded compensation and

damages from the Treasury. Submission of an application is free.

77. This scheme is subsidiary in the way that the Treasury does not pay out compensation if the injury or damage is covered by the offender or by insurance monies. Compensation may be awarded even though the offender is unknown or cannot be found. The amount of compensation is determined according to the general Danish rules on damages.

Video interviews

78. Act No. 228 of 2 April 2003 inserted express authority into the Administration of Justice Act to use video interviews of children as evidence in a trial as well as a provision stipulating that the suspect or the person charged is not to be allowed to attend the video interview of the child, but will have an opportunity to familiarize himself with the contents thereof subsequently and to request a re-interview of the child. In such cases - before the video interview - counsel must be assigned to the person who is suspected or charged at the time or later. Counsel must be present during the video interview.

79. This procedure prevents the child from becoming nervous and unable to give a statement about the incident or afraid of doing so because he is aware of the presence of the suspect or the person charged. The child also avoids the potential mental stress of knowing that the suspect or the person charged is attending the interview about the abuse.

80. In his Notice No. 2/2003, the Director of Public Prosecutions laid down guidelines for video interviews of children in cases about sexual offences.

81. According to the guidelines, the police must notify the social authorities when a person under the age of 15 is to be interviewed as a victim or a witness in a case concerning sexual abuse, as a representative of the social authorities must attend the interview in such cases. During the interview with the police, the representative will support the child and ensure that the interview is conducted with the consideration suitable to the nature of the case and the child's age.

82. Video interviews of children in cases concerning sexual abuse must be conducted by specially trained police officers.

83. The police officer who will conduct the video interview must be thoroughly briefed about the case and the child's personal circumstances and must have access to the documents of the case. The police officer should visit the child in his home before the interview to get an impression of the child and his language development and to present himself to the child and tell the child where and under what circumstances the interview will take place. The question of who is to accompany the child in the interview room may also be discussed. The specific contents of the interview may not be discussed with the child before the video interview.

84. During a video interview, normally only the child to be interviewed, the interviewer and either the representative of the social authorities or another "interview supporter" capable of generating security should be present in the interview room. In addition, an interpreter may be present if interpretation assistance is needed. If an older child has expressed a wish not to have a

companion present in the interview room or if another interview supporter is present together with the child in the interview room, the representative of the social authorities should monitor the interview from the monitoring room and ensure from this position that the interview is conducted with the requisite consideration.

85. The social authority representative or the interview supporter to be present in the interview room should be counselled in advance on the need to remain neutral during the interview.

86. The Government's 2003 action plan to combat sexual abuse of children (see Part VI, paragraph (a) below) stated that the new guidelines for the practical implementation of video interviews of children would be monitored so that a report would be prepared about the conduct of criminal proceedings regarding sexual abuse of children on the basis of the first 18 months of experience. In that connection, the Ministry of Justice requested the Director of Public Prosecutions to prepare a report as mentioned in the action plan. For this purpose, the Director of Public Prosecutions, in his Bulletin from the Director of Public Prosecutions (*Rigsadvokaten Informerer*) No. 18/2003, laid down guidelines for reporting cases about sexual abuse of children.

87. On the basis of the reports and opinions from the police districts and the Regional Public Prosecutors, the Director of Public Prosecutions and the Research Unit of the Ministry of Justice have prepared a report on criminal proceedings regarding sexual abuse of children and video interviews of children in such cases after the amendment in 2003.

88. It appears from the report of the Director of Public Prosecutions that there have been certain problems in a few cases in connection with video interviews of children or in connection with video interview rooms, etc. However, the Director of Public Prosecutions feels that, considering the nature of the practical difficulties that have appeared since the implementation of the amendment in 2003 - the delay between the interview and the viewing of the video by the person charged, the poor quality of the video recordings, etc. - it is fairly simple to remedy, and steps have now been taken to do so. The Director of Public Prosecutions also finds that the report shows that there are generally no problems in conducting the investigation, including video interviews, or the court proceedings in cases of sexual offences where the victim is a child.

Protection of victims' privacy

89. During the investigation, only the parties to the case have access to the documents of the case. The police and the prosecutor are subject to a duty of confidentiality in relation to information on individuals' personal circumstances with which they become acquainted in connection with the proceedings.

90. In principle, court hearings are open to the public. The court may, however, decide that a hearing should be conducted behind closed doors in full or in part so that only persons involved in the case may be present. Statements made during a hearing behind

closed doors may not be reported in public. The court may decide that the doors should be closed if a public hearing of

the case would expose a person to unnecessary violation, if a public hearing of the case is assumed to put a person's safety at risk, or if a public hearing of the case is assumed to be a crucial barrier to elucidation of the case. Under specified conditions, the court may also impose a reporting ban, which means that no details may be published of (parts of) a case which is otherwise heard in public, or the court may prohibit the reporting of names, which implies that the relevant person's identity may not be published.

91.If it is assumed to be of no significance to the defence, and if vital considerations of the witness's safety make it necessary, the court may decide that the defendant may not be informed of the name, position and address of a witness, and if there is reason to believe that the witness or his closest relatives would be placed at serious risk if the defendant were informed of the identity of the witness, the court may decide that the defendant has to leave the courtroom while the witness is interviewed. Also in cases where the name, position and address of the witness are not kept confidential, the victim or the victim advocate may request the court to decide that the defendant must leave the courtroom while the victim gives evidence. In its decision, the court will emphasize whether specific reasons make it likely that it would otherwise be impossible to obtain an unreserved statement from the witness. In both cases, the contents of the statement made by the witness are later made known to the defendant.

92.In rape cases, including rape of children, and incest cases, the court may decide on the measures stated above even before the hearing at the request of the prosecutor, the defence counsel or a witness, inter alia, in situations where a problem of the safety of a witness arises. In such cases, the prosecutor must notify the court and the defence counsel of the existence of any such problems at the latest when the list of evidence is sent to the court.

93.Finally, a fine may be imposed pursuant to section 1017b of the Administration of Justice Act if a person publishes the name, occupation or address of the victim or otherwise publishes the victim's identity in connection with the reference to a case of violation of Part 24 of the Criminal Code on sexual offences or otherwise in view of such case.

(b)Other protective measures

Witness protection

94.The National Commissioner of Police has prepared a witness protection programme proper which may include, in addition to moving and setting up a new home and arranging for a new job, a complete change of identity with a new name and new telephone number. To make the change of identity effective, the witness has to break off any contact with his former friends and with his family (other than for instance parents and possible sisters and brothers who would be likely to accompany the witness), and the witness has to be provided with personal papers issued in the new name (including certificate of baptism and educational diplomas) and a credible past which cannot directly be exposed as incorrect.

Training of police staff

95.Working with children and young people is part of the basic police training at the Danish police academy, the Police School, and further training may be obtained subsequently in this field.

96.The National Commissioner of Police has no knowledge of cases where it has been relevant in Denmark to take special measures to protect individuals or organizations involved in the prevention of child prostitution, etc., or in the protection and rehabilitation of victims of such crimes.

Reporting circular

97.To follow up on the Government's action plan to combat sexual abuse of children (see Part VI, paragraph (a)), the Ministry of Justice has prepared a new circular on reporting of criminal proceedings against public employees, etc., and on reporting of special criminal proceedings against certain persons employed outside the public administration. The new circular replaces a circular from 1966.

98.The most important innovation of the new circular is the provisions on reporting of special criminal proceedings against certain private individuals who have direct contact with children under the age of 15 in connection with their job. The provisions are intended to ensure that the police will report cases to the Director of Public Prosecutions about employees in the private sector with direct contact with under-age children through their employment - including persons who are volunteers, for example in a sports club or a scout or guide group - who are charged, accused or convicted of sexual abuse of children.

99.On the basis of the reports submitted to him, the Director of Public Prosecutions notifies the relevant employer of the matter if knowledge of the matter is assumed to be of material importance to the relevant person's employment and the considerations in favour of notifying the employer clearly outweigh the considerations in favour of confidentiality, including the consideration for the person implicated by the information. It is thus assumed that the Director of Public Prosecutions makes a specific assessment in each case as to whether the conditions for notifying the employer are deemed satisfied. If a charge of sexual abuse of children has been made and the employee in question has the assumed direct contact with under-age children through his employment, the conditions for notification will presumably always be deemed satisfied.

Notification of authorities

100.Pursuant to section 36 of the Social Services Act (*lov om social service*), citizens who become aware that a child is being sexually abused are subject to a general duty to report. Section 35 lays down on public employees a strict duty to notify the local authority if they come into contact with a child or a young person who is exposed to sexual abuse or has ended up in prostitution.

101.If the local authority of the child or young person finds reason to believe that the child or young person is being exposed to sexual abuse or has ended up in prostitution, the local authority has to launch a thorough examination to have all aspects of the child's or the young person's situation brought out.

102.If the local authority finds it necessary to take special measures to support or protect the child or young person, supportive measures must be initiated. Supportive measures may include psychologist consultations, out-of-home placement, family therapy and the like. The local authority has a duty to safeguard all the interests of the child or young person pending any proceedings.

Health field

103.In the health field, a knowledge centre called the Team for Sexually Abused Children (*Team for Seksuelt Misbrugte Børn*) has been set up at the Copenhagen University Hospital (*Rigshospitalet*) with a reception and examination function for children who have been exposed to sexual abuse, or are feared to have been so abused. The Centre also compiles knowledge and performs research concerning the examination and treatment of sexually abused children, and it counsels public authorities and contributes to the annual reporting in the field, which is handled by the Danish National Centre for Social Efforts against Child Sexual Abuse (*Videnscenter for Sociale Indsatser ved Seksuelle Overgreb mod Børn (SISO)*), see Part VI below.

104.With effect from 1 April 2005, persons who have been the victims of incest or other sexual abuse before their eighteenth birthday may receive a subsidy pursuant to the Health Security Act (*sygesikringsloven*) towards psychologist consultations, if referred to such treatment by their general practitioner.

105.To this group, as to the other groups eligible for subsidies for psychologist consultations under the Health Security Act, the public health-care system grants a subsidy of 60 per cent of the fee per consultation as agreed between the Health Care Negotiating Committee (*Sygesikringens Forhandlingsudvalg*) and the Danish Association of Psychologists (*Dansk Psykolog Forening*). Subsidies are granted for up to 12 consultations per course of treatment.

106.Psychologist consultation subsidies are a supplement to the existing therapeutic options. If the general practitioner deems this arrangement to be inadequate, he or she may therefore still refer his patient to other offers, for example within psychiatry.

VI.Prevention of the sale of children, childpornography and child prostitution

(a)Social field

Action plan to combat sexual abuse of children

107.In 2003, the Government published its action plan to combat sexual abuse of children, comprising a number of initiatives relating to prevention, victim support and prosecution of the offenders.

108.In the field of the Ministry of Social Affairs, a knowledge centre has been set up, the Danish National Centre for Social Efforts against Child Sexual Abuse (*Videnscenter for Sociale Indsatser ved Seksuelle Overgreb mod Børn (SISO)*), which is to monitor the social efforts made

by local and county authorities. The Centre has established a telephone hotline in 2005, mainly intended for the local authorities, but open to everybody for consultation about sexual abuse of children and young people. The Centre is also preparing a catalogue of inspiration for the local authorities so that all local authorities will be working towards a set of guidelines and an emergency service for handling sexual abuse of children and young people.

109.The Government has initiated two studies in 2005 to uncover the extent and nature of sexual abuse of disabled children and young people and those in out-of-home placement. Completion of the studies is expected in 2007. The studies are to result in a number of recommendations to prevent sexual abuse of vulnerable children and young people.

110.In 2004, the Government published a manual about help to children and young people through dialogue and cooperation with their parents. The manual deals with the rules of confidentiality and disclosure of information. It also describes the interdisciplinary cooperation across professions and authorities. The manual is intended to improve the efforts for vulnerable children and young people to ensure that they are given the right help. This also comprises the situations where a child or young person has been exposed to sexual abuse.

Sexual exploitation of children and young people against payment

111.Sexual exploitation of young people under the age of 18 against payment largely does not occur within the conventional forms of prostitution. Instead, studies seem to indicate that young persons come into contact with clients either through friends and acquaintances, through the Internet or through casual encounters in town.

112.Based on studies among young pupils, it is assumed that about 1.4 per cent of young 15-17-year-olds have been sexually exploited against payment one or more times. This is equivalent to about 2,500 young people who have been sexually exploited against payment at least once. The figures only cover young people in the general educational system. There are no figures for young people outside the general educational system or for young people with social and learning difficulties.

Action plan "A New Life"

113.In April 2005, the Government published an action plan to combat prostitution. Part of the action plan is a list of

recommendations for a preventive effort towards vulnerable young people. The efforts among young people are mainly aimed at vulnerable young people placed outside their homes. The overall goal is to upgrade the existing work in residential institutions and the like to uncover the scope and nature of sexual exploitation of vulnerable young people against payment in cash or in kind.

114. In addition to the focus areas which are being initiated, the action plan also includes the establishment of a specific telephone and Internet consultation service. This consultation service will be anchored in a national competence centre, see below.

115. The action plan "A New Life" lists the following recommendations concerning vulnerable young people:

Studies

A study will be initiated about the scope and nature of sexual exploitation (against payment in cash or kind) of vulnerable young people. This study is to provide the answers to the following questions:

How many vulnerable young people allow themselves to be exploited against payment in cash or in kind?

Why does it happen, how does it happen, and what happens after the exploitation?

116. The purpose of the study is as follows:

The knowledge acquired will be used to target and upgrade the work with the vulnerable young people.

Upgrading the work in residential institutions

Staff working with vulnerable young people under the age of 18 must be further trained in detecting prostitution-like conduct and in ways in which the subjects of sex, personal limits and feelings may become part of the day-to-day work with the young people.

Today, the theme of prostitution is typically not included in the educational work of residential institutions and other places working with vulnerable young people despite the fact that the vulnerable young people have a higher risk of entering into prostitution-like relationships than other young people. It is therefore necessary to enhance staff attention and efforts in this field.

The further training is firstly intended to train staff in reading the signals indicating that the young people are having prostitution-like relationships. Secondly, the staff will be trained in being able to talk with the young people about sex, feelings and the young people's own personal limits. Many of the young people will have experienced transgressions of their personal limits, and it is important to help the young people rebuild these limits.

Psychologist consultations

A pool will be appropriated for psychologist therapy for the vulnerable young people who are or have been heading towards prostitution. Often, the young person's problems will be so massive that professional help from a psychologist is needed to enable the young person to change his pattern of conduct.

117. The recommendations will all be implemented and will primarily be anchored in a national competence centre on prostitution. The national competence centre is to collect and dispose of a variety of expert knowledge and see to the implementation of the recommended activities. The competence centre will be anchored in the Danish Centre for Research on Social Vulnerability (*Vidensog Formidlingscenter for Socialt Udsatte*), which is currently setting up the national competence centre.

Trafficking in children

118. An inter-ministerial working group was set up in 2000 to develop initiatives to combat the trafficking in human beings. In December 2002, the Danish Government presented a three-year action plan for 2003-2006 to combat trafficking in women.

119. An amount of DKK 30 million has been appropriated for implementing the plan. The action plan focuses on:

Victim support; and

Initiatives to prevent trafficking.

120. In addition, as mentioned above in Part IV, the police have focused on trafficking by appointing a contact person in each police district (a total of 54). The police have also engaged a trafficking coordinator, who is in charge of training the contact persons and acts as a contact person between NGOs and the police.

121. The inter-ministerial working group is now working to include measures to protect and support trafficked children in the action plan to combat trafficking in women.

122. The Danish authorities have made an agreement with the NGO "Tjek-punkt" (a street outreach project amongst the disadvantaged youth of Copenhagen) and have established an emergency plan making it possible to accommodate a small number of trafficked children in Copenhagen.

123. In 2004, the Ministry of Integration, the Ministry of Justice and the Ministry of Social Affairs submitted a report on the scope and problems of the trafficking of children to Denmark to the Social Committee of the Danish Parliament. The report is available in Danish at www.fi.dk. In 2003, Save the Children Denmark published the report "Trafficking of children to Denmark". The report is available in Danish at www.redbarnet.dk.

(b)Protection of children and young people in relation to the Internet and new technology

124.The Media Council for Children and Young People in Denmark (*Medierådet for Børn og Unga*) is a state institution under the Ministry of Culture, whose task is to counsel and inform parents and others about the suitability of films and media for children and young people. As part of the EU Safer Internet Action Plan, the Media Council for Children and Young People in Denmark has also worked since 2002 with the protection of children and young people in relation to the Internet and new technology.

125.The Media Council took part in the project “Safety, Awareness, Facts and Tools” (SAFT) from 2002 to 2004 together with Ireland, Iceland, Norway and Sweden. The project was supported by the EU Safer Internet Action Plan, and its purpose was to spread the knowledge of safe use of the Internet to children and young people, parents, teachers and others. The project comprised seven central collaborators in the five countries, including state authorities, NGOs and relevant trade organizations.

126.SAFT comprises a research study and an information campaign. The research study has mapped parents’ knowledge of children’s use of the Internet and has studied children’s use of the Internet.

127.Based on these research studies, information campaigns have been designed to reach children, young people, parents and teachers. The web portal www.medieraadet.dk offers teaching material and good advice to parents, “Safe Surfing - Ten Tips”.

128.Part of SAFT has also been to prevent sexual abuse of children and young people and exploitation of minors. It has been particularly emphasized to teach the children how:

To protect their personal data and avoid disclosing them on the Internet;

To use chat rooms; and

To be critical of sources.

129.Teaching material has been developed with a set of home assignments that children can do together with their parents to start a dialogue in which children and parents can discuss what rules are to apply for the use of the Internet in their home, and what children should do if they experience something unpleasant or something that transgresses their personal limits on the Internet.

130.Since 2004, the Media Council has acted as a knowledge centre with its appointment as “Awareness Node Denmark” under the EU Safer Internet Action Plan. In this connection, the Media Council has entered into a partnership with 18 other countries together forming a European network of knowledge centres on the safe use of the Internet and new technology for children and young people. This network is coordinated by Insafe (see www.safinternet.org). In relation to the SAFT work, the tasks of the Media Council have now developed into focusing on the cooperation with authorities and trade organizations within information technology.

131.The Media Council acts as a knowledge centre for the safe use of the Internet and new technology for children and young people and is responsible for:

Conducting campaigns;

Preparing teaching material;

Carrying out preventive activities;

Organizing the national event for Safer Internet Day, which is part of the awareness campaign under Insafe and has been a worldwide annual event since 2004;

Enhancing the knowledge of parents and teachers on the safe use of the Internet, mobile phones and online computer games;

Cooperating with authorities, children’s and trade organizations, research institutions, educational institutions and NGOs;

Setting up a national network to increase awareness and cooperation between important partners; and

Exchanging and disseminating information at European and international levels through the Insafe network in the form of participation in conferences and training seminars, and issuing newsletters and producing interviews and web articles.

132.The Media Council works closely together with Save the Children Denmark about reporting illegal contents on the Internet with a direct link from the Media Council website and concerning safety in chat rooms, Windows Messenger and mobile phones. As part of the campaign, the Media Council informs about www.sikkerchat.dk, the newly launched website of Save the Children Denmark, which has been specially developed for children in graduated age groups and for adults.

133.Particularly concerning child pornography on the Internet, it has been possible since 1998 to report possible findings of child pornography to Save the Children Denmark’s hotline which, if the material is indeed found to be child pornography, passes on the report to the police. Save the Children Denmark’s hotline also cooperates on an ongoing basis with the IT Investigation Unit under the National Centre of Investigative Support of the National Police and with the Internet industry.

134.Moreover, together with Save the Children Denmark, the Ministry of Education, Discus Communication and Microsoft Denmark, the Media Council has developed an educational presentation for school classes about safety on the Internet. This presentation has reached 200 schools in Denmark. The cooperation was part of a national campaign “Netsafe Now” (*Netsikker Nu*), which was organized by the Ministry of Science, Technology and Innovation and was run on 10 March 2005.

(c)Employment of persons to work with children

135. On 16 June 2005, the Danish Parliament adopted the Bill presented by the Ministry of Culture on Obtaining Criminal Records Disclosures in Connection with Employment of Staff, etc. (*lov om indhentelse af børneattest i forbindelse med ansættelse af personale mv.*) (L157.) The Act entered into force on 1 July 2005.

136. The purpose of the Act is to provide a basis for further strengthening the efforts against sexual abuse of children under the age of 15.

137. The Act has introduced a duty for public administration authorities and for private natural and legal persons to obtain a criminal records disclosure when, for example, day-care institutions, schools, scout or guide groups and sports clubs want to hire staff who will have direct contact with children under the age of 15. According to the current rules, criminal records disclosures may be obtained on a voluntary basis. The criminal records disclosure is requested from the National Commissioner of Police upon prior consent from the relevant person.

138. A criminal records disclosure provides data on decisions (that is, convictions, etc.) about violation of a number of the Criminal Code provisions on sexual offences against children. The criminal records disclosure provides data on the following types of criminal offences:

Incest, sexual intercourse or sexual relations other than sexual intercourse with children under the age of 15;

Dissemination or possession of child pornography; and

Indecent exposure to children under the age of 15.

139. The Act is a framework act, but so that draft executive orders from all seven ministries involved had been appended to the Bill and were finalized in connection with the parliamentary adoption of the Bill on 16 June 2005.

140. Intentional violation of the provisions of the executive orders is punishable by a fine, but not as concerns the violations committed by public administrative authorities.

141. The Ministry of Culture has prepared guidelines for the subsequent handling of criminal records disclosures, including the possibilities of storing and disclosing the personal data of the criminal records disclosures. Two guidelines have been prepared - one for handling satisfactory criminal records disclosures, and one for handling criminal records disclosures that are not satisfactory. It must be ensured that these criminal records disclosures are handled in accordance with the Act on Processing of Personal Data (*persondataloven*) and the Criminal Code. The guidelines will be handed out by the National Commissioner of Police together with the criminal records disclosures once the Act has entered into force on 1 July 2005.

VII. International cooperation and assistance

Police cooperation

142. Trafficking in human beings, including trafficking in children and child prostitution, is also a top-priority field within the international police cooperation, including with Europol and within both the Nordic Police and Customs Cooperation and the Task Force on Organized Crime in the Baltic Sea Region.

143. At Nordic level, closer cooperation between Denmark, Norway and Sweden has thus been planned to discuss working methods and specific investigation opportunities in cases concerning exploitation in connection with prostitution.

144. Europol particularly focuses on the action against sexual exploitation of minors, and in that connection Europol organizes educational seminars to further the efficiency of member States as regards the fight against crime in this field.

145. Within the framework of the Baltic Sea Region cooperation, projects focusing on trafficking in human beings for sexual exploitation purposes are implemented on an ongoing basis.

146. The National Commissioner of Police is part of the close international cooperation to fight Internet crime. As part of this cooperation, initiatives have been taken in a number of countries, including Denmark, to select 24-hour contact points making rapid contact between relevant police authorities possible as part of the investigation of Internet crime and other offences.

147. Particularly in relation to the combat against child pornography, the National Commissioner of Police and a number of foreign partners cooperate very closely.

148. Some implications of this cooperation are that the National Commissioner of Police:

Acts as a national contact point for all inquiries from international partners, including Europol and Interpol;

Receives investigation proposals from foreign partners which are forwarded to the relevant police districts;

Participates in coordinating investigation meetings abroad;

Identifies files containing child pornography and updates and coordinates photo databases;

Carries out coordination with foreign authorities to update hash sets (electronic fingerprints on known child pornography); and

Attends international meetings to establish an international photo database concerning child pornography and to identify victims.

International cooperation in other fields

149. The Government has launched a major action in relation to working up international cooperation.

150. The NGO "The Nest - STOP Trafficking in Women" (*Reden - STOP kvindehandel*), which offers assistance to most trafficked women and children in Denmark, is in contact with about 100 organizations worldwide, but mainly in Eastern Europe. This cooperation has been launched to help the trafficked women to a good rehabilitation result. Some of these organizations now also have experience in rehabilitating children who have been "sold" into a foreign country, and it is expected that the network should also be able to help children and young people who have been trafficked.

151. The Ministry of Social Affairs participates in the child working group of the Baltic Council which has trafficking in children as one of its focus areas. The working group is seeking to coordinate the existing efforts in this field.

International aid

152. The purpose of Danish development aid is poverty reduction. In this way, a large part of the Danish development aid contributes to the elimination of the root causes as stated in article 10 (3) of the Protocol. January 2005 saw the launch of guidelines for children and young people in Danish development aid, which contributes to a more direct focus on children and young people in Danish development aid, particularly within the sectors comprised by the 2015 Targets.

153. In the multilateral work, UNICEF is an important partner for Denmark in the fight to improve children's living conditions. UNICEF bases its work on the United Nations Convention on the Rights of the Child and concentrates its efforts in five main fields: education of girls, early childhood development, immunization, combating HIV/AIDS and protection of children.

154. The Danish aid to ILO has two focus areas - the combat against child labour and support to indigenous peoples. This order of priorities ensures that the aid is focused on the poorest and most vulnerable population groups among both children and adults. The ILO action against child labour, which receives Danish aid, aims at the progressive elimination of child labour with particular focus on the elimination of the worst forms of child labour and the provision of alternatives for children and their families.

155. The Danish bilateral aid funds a number of small projects working for child rights in Asia, Latin America and Africa - some of the project countries being India, Indonesia, Nicaragua, Bolivia, Ghana, Benin and Uganda. Many of the activities in the programme countries contribute directly or indirectly to the implementation of the Protocol.

156. One example is Central America with the educational sector programme in Nicaragua, which includes preventive actions, the support to the ombudsman institutions in Central America, including the special ombudsman for child rights in Nicaragua, the support to IIDH (the Inter-American Human Rights Institute), and the Inter-American System for Human Rights as well as a number of joint donor funds in Nicaragua, Honduras and Guatemala, which provide support for initiatives to strengthen child rights.

157. Another example is a project in Ghana aiming to liberate and rehabilitate child slaves. So far, the programme has established two reception stations and three rehabilitation centres. Health care, therapy and counselling services are attached to the centres.

158. In 2005, a human trafficking programme was launched under the Neighbourhood Programme with the overall aim of supporting national authorities, international organizations and NGOs in Moldova, Ukraine and Belarus to combat human trafficking. This aim will be achieved by strengthening and promoting the judicial system and the prevention of human trafficking and by protecting and helping victims. The programme runs from 2005 to 2007, and the total budget is DKK 26.5 million.

159. The Neighbourhood Programme also provides support for NGO projects focusing on the prevention of trafficking. Subsidies are granted in 2003-2005 through the Danish Red Cross, Danish Doc Production and the International Organization for Migration.

160. Using the new strategy for Denmark's support to the combat against HIV/AIDS in the developing countries from April 2005 as the starting point, Denmark will support orphans and other vulnerable groups of children.

161. NGO projects receiving Danish aid comprise direct support to street child prostitutes and children who have been subjected to sexual abuse and trafficking, including awareness-raising programmes about children's rights, and support for projects intended more generally to improve the living conditions of children through improved educational opportunities and otherwise.

162. The Ministry of Foreign Affairs has concluded a framework agreement with Save the Children Denmark for the years 2003-2005 on implementation of projects intended to improve the conditions and rights of vulnerable children in accordance with the Convention on the Rights of the Child. Other NGO projects receiving Danish aid also have elements of child support. In the period 2003-2005, extraordinary humanitarian contributions were moreover granted to actions also aimed at children in vulnerable situations because of floods, draughts, civil war, etc.

163. Denmark is working to improve children's living conditions in other areas of the foreign policy cooperation as well. Denmark has thus actively promoted the preparation, under the aegis of the OSCE, of an addendum to the OSCE Action Plan to Combat Trafficking in Human Beings (2003), which addresses the special needs of child victims of trafficking for protection and assistance. A formal decision to this effect was taken by the ministers from the 55 States parties at the OSCE Ministerial Council meeting in Sofia in December 2004. This addendum is now being drafted.

VIII. Other international instruments

164. In addition to the Optional Protocol of 25 May 2000 to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, Denmark has ratified the Convention on Cybercrime of the Council of Europe and the United

Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. Moreover, Denmark is a party to the EU Council Framework Decision 2004/68/JHA of 22 December 2003 on combating the sexual exploitation of children and child pornography and the EU Council Framework Decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings.
