

👑 MINISTER FOR

Ligestilling

Folketingets Politisk-Økonomiske Udvalg

Dato: **- 5 OKT. 2006**

Minister for Ligestilling

Holmens Kanal 22
1060 København K

Tlf. 3392 3311
Fax. 3391 3115
E-mail lige@lige.dk

J.nr. 2006-41

Til underretning for Folketingets Politisk-Økonomiske Udvalg fremsendes i 5 eksemplarer de endelige bemærkninger fra FN's Kvindekomite (CEDAW-komiteen). Bemærkningerne indeholder komiteens respons på eksamineringen af Danmarks 6. periodiske rapport om gennemførelsen af FN's konvention til afskaffelse af alle former for diskrimination mod kvinder.

Med venlig hilsen


Eya Kjer Hansen



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
25 August 2006

Original: English

**Committee on the Elimination of Discrimination
against Women**
Thirty-sixth session
7-25 August 2006

**Concluding comments of the Committee on the Elimination
of Discrimination against Women: Denmark**

1. The Committee considered the sixth periodic report of Denmark (CEDAW/C/DEN/6 and Corr.1) at its 741st and 742nd meetings, on 9 August 2006 (CEDAW/C/SR.741 and 742). The Committee's list of issues and questions is contained in CEDAW/C/DEN/Q/6 and the responses of Denmark are contained in CEDAW/C/DEN/Q/6/Add.1.

Introduction

2. The Committee expresses its appreciation to the State party for its sixth periodic report, which follows the Committee's guidelines for the preparation of periodic reports and takes into account the Committee's previous concluding comments. The Committee regrets, however, that the report fails to provide sufficient information on the impact of studies and reports on legislative initiatives and political action.

3. The Committee commends the State party for submitting all its reports under article 18 of the Convention on time and for its dialogue with non-governmental organizations. The Committee also expresses its appreciation for the written replies to the list of issues and questions raised by the pre-session working group and for the oral presentation and clarification in response to questions posed by Committee members.

4. The Committee expresses appreciation for the inclusion of representatives from the Faroe Islands and Greenland in the delegation.

Positive aspects

5. The Committee commends the State party for its two-pronged approach to gender equality work that has included sustained and prioritized efforts at gender mainstreaming, including through the development of tools to assess bills, budgets, campaigns and statistics from a gender perspective, supplemented by special initiatives in key areas of concern to women requiring Government attention.



6. The Committee commends the State party for being among the first countries in the world to elaborate an action plan in 2005 on the implementation of Security Council resolution 1325 (2000) on women and peace and security, with direct relevance to article 3, article 4, paragraph 1, and article 7 of the Convention.

7. The Committee welcomes the code of conduct elaborated in 2004 by the Ministry of Defence, which guides personnel who participate in international operations as to how they should relate to and observe the special rules and customs that apply in the countries concerned.

8. The Committee commends the State party for integrating a gender dimension into its development cooperation programmes and using the Committee's concluding comments in its decision-making processes in this area.

Principal areas of concern and recommendations

9. While recalling the State party's obligation to systematically and continuously implement all the provisions of the Convention, the Committee views the concerns and recommendations identified in the present concluding comments as requiring the State party's priority attention until the submission of the next periodic report. Consequently, the Committee calls upon the State party to focus on those areas in its implementation activities and to report on action taken and results achieved in its next periodic report. It calls on the State party to submit the present concluding comments to all relevant ministries and to Parliament so as to ensure their full implementation.

10. Noting that under home rule Danish legislation on gender equality is not applicable in the Faroe Islands and Greenland and that the Convention's provisions and rights have not been fully incorporated in those territories, the Committee is concerned that the State party has not ensured that the Governments of the two territories enact legal and other measures to fully implement the Convention in a manner consistent with Danish legislation. The Committee regrets that information in the report about the situation of women in the Faroe Islands and Greenland is still too limited.

11. The Committee recommends to the State party that it guarantee uniformity of results in the full implementation of the Convention throughout the entire country, through effective coordination and the establishment of a mechanism to monitor consistent compliance with the provisions of the Convention at all levels. The Committee urges the State party to include detailed information on the implementation of all provisions of and rights under the Convention in the Faroe Islands and Greenland in its next periodic report.

12. The Committee expresses concern that although temporary special measures are provided for in some legislation they are not systematically employed as a method of accelerating the achievement of de facto or substantive equality between women and men in all areas of the Convention.

13. The Committee encourages the State party to employ and effectively implement temporary special measures in accordance with article 4, paragraph 1, of the Convention, and with the Committee's general recommendation 25, in order to accelerate the realization of women's de facto equality with men in all areas. It also recommends that the State party include

in its gender equality legislation provisions to encourage the use of temporary special measures, in both the public and private sectors.

14. While acknowledging women's continued high level of participation in the labour market and measures taken by the State party in support of such participation by enabling both women and men to reconcile work and family life through extended maternity and parental leave schemes, the Committee remains concerned about significant occupational segregation, the persistence of the wage gap, as well as the low representation of women in top management positions and on boards of private companies.

15. **The Committee urges the State party to adopt policies and concrete measures to accelerate the eradication of employment discrimination against women and to work towards ensuring de facto equal opportunities at all levels for women and men in the labour market, to monitor trends and take necessary corrective steps. The Committee also urges the State party to increase incentives for men to use their right to parental leave. The Committee further urges the State party to ensure that job evaluation systems based on gender-sensitive criteria be developed with the aim of closing the existing wage gap between women and men. It also requests that the State party monitor any developments with regard to women's participation in top management positions with a view to further supporting such participation through legislative or policy initiatives.**

16. While commending the State party for having continued to achieve strong representation of women in decision-making in the Danish Parliament, the Committee expresses concern that women's representation remains significantly lower at the local level. The Committee is also concerned by the low participation of women in political decision-making positions in the Faroe Islands.

17. **The Committee urges the State party to take measures to increase the representation of women in decision-making positions throughout the entire country, including in the municipalities and counties, through awareness-raising campaigns targeted at women and men and the use of temporary special measures. It also recommends that such measures be regularly monitored and evaluated and effective corrective measures taken.**

18. The Committee remains concerned at the low number of women in academia, as professors, senior lecturers and researchers.

19. **The Committee urges the State party to adopt policies to increase the number of women in academia and to encourage and monitor the implementation of the recommendations of the think tank "All talents in use — more women in research", which are directed both at universities and politicians.**

20. While commending the State party for the scope of its efforts to eliminate violence against women since the submission of its last periodic report, including the adoption of two national action plans, introducing increasing penalties for rape, amending the Criminal Code concerning female genital mutilation so that Danish nationals and residents of Denmark who perform or assist in performing female genital mutilation abroad can be brought to justice and the passage of an act that introduces the option of removing a violent spouse or partner from the home, the Committee is concerned about the extent of violence against women and girls.

21. The Committee calls upon the State party to continue to address the issue of violence against women as an infringement of their human rights. In particular, the Committee urges the State party to take substantial and sustained measures to allocate sufficient financial resources, including for sufficient numbers of shelters for women victims of violence, to undertake research on all forms of violence against women and to implement policies in accordance with the Committee's general recommendation 19, in order to prevent such violence, provide protection, support and services to the victims and punish and rehabilitate offenders.

22. While commending the State party for ratifying the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and the many other measures taken to address the issue of trafficking in women, including through the implementation of an action plan and international cooperation, the Committee continues to be concerned about the trafficking of women and girls into Denmark. It is concerned that insufficient data on the prevalence of trafficked women and girls was provided to the Committee. It is also concerned about the vulnerability of trafficked women, who after a so-called "reflection period" that has been prolonged to 30 days, are deported to their countries of origin unless an exception is made. The Committee is concerned that this period of time is insufficient for the women victims to recover from their ordeal and prepare for re-entry to their countries of origin.

23. The Committee requests the State party to intensify its efforts to combat trafficking in women, including measures to prevent trafficking, minimize the demand for prostitution, improve the collection of data and services for trafficked women and to penalize those who facilitate such trafficking. The Committee further requests the State party to consider further prolonging the above-mentioned "reflection period" for trafficked women to remain in Denmark.

24. The Committee regrets the very limited data with regard to the exploitation of prostitution. It is particularly concerned by the absence of information on efforts to prevent women from entering into prostitution, address the demand for prostitution and support women who wish to discontinue their lives in prostitution.

25. The Committee urges the State party to include in its statistical material sex-disaggregated data and information on the exploitation of prostitution, and to include that data and information in its next periodic report. The Committee also urges the State party to increase the attention that it gives to the exploitation of prostitution and to formulate strategies and programmes to discourage the demand for prostitution, prevent women from entering prostitution and establish programmes of rehabilitation and support for women and girls who wish to discontinue their lives in prostitution.

26. While noting the measures taken with the aim of enhancing integration of minority women into Danish society and the labour market as well as combating violence perpetrated against them, such as special adult education courses in Danish with gender equality as a theme, a 24-hour hotline that offers interpretation services, an information campaign focusing on women's rights in relation to children and divorce, violence and financial conditions, and the establishment of networks, the Committee continues to be concerned about the human rights situation of those

women with respect to access to education, employment and health care and exposure to violence. The Committee is also concerned by the fact that most women who are HIV-positive are foreign-born minority women.

27. The Committee urges the State party to intensify its efforts to eliminate discrimination against minority women. It encourages the State party to be proactive in its measures to prevent discrimination against those women, both within their communities and in society at large, to combat violence against them, and to increase their awareness of the availability of social services and legal remedies as well as to familiarize them with their rights to gender equality and non-discrimination. The Committee recommends that foreign women's health needs, in particular as regards information on preventing and addressing HIV infection, be fully addressed. The Committee also urges the State party to conduct regular and comprehensive studies on discrimination against minority women and to collect statistics on their situation in employment, education and health and on all forms of violence that they may experience and submit such information in its next periodic report.

28. The Committee continues to be concerned by the situation of foreign married women with temporary residence permits issued on the grounds of marriage and who risk expulsion if they leave the marital home because of spousal violence. The Committee is concerned at the difficulties that such women face in meeting the criteria for obtaining residency in their own right, and that their fear of expulsion is a deterrent to their seeking assistance or taking steps to seek separation or divorce.

29. The Committee recommends that the State party review its administrative practice without delay and reconsider the residency requirements for foreign married women who have been exposed to spousal violence.

30. While noting the State party's action plan to counter forced marriages and arranged marriages launched in 2003 with initiatives that include dialogue and cooperation, counselling and research, the Committee is concerned by the consequences the legislation that increased the minimum age requirement from 18 to 24 years of age for spousal reunification may have for women. The Committee notes the absence of statistics on the incidence of forced marriage.

31. The Committee recommends that the State party undertake an assessment of the consequences on women of the increase in the age limit for family reunification with spouses, and to continue to explore other ways of combating forced marriages.

32. The Committee urges the State party to utilize fully, in its implementation of its obligations under the Convention, the Beijing Declaration and Platform for Action, which reinforce the provisions of the Convention, and requests the State party to include information thereon in its next periodic report.

33. The Committee also emphasizes that full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. It calls for the integration of a gender perspective and explicit reflection of the provisions of the Convention in all efforts aimed at the achievement of the Millennium Development Goals and requests the State party to include information thereon in its next periodic report.

34. The Committee notes that States' adherence to the seven major international human rights instruments¹ enhances the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. Therefore, the Committee encourages the State party to consider ratifying the treaty to which it is not yet a party, namely, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

35. The Committee requests the wide dissemination in Denmark, including the Faroe Islands and Greenland, of the present concluding comments in order to make the people, including government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure de jure and de facto equality of women, as well as the further steps that are required in that regard. The Committee requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Convention, its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".

36. The Committee requests the State party to respond to the concerns expressed in the present concluding comments in its next periodic report under article 18 of the Convention, which is due in May 2008.

¹ The International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.