

**Seventh Periodic Report  
by the Government of Denmark  
on  
Implementation of the Convention on the Elimination of All  
Forms of Discrimination against Women**

**May 2008**

**Ministry of Foreign Affairs and Department of Gender Equality**

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## *Introduction*

The Convention on the Elimination of All Forms of Discrimination against Women adopted by the United Nations General Assembly on December 18, 1979, entered into force in Denmark on May 21, 1983. The responsibility for the implementation of the obligations expressed in the articles of the Convention rests with the government, but could not be accounted for without the participation of institutions, organisations, groups and individuals engaged in the field of gender equality.

According to the rules, Denmark submitted its first report for consideration by the Committee on the Elimination of Discrimination against Women (CEDAW) in 1984. The second periodic CEDAW report on the implementation of the Convention was submitted in 1988, the third in early 1993 (CEDAW/C/DEN/3), the fourth in February 1997 (CEDAW/C/DEN/4) and the fifth in July 2000 (CEDAW/C/DEN/5). An addendum to the fifth periodic report was submitted in October 2001 (CEDAW/C/DEN/5/Add.1). The sixth periodic report was considered by the Committee at its 741 meeting on 9 August 2006 (CEDAW/C/DEN/6, CEDAW/DEN/Q6 and CEDAW/C/DEN/Q/6/add.1). Developments described in the summary record of the meeting are not repeated in the present report. The concerns and recommendations of the Committee are addressed.

The seventh periodic report has been structured according to the “Compilation of Guidelines on the Form and Content of Reports to be submitted by States Parties to the International Human Rights Treaties – Addendum”. (HRI/GEN/2/rev.1/Add.2).

The treaty-specific reporting guidelines - to be applied in conjunction with the harmonized reporting guidelines on a common core document (HRI/GEN/2/rev.4) - unfortunately were under revision, when drafting of this report was initiated and could not be followed. It's accordingly regretted that this report has used old guidelines and is in one part only.

Each chapter corresponds to the different parts of the Convention, and as has been the normal procedure, Danish NGOs were invited to comment on the report. These comments are to be found at the end of the report, as the NGOs have specifically requested that their reports be forwarded to the commission attached to the main report.

### Greenland and the Faroe Islands

As parts of the Kingdom of Denmark Greenland and the Faroe Islands are self-governing territories.

The Greenland Home Rule was established in 1979 and consists of an elected assembly, the Greenland Parliament (Landstinget), and an executive, the Government of Greenland (Landsstyret).

The Faroe Islands Home Rule was established in 1948 and consists of an elected assembly, the Faroe Islands Parliament (Løgtingið), and an executive, the Government of the Faroes (Landsstýrið).

When an area of jurisdiction is governed by the Greenlandic or Faroese authorities, legislative and administrative power in this area rests with the Government in question. Both the Greenlandic and Faroese Governments have taken over responsibility with respect to gender equality and the area is regulated by Home Rule legislation.

Consequently, the sections in this report pertaining to Greenland and the Faroe Islands have been prepared by the Greenlandic and the Faroese authorities and are to be found in Appendix A1 and Appendix B1 respectively.

The Greenland Home Rule Arrangement is more thoroughly described by the Danish and the Greenlandic Governments in Appendix A2. The Faroe Islands Home Rule arrangement is more thoroughly described by the Danish Government in B2. Appendix B3 is a political and legal declaration by the Government of the Faroes.

## Summary of conclusions and initiatives

It is the unwavering policy of the Danish Government to ensure gender equality, to provide equal opportunities for women and men. Gender equality is one of the key values in a true democracy and a prerequisite for a sustainable, democratic society capable of enabling human dignity and freedom of the individual.

In Denmark women and men are seen as equals, and the Government strives to break down any barriers to genuine gender equality.

Denmark can boast of high participation and employment rates, in particular for women, measured by EU standards. Women constitute 47.5 per cent of the entire workforce, and Danish women have the highest employment rate among European women at 73.4 per cent. The gender equality policy in the employment field is based on this fact and is, in particular, targeted on dismantling a gender segregated labour market, reducing still existing gender pay gaps and reconciling work and family life. Gender mainstreaming is the general principle used in this connection.

Since Denmark submitted the sixth periodic report in 2004, work has been in progress to strengthen the implementation of the gender mainstreaming strategy, and a number of initiatives to further promote and ensure gender equality are implemented:

- Intensified efforts regarding information on gender equality and equal rights;
- National action plan to combat men's domestic violence against women and children 2005-2008. The 2007 survey showed a decrease in women subjected to domestic violence from 42,000 (figures from 2000) to 28,000 (figures from 2005);
- Amendment to the Act on Gender Equality (May 2006) extending provisions for an equal gender composition on councils, boards and committees set by a minister;
- Executive Order, (April 2007) allowing for targeting pilot and development initiatives at one of the genders to attract underrepresented gender;
- National action plan "Employment, Participation and Equal Opportunities for All";
- Efforts to combat violence, fight trafficking and promote management – i.a. through a national action plan to fight human trafficking and amendments to the Aliens Act giving rise to amongst others an extended "reflection period" and offer of a prepared repatriation.
- National action plan for inter-ministeriel gender mainstreaming project 2007-2011;
- Initiative to recruit women for the Armed Forces;
- Programme for the benefit of training younger female researchers in research management;
- A new discussion magazine for ways to break the cycle of violence among the very young;
- Focus on honour related conflicts and continued efforts to prevent forced marriages, including initiatives such as hotlines, information campaigns and shelters for escapees;
- Focus on gender roles in kindergardens;
- Disease prevention and health promotion targeting ethnic minorities, including women.

## ***Chapter 1: The Framework for Working towards Equality***

### **Article 1: Foundation**

Gender equality is a pivotal element of Denmark's democracy and a basic principle of Danish politics. It is an element based on respect for human rights and on fundamental freedoms in all areas of society - in political, economic, social, cultural and civil spheres of life.

Denmark aims at securing de jure as well as de facto gender equality for women and men. Women and men have the same rights, obligations and opportunities in all fields of society. This is clearly stated in section 1 of the Danish Act on Gender Equality, which reads that "The purpose of this Act is to promote gender equality, including equal integration, equal influence and equal opportunities in all functions in society on the basis of women's and men's equal status." The purpose of the Act is also to counteract direct and indirect discrimination on the ground of gender and to counteract sexual harassment.

Since Denmark submitted the sixth periodic report in 2004, work has been in progress to strengthen the implementation of the gender mainstreaming strategy. In this connection, focus has been placed on measuring and monitoring developments in the gender equality area, for details see Article 5, and since 2007 efforts regarding information on gender equality and equal rights have been intensified.

The national focus of the equal gender work reflects the international commitments that Denmark has assumed in connection with the ratification of the CEDAW Convention as well as other UN documents, such as the Beijing Platform for Action.

### **Article 2: Constitution and Legislation**

The Danish constitution is codified in the Constitutional Act of the Kingdom of Denmark of June 1953. The Danish Constitutional Act contains no special provisions on gender equality between women and men.

Gender equality between women and men is a general principle and objective of Danish policy. Since 1976, changing governments have continuously worked to review and improve the quality of legislation and other legally binding rules to achieve legal gender equality between women and men.

Today, women and men in Denmark share the same formal rights, obligations and opportunities in society.

The Danish Constitutional Act and the acts on gender equality are binding on both the public and the private sectors to ensure that gender equality is respected.

Denmark's main acts on gender equality are:

- Act on Equal Pay (Consolidation Act No. 906 of 27 August 2006);
- Equal Treatment Act (Consolidation Act no. 734 of 28 June 2006);
- Act on Gender Equality (Consolidation Act no. 553 of 2 July 2002 as amended by Act no. 574 of 24 June 2005, Act no. 452 of 22 May 2006 and Act no. 434 of 11 May 2007);
- Act on Equal Treatment of Women and Men in the Occupational Social Security Schemes (Act no. 134 of 25 February 1998).

The Equal Treatment Acts contain a range of common elements:

- Definition of direct and indirect discrimination, including provisions on harassment and sexual harassment;
- Exceptions for cases where otherwise illegal criteria are actual occupational qualifications, i.e. crucial for performing the work;
- Access to temporary special measures;
- Shared burden of proof;
- Victimisation rules, i.e. provisions protecting a person who demands his or her rights against being adversely treated for that reason;
- Compensation provisions.

In May 2006, the Folketing (Danish Parliament) adopted an amendment to the Act on Gender Equality. By this amendment the provisions on an equal gender composition on councils, boards and committees etc. set up by a minister are extended so that also municipalities and regions are required to ensure that equal numbers of women and men are nominated for positions on councils, boards and committees etc. The Act came into force immediately after having been passed.

In 2007, Executive Order on initiatives to promote gender equality (*Executive Order no. 340 of 10 April 2007*) took effect. The Executive Order makes it possible to target pilot and development initiatives at one of the genders for a period of up to two years in order to attract the under-represented gender. The Executive Order is directed at state and local government authorities.

In addition to the above-mentioned legislation, Danish law applies an unwritten, but legally binding, administrative equality principle prohibiting unequal treatment because of gender, ethnic origin, etc. This principle is binding on public employers, public employment services and all other public bodies.

As mentioned in Denmark's 6th periodic report to the Committee, the Government in 2003 published a manual on how to use UN procedures, including the possibility to bring individual complaints under the CEDAW Convention. The manual has been updated in 2008. The manual includes practical information as well as the full texts of the four UN human rights Conventions which at present allow for individual complaints to be considered, including the CEDAW Convention.



### **Article 3: National Policy. Basic Human Rights and Fundamental Freedoms**

Public authorities in Denmark are under an obligation to seek to promote gender equality in their work. Since 2000, it has been stipulated in section 4 of the Act on Gender Equality that “Public authorities shall within their respective areas of responsibility seek to promote gender equality and incorporate gender equality in all planning and administration”. For details see Art. 5 on the implementation of the mainstreaming strategy. The mainstreaming work is supplemented by special efforts in areas where there are specific gender equality problems.

In order to follow up on how work is progressing on the promotion of gender equality, all public authorities and municipalities are required to draw up a report on gender equality every two years (the most recent reports were submitted in 2007). This obligation appears from sections 5 and 5a of the Act on Gender Equality. The reports must be submitted to the Minister for Gender Equality, who will review the information and publish the results on a website [www.ligestillingidanmark.dk](http://www.ligestillingidanmark.dk).

The objective of the gender equality reports is to achieve an overview and transparency with regard to public sector gender equality efforts and to provide citizens with an insight into the gender equality situation in municipalities and regions. The reports will be analysed and ranked into three main categories: good, mediocre and poor. The state sector and the municipalities will be benchmarked against each other, and the results published on the website [www.ligestillingidanmark.dk](http://www.ligestillingidanmark.dk).

In addition to general mainstreaming efforts, the Minister for Gender Equality focuses on special action areas. See for example efforts to combat violence against women under Art. 12, measures to fight trafficking of women under Art. 6 and initiatives to promote women in management under Art. 11.

Since the Minister for Gender Equality submitted the sixth periodic report, focus has also been placed on children and young people and on gender equality among ethnic minorities.

#### ***Gender roles in kindergartens***

The Minister for Gender Equality has launched a project that focuses on ways to get girls and boys in kindergartens to play and learn about gender roles.

On the basis of a survey on the expectations with which social educators encounter girls and boys, and on the ways in which girls and boys play in kindergartens, an inspirational guide has been drawn for the social educators with good advice on how they, to a greater extent, can incorporate a gender and equality aspect into their educational work.

Moreover, a children’s book has been produced, which can be used in kindergartens to start a discussion with the children about their expectations of how girls and boys should behave.

In 2008, the guide and the children's book have been distributed to every kindergarten in the country as well as to organisations, professional journals and others involved with young children. In connection with the publication of the material, there was a comprehensive debate in the national media on gender roles among young children.

The effect of the material and the use of both the guide and the children's book in kindergartens will be assessed after one year (at the beginning of 2009).

### ***Young people's choice of education and job***

In Denmark, the proportion of girls and boys taking a long-cycle higher education is equally large, and the trend is that girls enter the educational system to a higher degree than boys. Girls' and boys' choice of education is, however, highly gender segregated.

Therefore, in 2006 the Minister for Gender Equality set up a website [www.lige-frem.dk](http://www.lige-frem.dk) for the purpose of drawing attention to gender-based educational choices, which would enable young people to focus to a greater extent on their competencies than on their gender when choosing education and job. The website is targeted at parents, career guides and the young. It contains examples of young people who have chosen an untraditional career, quizzes, power point presentations for parent-teacher meetings, theme days at school, etc. The website is updated on an ongoing basis, and it receives approximately 10,000 visits a year on average out of a target group of approximately 70,000. The Department of Gender Equality has distributed material to draw attention to the website in 2007 and 2008.

### ***Youth and modern gender roles***

Surveys show that girls and boys, in spite of having the same opportunities with regard to school, leisure activities, choice of education, etc. choose different sports activities, eat differently, have different opinions of their own body, and have different substance abuse patterns.

The Minister for Gender Equality has placed focus on girls and boys with respect to:

- Self image, including well-being and the pornofication of mass culture (2005),
- Violence – among young people and within the family (2004),
- Dietary habits, leisure activities, including sport and exercise, alcohol, smoking and other substance abuse (2003).

Against the background of qualitative and quantitative surveys, a teacher's guide and a discussion magazine have been drawn up for each action area and distributed to every school in the country. The effect of the above-mentioned surveys has not been measured, but demand for and use of the material has been comprehensive, and feed-back from teachers has very clearly demonstrated a need for material that is targeted at the young in these fields.

Especially the material on the pornofication of the public sphere as well as violence among the young and within the family have been much in demand because teachers have had problems in

addressing these difficult subjects. As a follow-up on this, a new survey has been conducted, which focuses specifically on violence between dating adolescents. On the basis of this, the Minister for Gender Equality will in the course of 2008 prepare a new discussion magazine for ways in which to break the cycle of violence among the very young.

### ***Gender equality among ethnic minorities***

The overall target for the action launched by the Minister for Gender Equality within this area is to ensure gender equality for women and men, boys and girls with a non-Danish ethnic background, as well as to ensure a targeted integration effort by including the gender perspective.

In order to reach this goal, the action contains three strategies under the heading, *Gender equality, participation and respect*:

In January 2005, the Minister for Gender Equality had a report prepared called “Gender, Ethnicity and Barriers to Integration”. The report places focus on barriers to integration with regard to education, work and association activities among women and men with a non-Danish ethnic cultural background. According to existing research, there are many indications that men encounter the greatest barriers in the educational system, whereas women encounter the greatest barriers on the labour market and with regard to association activities, among other things due to their family situation.

The action plan “Employment, Participation and Equal Opportunities for All” – the Danish Government’s action plan for dismantling gender-based barriers to education, work and association activities among women and men with a non-Danish ethnic background of January 2006 contains more than 50 different initiatives that place focus on the three areas mentioned above as well as on the theme of gender roles and prejudices. The action plan was drawn up in collaboration between the Ministry of Education, the Ministry of Employment, the Ministry of Social Welfare and the Ministry of Refugee, Immigration and Integration Affairs.

Through the rate adjustment pool (satspulje), a total of DKK 12 million has been allocated for the period 2006-2009 to implement the initiatives of the action plan. Moreover, some of the initiatives will be financed in other ways through for example pools, operating and development funds in various ministries, which means that, altogether, the action plan contains initiatives amounting to more than DKK 60 million.

In connection with the initiatives from the Minister for Gender Equality, target descriptions and documentation requirements have been drawn up. This applies to how many persons are to participate in the specific projects, how long the projects are to run, and what benefits are expected to be gained in order for the specific project to be regarded as having reached its goal.

For example, it is stated in relation to a discussion series for ethnic minority men that “indicators are to be set up for the purpose of questionnaires in order to monitor a change of attitude and conduct among the participants in a discussion series regarding gender equality, and regarding their attitude to the upbringing of girls and boys.” The questionnaires will be processed subsequently.

In a mentor project, success criteria have been established regarding the numbers of participants in a specific number of municipalities that with respect to one or more family members change their approach to participating in associations, or to a varying degree change their approach to the extent to which the associations they are represented on should launch local individual initiatives to attract and retain new Danes.

All activities from the Department of Gender Equality are presented under one common campaign “Why not?” with its own website [www.hvorfor-ikke.dk](http://www.hvorfor-ikke.dk), which contains among other things a special song “Follow me” and a film showing role models.

The activities include, among others:

- Rights and opportunities in Denmark – a rights campaign targeted in particular at ethnic minority women attending language schools for the purpose of contributing to informing especially ethnic women of their rights in relation to gender equality, family life and finances. The campaign ran in 2005-2006 and has been evaluated,
- The leaflet “Family, Gender and Rights in Denmark” is available in eight languages. It was published in 2006,
- A discussion series with men as role models, the upbringing of children and gender equality targeted at ethnic minority men attending language schools. The discussion series ran in 2006-2008,
- “Why not?” A campaign package containing four films with role models, a CD with a song and a leaflet on rights, etc. It was distributed to more than a thousand recipients in 2007,
- Mentor families in business life, pilot projects in three selected municipalities with Danish and ethnic minority families who are to get together and discuss family life and association activities. The project started in 2007,
- Research on gender identity among ethnic minority men, published in December 2007,
- A report on educational patterns among Danish men with another ethnic background. Published in February 2007.

## **Article 4: Equality Bodies and Special Measures**

### ***The Minister for Gender Equality***

Work undertaken in the state sector to promote equality between women and men is the responsibility of the Minister for Gender Equality. The position as Minister for Gender Equality is a dual ministerial office and the present Minister for Gender Equality is also in charge of the office of Minister for Social Welfare.

The Minister for Gender Equality coordinates the Government’s work on gender equality between women and men.

The individual responsible ministers are in charge of gender equality within their own remits, both with regard to special initiatives and general initiatives. By virtue of the action plan for mainstreaming, all ministries formulated gender equality policy goals within their own areas of responsibility in 2007. Consequently, to put it popularly, there is not just one Minister for Gender Equality, there are a total of 19.

The tasks of the Minister for Gender Equality are among others to:

- Develop the Government's gender equality policy,
- Place focus on special action areas,
- Coordinate the gender equality efforts in the Government and implement the gender mainstreaming strategy,
- Perform national tasks in relation to the EU, the Nordic countries, the UN and the Council of Europe,
- Perform international tasks in relation to the Nordic countries, the EU and the UN,
- Draw up an annual report and a perspective and action plan for gender equality for the Folketing,
- Collect gender equality reports from state institutions and the municipalities,
- Represent gender equality views on relevant committees,
- Administer the Act on Gender Equality and monitor gender composition on councils, boards and committees,
- Appoint members for the Gender Equality Board and the International Gender Equality Committee.

### ***The Department of Gender Equality***

The Department of Gender Equality performs the function of secretariat to the Minister for Gender Equality. The Department has a staff of 18. In addition to servicing the Minister, the Department of Gender Equality performs the tasks which the Minister is obliged to attend to under the Act on Gender Equality, including to:

- Launch special gender equality initiatives,
- Coordinate and develop inter-ministerial gender mainstreaming work,
- Draw up proposals for the annual report on gender equality and the perspective and action plan for the Folketing. This sets out the Government's gender equality policy for the past year and for the year ahead,
- Provide information about the Act, in the form of general guides and in the form of specific advice to ministries, etc.,
- To monitor and provide guidance regarding the gender composition on councils, boards and committees where there ought to be an equal gender distribution, and every third year to receive the other ministers' reports on gender distribution on specific state-sector boards,
- Collect the gender equality reports that all ministries are required to draw up every two years,
- Collect gender equality reports every second year from municipalities and the state sector – all reports are now submitted online,

- Provide secretarial assistance for current inter-ministerial working groups,
- Provide secretarial assistance for the Gender Equality Board.

In addition, at the level of government officials, the Department of Gender Equality monitors the international gender equality work in the Nordic countries, the EU, the Council of Europe and the UN, including participation in meetings, working groups and conferences.

Funding for the operation of the Department of Gender Equality is allocated in the Finance and Appropriation Act. In 2007, a total of DKK 14.4 million was allocated. Furthermore, the Department of Gender Equality administers funds allocated for the action plan to combat trafficking in women 2007-2011 (DKK 80 million) and for the action plan to combat men's domestic violence against women and children 2005-2008 (DKK 60 million), as well as DKK 12 million allocated to promote gender equality between women and men with a non-Danish ethnic background covering the period 2006-2009. Most recently, another DKK 7 million has been allocated for the period 2008-2009 with a view to a rights campaign and a survey for the dismantling of gender-based barriers among ethnic minorities.

### ***The Gender Equality Board***

The Gender Equality Board consists of a chairperson, who is a judge, and two other members who must be attorneys with expertise in the areas of gender equality and labour market relations, respectively.

The Board handles actual complaints about discriminatory treatment of women and men. Any citizen can appeal to the Board, and the intention is to allow the citizen easier access, free of charge, to obtain decisions on complaints concerning gender discrimination. If an employee is a member of a trade union and a collective agreement covers the subject-matter of the complaint, the complainant must first approach her or his trade union. If the trade union cannot or will not submit the matter to arbitration or to the Labour Court, the Board holds the competence to handle the case.

A citizen has access to complain about discrimination in the labour market, within public administration or in connection with business and general activities, i.e. the educational, health and social sectors, private companies and the financial sector.

The decisions of the Board are binding and administratively final, and the Board is empowered to award compensation to the complainant if the Act on Gender Equality has been violated. In very special cases, the Board can overrule a dismissal unless the working relationship is regarded as irreparably damaged.

About 50 per cent of the Board's cases represent complaints from women who are not union members and who were dismissed while pregnant or on maternity leave. The other 50 per cent of the cases deal with infringements of the Act on Gender Equality or infringements of other legislation. In recent years, men account for half of the complaints.

In 2007, the Government presented a Parliamentary Bill on the establishment of a new general complaints board to consider complaints regarding discrimination based on gender, race, colour of the skin, religion or faith, age, disability or national, social or ethnic origin, political views or sexual orientation. With the set up of the new complaints board on 1 January 2009, the Gender Equality Board will be closed down. The new board will include a chairman and two deputy chairmen who are judges as well as nine other members, who must be attorneys and who are to be appointed by the Minister for Employment subject to recommendation by the Minister for Gender Equality and the Minister for Refugee, Immigration and Integration Affairs. The nine members must have an expert knowledge of the gender equality legislation, the legislation on equal treatment of all irrespective of race or ethnic origin, or the legislation on the prohibition of discrimination in the labour market, as well as knowledge of the conditions on the labour market, and they must be independent of the nominating authority.

### ***Other actors***

In addition to ministries and municipalities, a great number of other institutions and actors are involved in gender equality in a professional manner and contribute to enhancing the national debate.

### ***The International Gender Equality Committee***

The Government's committee for international cooperation on gender equality between women and men (International Gender Equality Committee) was established by the Prime Minister in 1987.

The Committee consists of a chairman, who is appointed by the Minister for Gender Equality and representatives of the political parties in the Folketing, relevant ministries (Ministry of Employment, Ministry of Foreign Affairs and the Department of Gender Equality), as well as NGO representatives (Danish Women's Society, Women and Development, Women's Council in Denmark, UNIFEM Denmark).

The Committee is a coordination forum which since its establishment has dealt with most aspects of the international gender equality work that takes place in the UN, the Nordic countries, the EU and the Council of Europe.

### ***Women's studies and gender studies***

Over the last 35 years, gender studies at Danish universities have developed into a dynamic research discipline. Gender studies are an umbrella term for gender equality research, women's studies, feminist studies, men's and masculinity studies and queer studies. More than 300 researchers in Denmark are involved in gender studies.

University of Copenhagen houses the Co-ordination for Gender Studies, which among other things functions as a unifying factor in relation to research environments, individual researchers and in terms of recruiting new researchers to the field.

### ***Denmark's Centre for Information on Women and Gender (KVINFO)***

KVINFO is a nationwide information, documentation and cultural centre, which communicates the findings of women's studies and gender studies to a broadly interested general public.

KVINFO communicates knowledge of the significance of gender differences and strives to make women's knowledge, experience and expertise visible. The core of the centre's activities is the library which has the status of a research library.

Furthermore, KVINFO has set up an expert database containing the CVs of more than 1100 women experts. The database is a tool to find highly qualified women in Denmark within all the knowledge areas of society. The expert database is free of charge and accessible through the website of KVINFO.

Together with the Confederation of Danish Industries (DI), KVINFO has developed a database "Women on Board" containing the names of qualified women candidates for directorships. All business women in Women on Board have been approved by an advisory board, composed of experienced business managers. Enterprises that are members of DI can search the database free of charge.

As an independent institution under the Ministry of Culture with its own bye-laws and own board, KVINFO's operating allocation amounts to approximately DKK 6 million a year.

For the financing of KVINFO's mentor network for women with an immigrant/refugee background, KVINFO received DKK 8 million for a four-year period 2003-2006 from the Ministry of Refugee, Immigration and Integration Affairs.

As part of the Partnership for Progress and Reform and the programme Dialogue and Cooperation on Women's Rights in the Arab Region, KVINFO administers a pool of money from where Danish NGOs and other sections of Danish civil society can apply for support for partnership projects in the Middle East and North Africa. The funding for Dialogue and Cooperation on Women's Rights runs until July 2009 with a budget of DKK 3.8 million.

### ***NGOs***

Denmark has a long history of non-governmental organisations (NGOs) taking active part in the work to promote gender equality between women and men. Especially Danish Women's Society and Women's Council in Denmark, which is an umbrella organisation for 46 women's societies and organisations with a total of more than one million members, strive to ensure women's rights and influence everywhere in society. The Minister for Gender Equality supports the activities of the Women's Council in Denmark with an annual allocation of DKK 1.2 million out of an annual budget of DKK 14.4 million.



The primary function of the above-mentioned NGOs is to act as a watchdog vis-à-vis public initiatives and policies, as well as to participate actively in the public debate in order to promote gender equality between women and men, which also involves disseminating knowledge about the CEDAW Convention.

One of the strengths of official Danish gender equality work is that it, to a very high degree, takes place in close cooperation and dialogue with NGOs and experts in the field. NGOs and experts are often consultation parties regarding new initiatives from the Government. In this connection, attention should be drawn especially to the Government's initiatives to combat violence against women and trafficking in women. The implementation of the projects under the national action plans with a view to fighting these problems is achieved to a very great extent by the NGOs and experts.

Every three months, the Department of Gender Equality holds meetings with a number of women's organisations, the National Organisation of Shelters for Battered Women and Children (LOKK) and Reden ("The Nest", which is a drop-in, counselling and treatment centre for women in the environment of prostitution).

The NGOs participate in the official Danish delegations to UN conferences and meetings, and they take part in major conferences and meetings under the auspices of the EU and the Nordic countries.

### ***Special measures***

The possibility of applying temporary special measures is laid down in Danish law.

Section 3 of Consolidation Act on Gender Equality no. 1095 of 19 September 2007 describes the possibility to depart from the general prohibition of discrimination in favour of gender equality promoting initiatives outside the labour market. In the sphere of the labour market, this is authorised by section 13 of the Equal Treatment Act.

Under section 3 (1) of the Act on Gender Equality, a minister may within his or her area of responsibility permit measures for the promotion of gender equality aiming at preventing or compensating for unequal treatment on the ground of gender.

Under subsection 2, the Minister for Gender Equality is authorised to lay down overall rules for when temporary special measures to promote gender equality may be taken without prior dispensation from the responsible ministers.

Through Executive Order no. 233 of 29 March 2004 with the latest amendment of 10 April 2007 – when the Executive Order was made permanent – the Minister for Gender Equality has made use of this possibility.

Executive Order on initiatives to promote gender equality (*Executive Order no. 340 of 10 April 2007*) makes it possible to target pilot and development initiatives at one of the genders for a

period of up to two years in order to attract the under-represented gender. The Executive Order is directed at state and local government authorities.

It is a precondition for launching initiatives under the Executive Order that one of the genders is represented by 25 per cent or less in the area, and that the under-represented gender does not have a preferential position in connection with employment or admission to a competence-providing education. It is also possible to establish course or educational activity of up to six months' duration for one of the genders provided the objective is to promote gender equality between women and men or promote women's and men's equal access to employment, education and management.

The initiatives must be reported to the Department of Gender Equality in connection with the submission of state and local authorities' gender equality reports.

The rules have been applied, for example, in connection with the set up of junior social educator positions targeted at adolescent boys, and in a so-called postdoc programme at the Faculty of Science, University of Copenhagen, with a view to recruiting more women researchers. It is a matter of a small number of two-year research positions which the under-represented gender (in this case women) can apply for.

In accordance with the Executive Order, it is also possible to depart from the general prohibition of advertising for women or men in job advertisements in order to call on men or women respectively to apply for a specific position. They will, however, have no preferential right, and all applicants – irrespective of gender – must be considered in connection with the decision on who is to have the position.

The Executive Order implies less bureaucracy with fewer consultations, which means that the possibility of implementing special measures is facilitated compared with the existing rules.

The Department of Gender Equality has published a guide on the Executive Order, which explains with good examples how individual provisions may be used.

The Executive Order has been used in several cases submitted to the Gender Equality Board. In one case, a municipality's decision to extend the weekly opening hours by one hour for women only in a public swimming bath was challenged. The Gender Equality Board gave the municipality permission to reserve time in the swimming bath for women only under section 6 of the Executive Order.

## **Article 5: Priorities. Sex Role Stereotyping and Prejudice**

In the period 2004-2008, the overall priority for the national gender equality work in all ministries has been the implementation of the gender mainstreaming strategy, in accordance with the recommendations laid down in the final document from the UN Fourth World

Conference on Women in Beijing 1995 “Platform for Action” as well as the final document from the 23rd Special Session of the UN General Assembly “Women 2000: Gender Equality, Development and Peace for the Twenty-First Century”, known as Beijing+5.

The fact that gender mainstreaming is the fundamental principle for gender equality work is affirmed by law in the Act on Gender Equality.

Individual ministers, regions and municipalities are responsible for the work to promote gender equality within their own fields, whereas the function of the Minister for Gender Equality is to coordinate and monitor with respect to the Government’s overall gender equality efforts.

In the state sector, the effort to develop gender mainstreaming was initiated with an inter-ministerial action plan for 2002-2006.

The action plan was evaluated in 2006. The main conclusions were predominantly positive. The project had been valuable for the ministries and had to a very high degree contributed to implementing section 4 of the Act on Gender Equality stating that public authorities are required to incorporate gender equality in all planning and administration. In addition to a great number of activities in the individual ministries, the Department of Gender Equality has developed a toolbox consisting of four tools to be used in gender mainstreaming and a collection of examples. More than 60 specific examples and the four tools for gender-segregated data and statistics, gender in communication, and gender mainstreaming of Parliamentary Bills, and gender budgeting are available at [www.lige.dk/koensmainstreaming](http://www.lige.dk/koensmainstreaming).

The evaluation recommended that the project be continued. At the same time, attention was drawn to the need for increasing focus on the management of the project in the individual ministries, and it was recommended that the project form of the action should in future be changed to embeddedness.

Against the background of the conclusions it was decided to formulate a new action plan for the inter-ministerial cooperation with focus on implementation, embeddedness, differentiation and management. The new action plan will run until 2011.

### ***Action plan for the inter-ministerial gender mainstreaming project 2007-2011***

The overall goals for the new action plan are that:

- Gender equality is to be incorporated in key sections of the remits of individual ministries and in relevant major cross-sectoral initiatives,
- Ministries are to formulate gender equality policies and specific gender equality policy aims within their own remits, and thus to identify their own gender equality challenges and gender-based problems,
- Resources and competencies are to identify and work professionally on gender-based problems, and gender equality challenges are to be strengthened in the individual ministries.

In connection with the ministries' submission of gender equality reports, they are at the same time to report on the gender equality policies they have adopted and on their gender equality policy aims. Policies and associated aims were published in January 2008.

In 2007, a total of 42 per cent of the ministerial departments, agencies, etc. communicated that work is in progress on gender equality policy within the remits, whereas about 30 per cent of them have a strategy for the gender mainstreaming of key services.

With a view to ensuring continued development in the public sector's efforts to promote gender equality and to document the results of these, the implementation is monitored on an ongoing basis. Similarly, the results of the efforts are documented every two years.

In order to further strengthen the work on documenting results, an initiative will be launched among a number of ministries to identify common and individual indicators for measuring results of the action. Together with reports and accounts, the indicators are over time to constitute the backbone of the documentation efforts in the area.

With the action plan for the inter-ministerial gender mainstreaming project 2007-2011, gender mainstreaming is to become more prevalent, and competencies among employees in the state sector are to be developed.

The Government wishes the state sector to take the lead in the work on promoting gender equality. Therefore, gender equality must become a more visible part of the Government's various policies. In the gender equality reports, ministers have set up a number of gender equality policy aims, which the individual ministers will endeavour to achieve in the years ahead.

### ***EU project on gender mainstreaming in the municipalities***

No action plan has been formulated for the local government sector, but activities have been initiated against the background of experience gained from the state sector, including an EU project on gender mainstreaming.

In cooperation with a number of municipalities and Local Government Denmark, a project was established in 2007 for the purpose of promoting gender mainstreaming in the municipalities. The project was an EU project, in which also Luxembourg and Slovenia participated.

The activities in the project were to develop two new gender mainstreaming tools to be used by the municipalities, as well as to produce a video containing local government examples of how the gender perspective in the planning of services has made a difference. The tools and the video are available on the website [www.ligestillingidanmark.dk](http://www.ligestillingidanmark.dk).

The website [www.ligestillingidanmark.dk](http://www.ligestillingidanmark.dk) is the access portal of municipalities and regions to gender equality work. It contains benchmarks of the gender equality action of municipalities and regions as well as a video and tools.

### ***Development of an e-learning tool for gender mainstreaming in the state sector***

In 2008, a new e-learning tool will be developed to contribute to making gender mainstreaming a well-known and practical tool for the promotion of gender equality and for the purpose of improving the quality of public services.

The tool is to be designed for employees in the state sector and is to be used by employees who have not necessarily any prior knowledge of gender mainstreaming. The tool is to enable employees to use the already existing tools regarding data, gender equality assessment of Parliamentary Bills, gender equality assessment of the consumption of resources, as well as campaigns.

The project is being developed in collaboration with a number of ministries.

## **Article 6: Special Issues. Prostitution, Trafficking and Code of Conduct**

### ***Prostitution***

In September 2006 The National Commissioner of Police published a new strategy for reinforced police action against the criminals who control prostitution. The purpose of the strategy is to counter procuring, exploitation and trafficking in women. The strategy defines an overarching framework for the measures to be taken to step up the action against procuring and trafficking in women. The strategy is based on 10 main points; focus on the criminals who control prostitution, local strategies and plans of action, allocation of the necessary resources, systematic collection, processing and analysis of intelligence from the prostitution environment, reinforced control activity, proactive and targeted investigations, lenient treatment of victims and witnesses, supplementary training, extended cooperation with other authorities and organizations etc. and preventive measures.

In March 2008 the National Commissioner of Police published a status report for 2007 on the strategy for reinforced police action against the criminals who control prostitution. According to the status report the strategy is being implemented successfully and has among other things resulted in a comprehensive view of the prostitution environment. As a result of this, the status report estimate regarding the number of prostitutes, including foreign prostitutes, is more accurate and is considerably lower than previous estimates.

Furthermore, it is noteworthy that the status report shows an increase in charges regarding human trafficking in 2007 compared to earlier years.

In 2005, the Government action plan 'A new life' initiated a holistic approach to the area of prostitution. Thus, the Competence Centre for Prostitution was set up and officially inaugurated in 2006. Established to implement activities in the majority of the key action areas identified in the action plan, the project runs until the end of 2008, and DKK 45.8m have been allocated for it. The Competence Centre for Prostitution is a national centre that plays a key role in the combat of prostitution. In general, the knowledge and competences of the Centre must help improve prostitutes' life conditions and possibilities of leaving prostitution while also

preventing disadvantaged adolescents from entering into prostitution-like relations. The Centre also targets activities at prostitutes who are not at the moment interested in leaving the prostitution industry.

The core specialist activities of the Competence Centre for Prostitution lie in five overarching action areas:

- *Social and health activities in the area of prostitution:* outreach work among prostitutes, telephone and Internet counselling, psychology assistance, bridge-building between prostitutes and social or health authorities.
- *Knowledge compilation* in all fields of the prostitution area, partly to provide experts with knowledge and competences in the area, partly to help establish a solid professional foundation for implementing legislation in and administration of the area.
- *Development of methodologies for social work* that will enhance the quality of social work performed in the Competence Centre for Prostitution, while also contributing to the general methodology development in the field of social work.
- *Counselling and guidance of local authorities* and other bodies aimed at helping them provide qualified and holistic case work for prostitutes in the individual local authorities.
- *Supplementary training of staff working with disadvantaged adolescents* at residential homes, etc., to ensure that fewer adolescents enter into prostitution-like relations in that way preventing prostitution.

### ***Psychology pool***

As to the request from CEDAW on establishing support programmes and social rehabilitation programmes, this aspect has also been included in the action plan. Psychology assistance can also be offered to former prostitutes to prevent them from returning to prostitution. In addition, means were allocated for psychology assistance to curb prostitution-like behaviour among adolescents. This offer will be launched in 2008.

The offer to adults was instituted in 2006 when eight women were referred to a psychologist for a total of 11 hours each. In 2007, 26 women were referred to a psychologist for a total of 11 hours each.

Estimates indicated that many prostitutes referred to psychologists would also need other types of support to leave the prostitution environment. Thus, efforts are being made to ensure that psychology assistance to the individual person is not a unilateral offer, but is an element of a package offered to prostitutes. In addition to psychology assistance, the offer may include supporting interviews with the professional social workers at the Competence Centre for Prostitution, but may also include health and labour market activities.

### ***Unavailable gender segregated data on prostitution***

Since the 1970s, prostitution has become less visible in Denmark. Trends in the prostitution market have moved prostitution from the streets into massage parlours, to escort prostitution and other less visible types of prostitution. Advertising is increasingly shifting to the Internet. Such development trends make it difficult to determine the number of prostitutes. Denmark has no official registration, and no social or health activities aimed at the entire target group

have been launched that might have contributed such data. Thus, calculations can only be based on available sources. This method enables Denmark to calculate a minimum figure that gives an indication of visible prostitution. This figure must be supplemented with a dark figure for the parts of prostitution that are difficult to map.

Theme Prostitution (a body under the National Board of Social Services and thus the Ministry of Social Welfare) has calculated the minimum number of the visible, active prostitutes based on the highest number of empirical sources instead of trying to make a (more uncertain) estimate of the size of the entire target group. That approach makes it possible to minimise the use of uncertain assessments and assumptions.

The following types of prostitution exist in Denmark:

- Street prostitution – customers and the prostitutes establish contact in the street.
- Massage parlour prostitution – prostitution taking place in massage parlours where clients visit the parlour.
- Escort prostitution – prostitution where the prostitute is booked and arrive at the client’s home or place of stay.
- Prostitution in own home/private prostitution – prostitution where the prostitute receives the client at home or in other private settings.
- Bar prostitution – prostitution connected with striptease bars or other bars.

Simultaneously, the following combinations of prostitution forms exist and have been calculated separately:

- Massage parlour and escort prostitution
- Escort prostitution and prostitution in own home

<b>Number of people involved in massage parlour prostitution</b>					
	<u>2002- 2003</u>	<u>2003- 2004</u>	<u>2004- 2005</u>	<u>2005- 2006</u>	<u>2006-2007</u>
<b>Women</b>	2408	2420	2690	3028	3220
<b>Men</b>	19	22	17	21	18
<b>Transvestites</b>	26	17	27	25	40
<b>Total</b>	<i>2453</i>	<i>2459</i>	<i>2734</i>	<i>3074</i>	<i>3278</i>

<b>Number of people involved in escort prostitution</b>					
	<u>2002- 2003</u>	<u>2003- 2004</u>	<u>2004- 2005</u>	<u>2005- 2006</u>	<u>2006-2007</u>
<b>Women</b>	385	295	343	371	442
<b>Men</b>	79	55	33	7	14
<b>Transvestites</b>	2	2	3	3	4
<b>Total</b>	<i>466</i>	<i>352</i>	<i>379</i>	<i>381</i>	<i>460</i>

<b>Number of people involved in prostitution in own home</b>					
	<u>2002-2003</u>	<u>2003-2004</u>	<u>2004-2005</u>	<u>2005-2006</u>	<u>2006-2007</u>
<b>Women</b>	57	81	125	144	128
<b>Men</b>	0	3	14	8	1
<b>Transvestites</b>	1	4	13	9	5
<b>Total</b>	<i>58</i>	<i>88</i>	<i>152</i>	<i>161</i>	<i>134</i>

<b>Number of people involved in both massage parlour and escort prostitution</b>					
	<u>2002-2003</u>	<u>2003-2004</u>	<u>2004-2005</u>	<u>2005-2006</u>	<u>2006-2007</u>
<b>Women</b>	70	76	117	100	92
<b>Men</b>	4	1	4	1	4
<b>Transvestites</b>	4	5	6	4	3
<b>Total</b>	<i>78</i>	<i>82</i>	<i>127</i>	<i>105</i>	<i>99</i>

<b>Minimum number of people involved in prostitution</b>					
	<u>2002-2003</u>	<u>2003-2004</u>	<u>2004-2005</u>	<u>2005-2006</u>	<u>2006-2007</u>
<b>Street prostitution</b>	665	575	725	809	1415
<b>Massage parlour prostitution</b>	2453	2463	2731	3074	3278
<b>Escort prostitution</b>	466	352	379	381	460
<b>Prostitution in own home</b>	58	87	152	161	134
<b>Bar prostitution</b>	148	148	148	148	148
<b>Massage parlour and escort prostitution</b>	78	82	127	105	99
<b>Own home and escort prostitution</b>	18	26	8	30	33
<b>Total</b>	<i>3886</i>	<i>3733</i>	<i>4270</i>	<i>4708</i>	<i>5567</i>

### ***Code of Conduct***

In early 2004 Defence Command Denmark implemented a code of conduct. The purpose of the code of conduct is to guide the personnel who participate in international operations on how they are expected to relate to and show respect for the special rules and customs in the countries they are staying in. The code of conduct is effective both when the personnel are on duty and in particular when they are on leave.

In the code of conduct it is stated that sexual intercourse with prostitutes is not advisable/permitted (depending on the legislation in the country in question). Furthermore, the personnel are informed that having intercourse with prostitutes contributes to establishing or



maintaining conditions which are often completely untenable for the prostitutes. This is regardless of whether the legislation in the country in question permits or prohibits sexual intercourse with prostitutes.

In addition, private dealings - including sexual intercourse - that happens in the area of operation with people from the locale society is forbidden. Normally, violation of this rule will cause demobilization.

### ***Trafficking***

The Danish Criminal Code contains a specific provision (section 262A) which makes it a criminal offense, with a maximum punishment of 8 years' imprisonment, to participate in trafficking of human beings.

Since 2002, Danish efforts to combat trafficking in women have been embedded in national action plans. The Government has adopted a holistic approach towards victims of human trafficking. In order to ensure coordination and cross-sectoral collaboration, an inter-ministerial working group has been set up. The working group implements the Government initiatives and is responsible for monitoring developments in the area.

The objective of the first action plan from 2002 was to test various methods and models to prevent trafficking of women and to support the victims. The core of the action plan was to establish out-reach work where the women were staying and working, and to ensure that the victims were as well prepared for repatriation as possible. The 2002 action plan focused exclusively on women who were trafficked for sexual exploitation.

The plan included the following initiatives:

- The establishment of a hotline and out-reach street teams, cultural providers and safe houses for the victims of trafficking in women,
- Action was initiated for prepared repatriation,
- Seminars and courses were held for professionals (including the police) and conferences were organised,
- Two nationwide information campaigns were launched targeted at the potential customers of prostitutes and at the general public, and information activities were implemented for the victims of trafficking.

A supplement to the 2002 action plan launched in 2005 contained a number of initiatives aimed at providing a reception for children trafficked to Denmark. The initiatives mainly concerned the developing of methods and upgrading of the qualifications of professionals supposed to take care of possible trafficked children.

In October 2006, the 2002 action plan was evaluated. The evaluation was a thorough assessment of the effect of the initiatives in the action plan. The evaluation of the supplement on children was primarily a description of the initiatives, including procedures and cooperation

relations, as it had been launched less than a year before the evaluation, and as Denmark had only seen a very limited number of trafficked children in that period.

The main conclusion of the evaluation of the action plan of 2002 was that the overall activities had been implemented and significant experience had been obtained. It was a satisfactory result, in consideration of the fact that the plan was a pilot project.

In March 2007, the Government launched a new action plan for the fight against human trafficking 2007-2010. The objective of the 2007 action plan is to ensure that all women, men and children who are identified as victims of human trafficking are to be offered the right kind of support in their present situation and to provide them with an alternative to being trafficked once again.

The 2007 action plan focuses on the following four action areas:

- Strengthening investigation efforts in order to identify and bring traffickers before justice,
- Supporting the victims by improving the social services in Denmark,
- Preventing human trafficking by limiting demand and increasing the population's knowledge of these matters,
- Preventing human trafficking by improving international cooperation, including improving preventive work in the exporting countries.

The 2007 action plan comprises a number of concrete goals:

- In 2007, a knowledge and coordination centre for human trafficking (Center for Human Trafficking) shall be established,
- In 2007, three operating shelters will be ready to receive victims of human trafficking,
- In 2007, Denmark will have put the social consequences of human trafficking on the agenda in international fora, such as the EU and the Nordic Council of Ministers,
- In 2008, a scheme will have been established, which means that all registered victims of human trafficking are offered assistance to voluntary return,
- By 2009, at least 10 per cent of the population must be aware of the issues of human trafficking and must know how to react if they learn of human trafficking,
- By 2009, all children and at least 40 per cent of the women who are registered as victims of human trafficking shall receive social assistance and support for assisted return to their home country in collaboration with local NGOs,
- By 2009, at least 50 per cent of victims have received help in their home country for rehabilitation.

A total of DKK 80 million has been earmarked for the implementation of the initiatives in the action plan.

The Danish action plan involves five ministries: the Ministry of Health and Prevention; the Ministry of Refugee, Immigration and Integration Affairs; the Ministry of Justice; the Ministry of Social Welfare and the Minister for Gender Equality. As chairman of the inter-ministerial

working group to combat trafficking in women, the Department of Gender Equality holds the steering role regarding the implementation of the action plan. The inter-ministerial working group monitors the implementation and publishes an annual situation report on the implementation. The situation report is submitted to, among others, the Folketing

At the same time as a number of the initiatives under the previous action plan are carried forward, new elements have been added to the action. The action plan comprises, among others, every person who has been trafficked, a knowledge and coordination Centre for Human Trafficking has been established, outreach work at street level in relation to prostitutes and trafficked women has been coordinated, the period of reflection has been extended, the social effort has been made nationwide, the police effort has been enhanced, and international work in the area has been upgraded.

### ***Centre for Human Trafficking***

Against the background of the evaluation of the previous action plan, it was decided to set up Centre for Human Trafficking for the purpose of “securing prepared and coordinated treatment for potential victims of human trafficking while they are staying in Denmark”.

The Centre for Human Trafficking serves several purposes: The Centre coordinates and contributes to improving social activities in the area, also with respect to the cross-sectoral efforts; the Centre constitutes the backbone of knowledge collection in the area by developing methods, by drawing up annual situation reports, and by managing ongoing upgrading of the employees’ competencies, etc.

The Centre has set up both regional reference groups and a national reference group with a view to ensuring exchange of experience between actors in the area, such as the police, social organisations, authorities etc. and between the local teams throughout the country.

### ***Scope of human trafficking***

In the period from October 2003 to October 2007, social organisations in the field that operate the out-reach activities, health services, housing services, etc. had contact with close to 1,500 women in prostitution with a foreign background where there was reason to believe that it was a matter of human trafficking or activities involving pimping.

In 2007 alone, organisations were in contact with approximately 250 women who might be victims of human trafficking. Any suspicion of human trafficking triggers the help and support that victims of human trafficking are offered as part of the Government’s action plan in the area.

The most recently published figures for minors that have been trafficked to Denmark relate to the period from December 2005 to December 2006. The authorities registered seven children believed to have been trafficked in that period.

## ***Legislation***

On 1 August 2007, an amendment to the Danish Aliens Act came into force. Among other things, the amendment served to imply several initiatives from the Danish Government's Action Plan to fight trafficking in human beings – 2007-2010 from 8 March 2007. By passing the bill, the Danish Parliament gave consent to ratification of the Protocol of the Council of Europe Convention on Action against Trafficking in Human Beings. By passing the bill, the Danish Parliament ratified the Protocol of the Council of Europe Convention on Action against Trafficking in Human Beings. It should be noted that both the Action Plan as well as the Aliens Act deal with trafficking in human beings in general – not trafficking for a specific purpose.

The amendment to the Aliens Act mentioned above implements following initiatives from the Action Plan:

### **a. Extended “reflexion period” lasting up to 100 days**

A foreigner, who has been exposed to trafficking, and who does not have permission to stay in Denmark, will receive a 30 days deadline for leaving the country unless exceptional reasons make it in-appropriate. According to the Aliens Act, all other illegal immigrants are in general ordered to leave the country immediately.

Furthermore, a foreigner who has been exposed to trafficking is offered a “reflexion period” lasting up to 100 days if the said person co-operates with the authorities on voluntary return to the country of origin. The purpose of the reflexion period is to prepare and plan the person's return to the home country, cf. paragraph b below.

The Danish Immigration Service determines whether a person has been exposed to trafficking as an administrative decision after referral of the said person by the Danish Police. Under normal circumstances this referral will be substantiated by a Danish NGO.

### **b. Assisted voluntary return**

Victims of trafficking will be offered assistance to voluntary return to their home country. This offer is connected with the extended reflexion period mentioned above and will include activities during the stay in Denmark and activities in the home country.

During the reflexion period in Denmark the offer includes legal and psychological assistance, health treatment and social-pedagogical support but also job training or start-up of a small business or assistance to begin an education or vocational training. These offers are given both in order to help the said persons to handle their experiences as victims of trafficking, but also for the purpose of strengthening each individual and make them less vulnerable and in this way minimize the risk that they will be exposed to trafficking once more after their return to their home country. During the stay in Denmark the victims of trafficking are also offered accommodation in safe shelters.

Illegal immigrants who have been exposed to trafficking and who are supported by the Danish Immigration Service are also entitled to receive the same offers as other illegal immigrants regarding accommodation, health care, counselling etc.

The assistance in the victim's home country will be a continuation of the psycho-social care in Denmark, including reception by local NGO's or social authorities, rehabilitation and reintegration.

For unaccompanied minor children the initiatives also include such children who have not been exposed to trafficking. They will be offered a personal representative while staying in Denmark, attempts will be made to trace their parents and in the case of assisted return, contact will be made with a family member or social organisation in their home country.

Because the assisted return is an offer to the victims of trafficking in human beings, it is up to the person in question whether he or she accepts the offer. The Danish authorities are engaging with the IOM in a pilot project on the tasks in the country of origin. As a part of the project, IOM will also, where possible, monitor the reintegration process; for periods of three months in regard to adults and up to six months in the case of children. As part of the monitoring process, a short report on the course of the reintegration process of each returnee will be forwarded to the Danish Immigration Service. The Danish immigration authorities will include relevant information from these reports in the background information on which decisions in future cases will be based.

### **c. Special rules concerning expulsion**

In general, an illegal stay in Denmark results in expulsion and entry prohibition for a specific period of time. To assure victims of trafficking who are staying illegally in Denmark a safer and less traumatizing return to their country of origin, the rules of expulsion in the Aliens Act has been amended. If the circumstances, which would normally result in expulsion, without doubt are related to the fact that the person is a victim of trafficking the person will no longer be expelled, but will only be sent out of Denmark.

## ***Chapter 2: Public Life***

### **Article 7: Political Rights and Participation**

In Denmark, women and men enjoy the same political rights. Women as well as men have a right to vote and to stand for election to local councils, the Folketing (national Parliament) and the European Parliament.

#### ***Women in politics:***

##### ***Women in local politics***

#### **Elections to local councils by year and candidate/gender**

<b>Election – year</b>	<b>Men nominated</b>	<b>Women nominated</b>	<b>Men elected</b>	<b>Women elected</b>
2001	12,066	4,848	3,393	1,254
2005	8,033	3,374	1,833	689

In local politics, the proportion of women has remained unchanged at 27 per cent from the election in 2001 to 2005.

With the local government reform that took effect on 1 January 2007, the number of municipalities and, consequently, also local councils for which elections are held decreased from 275 in 2001 to 98 in 2005. Similarly, there has been a fall in the number of nominated and elected candidates. Out of 98 Danish mayors, eight are women, which corresponds to about 8 per cent. After the local government elections in 2001, women accounted for 9.2 per cent of the mayoral offices.

2008 marks the 100th year since women gained the right to vote in local government elections. The Minister for Gender Equality will celebrate the occasion with an awareness-raising campaign. All political party branches throughout the country will receive a leaflet containing good advice on how to get more women to put their names forward for nomination lists. The leaflet contains statistics in an easily accessible form, as well as personal stories and advice to women who are interested in local politics. This year will, furthermore, see a number of events that will be implemented together with local government cooperation partners. The next local government elections are scheduled for 2009. The objective of the awareness raising campaign is to place focus on the low number of women in local politics and to provide advice on what can be done to change the situation.

#### ***Women in Parliament (the Folketing)***

After the general elections in 2007, women account for 39 per cent of the Folketing ( 70 out of 179 seats). Within the Government, the figure is 37 per cent, and there are seven women out of 19 ministers. Women hold the posts of Minister for Justice; Minister for Social Welfare and

Minister for Gender Equality; Minister for Development Cooperation; Minister for Food, Agriculture and Fisheries; Minister for Climate and Energy; Minister for Transport; Minister for Refugee, Immigration and Integration Affairs as well as Minister for Ecclesiastical Affairs.

### ***Women in the European Parliament***

At the elections in 1999, a total of 14 Danes were elected to the European Parliament: nine men (64 per cent) and five women (36 per cent). At the 2004 elections, 16 Danes were elected to the European Parliament: ten men (62.5 per cent) and six women (37.5 per cent).

### ***The Danish electoral system***

The Danish electoral system at national as well as local level is proportional election with the possibility to cast the vote for one particular candidate. Thus, the elector influences the election of the particular political party as well as the election of the particular candidate within the party.

The Danish Electoral Act does not include specific regulations aiming at ensuring women a certain proportion of the lists of candidates, and the political parties do not have regulations regarding the distribution of male and female candidates.

A National Election Act Committee has considered the question of introducing a quota system based on gender in order to ensure a certain proportion of women in the Folketing and in local and regional government.

The Committee stated that the introduction of a system which reserves a certain number of seats in the Folketing or local or regional government to female candidates irrespective of the actual outcome of the election is unlikely to be in accordance with the Danish Constitution. According to the Danish Electoral Act, it will always be the actual voting which decides the elected candidates.

However, no regulation forbids the individual political party to introduce a quota system based on gender in relation to the nomination of the party's candidates for election.

The Danish Government is of the opinion that women's representation is to be strengthened through dialogue and debate on gender equality at local level. Political party branches and women themselves are to be informed and motivated. Good examples are to be visible to everybody, and focus is to be moved from the barriers to the good examples that everybody can learn from.

### ***Representation of women - on committees, on boards in the state sector, regions and municipalities***

It is put into statutory form in Danish law that public committees and boards set up by a minister should consist of an equal number of women and men.

Sections 8-9 of the Act on Gender Equality stipulate that public committees, commissions and similar bodies set up by a minister should consist of an equal number of women and men.

The proportion of women on reported, newly established committees in the state sector was 39 per cent in 2005, in 2006 it was 41 per cent, and in 2007 it was 42 per cent.

Authorities or organisations which are to suggest a member for a committee are required to suggest both a man and a woman. It is possible to derogate from the principle of suggesting two candidates representing either gender if special reasons exist. The reason must be approved by the minister.

It is the responsible minister that composes the committee, and the minister may decide that a vacancy on the committee remains unfilled if an organisation is not able to suggest both a woman and a man for the vacancy.

The responsible minister is required to notify the Minister for Gender Equality of the planned gender composition of the committee. If the gender composition is not equal, the Minister for Gender Equality may ask for a reason. If no valid reason can be provided, the Minister for Gender Equality may ask the responsible minister to alter the composition of the committee.

Similarly, section 11 of the Act on Gender Equality stipulates that state sector boards, etc. should have an equal composition of women and men, and that boards, etc. that are not part of public administration should, to the extent possible, have an equal gender balance.

In 2007, the proportion of women under section 11 (1) was 35 per cent (on state sector boards, etc. where the enterprise is government owned). In 2007, the proportion of women under section 11 (2) was 39 per cent (boards, etc. that are not part of public administration, but where the expenses relating to the enterprise are mainly covered by government funds (60-70 per cent) or the state holds not less than a 60-70 per cent stake in the enterprise).

In May 2006, the Folketing passed an amendment to the Act on Gender Equality which means that municipalities and regions are required to suggest an equal number of women and men for councils, boards, committees, etc. The Act took effect immediately after having been adopted. Section 10 a of the Act applies to all the councils, boards and committees that the local council or the regional council sets up and for which other authorities, organisations, associations or enterprises suggest members. The Act on Gender Equality applies both when councils, boards and committees are set up subject to decision by the local council or regional council, and when they are set up subject to legislation.

Following the commencement of the Act, municipalities and regions have reported on the composition of women and men serving on committees, etc.

In 2007, the proportion of women was

- 34 per cent on committees, etc. in the municipalities,
- 28 percent on committees, etc. in the regions.



The possibility of applying temporary special measures is laid down in Danish law, please refer to Art. 4 for a description of the legislation, (Section 3 of Consolidation Act on Gender Equality no. 1095 of 19 September 2007).

**Women in armed forces:**

***The Danish Parliament agreement on the implementation of the Armed Forces' Day***

In 2004 a new political agreement on defence was entered. Among other things this agreement has entailed that the examination of young men liable for military service (approximately 30.000 per year) in a new setting called the Armed Forces' Day.

The Armed Forces Day is currently carried out during the year at five different recruitment centres around the country. Each time the numbers of participants are expected to be around 50. The new setting provides more time for individual guidance and information about serving in the military, and the different kinds of educations and jobs offered by Danish Armed Forces. The first Armed Forces' Day was carried out in February 2006.

An important new initiative in addition to the Armed Forces' Day is the decision of the politicians to invite all young women in the year they turn 18 to participate in the Armed Forces' Day along with the young men. The invitation to the Armed Forces' Day is a unique possibility to draw the young women's attention to the fact, that the armed forces are an exciting and challenging place to work – also for women! This is the first time the Danish Armed Forces has had the opportunity to contact young women directly, at a time in their lives where most of them have not yet made their choice of career.

The initiative to invite women to the Armed Forces' Day has proven to be a successful way of improving the recruitment of women to the military service. Out of 6.000 conscripts 419 women signed on for conscription in 2007. Which is a 100 pct. increase compared to 2006. Approximately 75 pct. of the women carry through and about 25 pct. of these sign up for a contract with the Danish Armed Forces. It is difficult to predict whether the present tendency of increasing recruitment will carry on in years to come, as many external factors affect the scale of recruitment. Nevertheless, there is a widespread belief – and hope - that the positive effect of inviting the young women to participate in the Armed Forces' Day will continue for the years to come.

**Article 8: Representing Government. Women Ambassadors**

Women have the same right and opportunity as men to represent the Danish Government at the international level.

The Ministry of Foreign Affairs has a staff of 2256 employees of which 725 persons work in Copenhagen. Without locally employed staff the Ministry of Foreign Affairs has a staff of 1138 employees. In 2007 women made up 43 per cent of the employees.

In 2007 women made up 37 per cent of employees with an academic degree (excluding management level). In 2007 56 per cent of the newly recruited employees with academic degrees were women.

At management level (*senior civil servant level*) the share of women has increased from 15 per cent in 2004 to 19 per cent in 2007. 29 per cent of the Ministry of Foreign Affairs top level management are women. In the latest nomination round for ambassadors 43 per cent of the newly appointed ambassadors were women. The number of women being appointed at senior level is steadily increasing.

During the considerations of the fifth periodic report, the Committee recommended the introduction of special measures to increase the representation of women at higher levels in the Foreign Service, particularly ambassadors. A number of initiatives have been introduced in order to achieve that. One of the initiatives is a mentorship programme for female employees with management (*senior level*) potential.

The Ministry of Foreign Affairs adopted in 2005 a new action plan for “Equality in the Foreign Service 2005 - 2009”. One of the priority areas is to achieve greater gender equality at management level in the Foreign Service. The action plan sets out the target figure that the proportion in appointments to senior level should be 2 women to 3 men. The gender equality committee of the ministry follows closely the development in this area. The present recruitment base gives basis for optimism regarding the ability to reach the target figure in the future.

In recent years The Ministry of Foreign Affairs has introduced several initiatives aiming at improving possibilities for combining family and professional life in the Foreign Service such as professional guidance to partners to develop competences and find jobs which makes it easier for employees to accept foreign postings.

## **Article 9: Citizenship**

As stated in previous reports the Danish Nationality Act is in full accordance with article 9 of the Convention.

The Danish immigration authorities can revoke or refuse to extend a time-limited residence permit if the basis for the permit is no longer valid. This may be the case if a foreign national has received a residence permit on the grounds of marriage, and the spouses no longer live together.

In decisions on revocation of residence permits and refusal of extension of residence permits regard must be had to whether the revocation or refusal must be assumed to be particularly burdensome owing to the alien’s personal circumstances and whether the applicant will suffer injury or harm in his or her country of origin.

In such decisions regarding residence permits issued on the basis of spousal reunification special regard must be had to whether the basis of residence is no longer present because of cessation of cohabitation due to the fact that the alien concerned has been exposed to outrages, abuse or other ill-treatment, etc., in Denmark.

The Danish immigration authorities follow this particular area very closely and have a current focus on any need of adjustment. Since 2002 the practise has been as follows:

The alien must substantiate the invoked abuse. The assessment of whether the abuse is substantiated, is based on a specific, individual assessment and weighing of the information given by parties of the case and the possible provided documentation. All kind of documentation can be put forward and enter into the assessment, for instance reports from the police, emergency rooms, statements from doctors, statements from women's safe houses, court judgements regarding the abuse, etc.

In cases, where the Danish immigration authorities find the invoked abuse substantiated, the authorities make an assessment on the connection between the abuse and the cessation of cohabitation.

The Danish immigration authorities will in cases, where the abuse is substantiated and is assessed to be the real cause of the cessation of cohabitation, take into consideration whether revocation or refusal must be assumed to be particularly burdensome owing to the alien's personal circumstances and whether the applicant will suffer injury or harm in his or her country of origin. This decision is made on the basis of a specific, individual assessment and weighing of the circumstances in each case.

According to administrative practice foreigners who - due to abuse, cf. above - have left their spouses before receiving a permanent residence permit, are - depending on the level of attachment to Denmark - in general allowed to stay in Denmark, already after approximately two years of residence in Denmark.

## ***Chapter 3: Education***

### **Article 10: Access to Education**

In the educational sector, in all legislation and in the educational policy the overall precondition is equality regardless i.e. gender and ethnic origin. All educational opportunities are open to all citizens.

Since the 6th periodic report, the Danish Ministry of Education has focused on mainstreaming in the following areas:

- Guidance about youth education
- Upper secondary education (gymnasium)
- Labour market education
- Health care education
- Agricultural education

#### ***Initiatives in relation to gender stereotyping***

In Denmark girls and boys, women and men enjoy equal right to and equal opportunities at all level from pre-school to higher education, in all sorts of training and vocational guidance and in adult and lifelong education during leisure time. On the whole legislations attend to equality between the genders – and thereby women from minority groups as well.

#### ***Primary and lower upper secondary education***

##### ***The aims of the “Folkeskole”***

“§ 1. The Folkeskole shall - in cooperation with the parents - provide the students with knowledge and skills that prepare them for further education, stimulate their urge to learn, make them familiar with Danish culture and history, give them an understanding of other countries and cultures, contribute to their understanding of man's interaction with nature, and nurse the all-round personal development of the individual student.

Section 2. The Folkeskole shall develop working methods and create possibilities for experience, absorption, and an urge to learn, so that the students develop awareness, imagination and confidence in their own possibilities, and a background for forming independent judgements and for taking personal action

Section 3. The school shall prepare the students for active participation, joint responsibility, and rights and duties in a society based on freedom and democracy. The teaching of the school and its daily life shall therefore build on intellectual freedom, equality and democracy.”

The implementation of these aims from the very early childhood is together with other specific initiatives intended to reduce or prevent gender stereotypes.

The teaching in the subjects of the Folkeskole, in particular social studies and health, sexuality and family knowledge, aim among other things at enabling the pupils to relate to and discuss gender roles, gender stereotyping and equality.

In addition, the Danish Ministry of Education has supported or is in the process of supporting several projects aimed at enhancing equality in primary and lower secondary education, including:

- Educational material covering ethnicity, gender and equality. The material will be easily accessible and will combine information with the pupil's own experiences and thoughts in order to promote the elimination of gender specific barriers to the integration of girls and boys with an ethnic minority background into the Danish society.
- A research project into why boys with an ethnic minority background perform more poorly in primary and lower secondary education than girls with an ethnic minority background and girls and boys with an ethnic Danish background.
- Homework assistance specifically targeting girls.
- "Cherry club", a project aimed at helping girls in grades 5 to 7 develop a more healthy lifestyle through activities introducing healthy eating and exercise habits.
- Experiments with gender segregated science teaching in order to adapt the teaching to the educational needs of girls and boys respectively.

### ***Upper secondary education –"Gymnasiet"***

In upper secondary education girls are traditionally more inclined towards subjects within the humanistic area than natural sciences. For boys the reverse tendency is often seen.

Since 2004 reforms in "Gymnasiet" have focused on strengthening natural science subjects for all students. Mathematics and physics are now compulsory for all students on higher levels, and all students have to complete at least two of the following subjects: Biology, Chemistry and Natural geography. By the introduction of multi-subject coursework in natural science areas these subjects are seen in a wider perspective, e.g. links between social, historical and philosophical subjects and natural science subjects. These changes are believed to promote girls' interest in natural sciences and to increase girls' chances of gaining ground in traditionally male dominated fields.

**Women and men by completed highest level of education, 2000-2005 (real number):**

	2000		2001		2002		2003		2004		2005	
	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men
Basic	31611	31168	33311	32838	33389	33040	34606	34790	35467	35634	37289	37571
Secondary	13210	7719	12697	7256	12900	7474	12533	7004	13021	7081	13208	7782
Vocational	27282	23832	25798	22796	25096	21942	21577	20262	22748	20789	22432	20086
Short higher	2387	3979	2472	4135	2976	3957	2884	4015	2460	3187	2594	3370
Medium higher	15226	8438	15590	8132	16334	8570	16861	8423	17176	8933	17568	9119
Long higher	4323	4646	4685	4762	5148	5017	5257	5413	6095	5512	6461	5955
Research	388	641	351	537	386	605	416	666	355	519	439	622
<b>Total</b>	<b>94427</b>	<b>80423</b>	<b>94904</b>	<b>80456</b>	<b>96229</b>	<b>80605</b>	<b>94134</b>	<b>80573</b>	<b>97322</b>	<b>81655</b>	<b>99991</b>	<b>84505</b>

**Woman and men by completed highest level of education, 2000-2005 (in percent):**

	2000		2001		2002		2003		2004		2005	
	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men
Basic	33,48	38,76	35,10	40,81	34,70	40,99	36,76	43,18	36,44	43,64	37,29	44,46
Secondary	13,99	9,60	13,38	9,02	13,41	9,27	13,31	8,69	13,38	8,67	13,21	9,21
Vocational	28,89	29,63	27,18	28,33	26,08	27,22	22,92	25,15	23,37	25,46	22,43	23,77
Short higher	2,53	4,95	2,60	5,14	3,09	4,91	3,06	4,98	2,53	3,90	2,59	3,99
Medium higher	16,12	10,49	16,43	10,11	16,97	10,63	17,91	10,45	17,65	10,94	17,57	10,79
Long higher	4,58	5,78	4,94	5,92	5,35	6,22	5,58	6,72	6,26	6,75	6,46	7,05
Research	0,41	0,80	0,37	0,67	0,40	0,75	0,44	0,83	0,36	0,64	0,44	0,74
<b>Total</b>	<b>100,00</b>	<b>100,00</b>	<b>100,00</b>	<b>100,00</b>	<b>100,00</b>	<b>100,00</b>	<b>100,00</b>	<b>100,00</b>	<b>100,00</b>	<b>100,00</b>	<b>100,00</b>	<b>100,00</b>

***Upper secondary education – vocational training***

The labour market is characterised by the existence of typical female and male jobs. On one hand there is an overweight of males in job within the area of building and construction and crafts and engineering trades. On the other hand there is an overweight of female in job within the area of service, social and health industries.

There is a strong connection between the gender balance in the labour market and in the vocational education and training system (VET system). The gender balance is reflected in the different VET programmes.

Number of students	2002		2005		Difference	
	Male	Female	Male	Female	Male	Female
<b>Basis courses 1</b>						
Commerce, clerical education and finance	33,4%	66,6%	37,7%	62,3%	-4,3%	4,3%
Technology and communication	81,8%	18,2%	79,8%	20,2%	2,0%	-2,0%
Building and construction	90,7%	9,3%	90,0%	10,0%	0,7%	-0,7%
Crafts and engineering trades	84,2%	15,8%	84,6%	15,4%	-0,4%	0,4%
Food production and catering	48,3%	51,7%	48,5%	51,5%	-0,2%	0,2%
Mechanical engineering, transport and logistics	93,4%	6,6%	93,5%	6,5%	-0,1%	0,1%
Service industries	7,1%	92,9%	9,2%	90,8%	-2,1%	2,1%
<b>Main course</b>						
Commerce, clerical education and finance	*	*	34,9%	65,1%	*	*
Crafts and engineering trades	93,6%	6,4%	95,6%	4,4%	-2,0%	2,0%
Building and construction	91,3%	8,7%	91,0%	9,0%	0,3%	-0,3%
Technology and communication	85,8%	14,2%	88,3%	11,7%	-2,5%	2,5%
Service industries	7,7%	92,3%	8,8%	91,2%	-1,1%	1,1%
Mechanical engineering, transport and logistics	95,7%	4,3%	95,9%	4,1%	-0,2%	0,2%
Food production and catering	**	**	51,4%	48,6%	**	**
Basic Pedagogical Education (pgu) etc.	14,3%	85,7%	18,9%	81,1%	-4,6%	4,6%
Social- and health worker	5,3%	94,7%	7,4%	92,6%	-2,1%	2,1%
Social- and health assistant	4,5%	95,5%	5,7%	94,3%	-1,2%	1,2%

\* In 2002 commerce and clerical education was divided. Commerce = 42,8/57,2. Clerical = 24,1/75,9.

\*\* In 2002 food production and catering was divided. Catering = 49,1/50,9. Food production = 51,6/48,4.

Source : The Danish IT Centre for Education and Research – Students divided between education, age, gender and institution (1978-2005) – Number of students from 1978 to 2005.

1 The programmes consist of a many basic and main courses. The basic courses are school-based. The main courses consist of both theoretical education at school and practical training.

There are two entry routes to the VET programmes: The school pathway and the company pathway. Trainees can either enrol on a basic course, or start in an enterprise with which they have a training contract. The majority enters the main course through a training agreement, and the gender balance in these agreements is similar to the labour market. That is one of the reasons why the gender balance in the VET system reflects the gender balance in the labour market.

The balance in the labour market sometimes changes, see below, e.g. within the area of building painters and photographers, where the overweight of men have been replaced with an almost equal amount of men and women. In a small scale it shows that women more and more are entering labour market in areas that used to be dominated by men.

Number of students	1996		2002		2005	
	Male	Female	Male	Female	Male	Female
Main course, building and construction. Speciality: building painters.	61%	39%	46%	54%	51%	49%
Main course, technology and communication. Speciality: Photographer	66%	34%	57%	43%	48%	52%

Source : The Danish IT Centre for Education and Research – Students divided between education, age, gender and institution (1978-2005) – Number of students from 1978 to 2005.

### ***Act on guidance***

The primary legislation on guidance is the Act on guidance in relation to the choice of education, training and career (Act no 298 of April 30 2003), which came into force on August 1 2004. The act introduced the so-called guidance reform, with the purpose to create a simpler and more transparent guidance system in Denmark. The act thus resulted in fundamental changes in several parts of the guidance system.

In the guidance reform there is - among other subjects - focus on equality between the sexes. From the explanatory memorandum it appears that "the guidance reform has to.....contribute to increased equality between men and women as an increased effort on guidance can contribute to less traditional choices of education and with that a relaxation of the division of genders on the labour market." Hence it can be deduced, that equality between men and women is one of the leading elements in the guidance efforts in all legislation, that stem from the Act on guidance in relation to the choice of education, training and career.

### ***The aspect of gender as an integrated part of the education in guidance***

As a part of the guidance reform greater demands to the education in guidance has been made through the Act on guidance in relation to the choice of education, training and career, as to increase professionalism of guidance and to prepare the guides to all the new duties in connection to the increased focus on groups with special needs for guidance, among these women of minority groups.

In the work with developing methods of guidance, which focuses on both gender and ethnicity, there must be a follow-up in connection to the aspect on sexes. In the education in guidance it is stressed that guidance not only must focus on the ethnical background, abilities and special needs of each individual but on the aspect of gender as well. The effort must be done in preparation for the guidance practitioners to contribute to removing the special barriers of gender that exist among groups of ethnical minorities.

Furthermore, nationwide networks have been set up to share experiences, tools and best practice on gender and ethnicity in guidance.



### ***Project: “Gender ethnicity and guidance”***

A project called “Gender, ethnicity and guidance” was launched in May 2005 to April 2007. The project was partly financed by the EU Equal Program, which aimed at fighting inequalities of any kind in the educational system and in the labour market.

The project sought find out whether groups from ethnic minorities have special needs for guidance in relation to the choice of education and career. Furthermore, whether the gender or ethnical background of the individual has an influence on the choices they make or which kind of guidance they get. The overall objective of the project was therefore to find possibilities to avoid stereotype choices of educations and career among ethnical minorities and to promote their equality in the labour market. The project is based on the assumption that guidance on education and career is an important tool to promote equality among both gender and ethnical minorities.

### ***Increase the number of women in Academia***

At the review of the last (sixth) periodical CEDAW-report the low number of female professors, senior lectures and researchers was restated as a remaining concern for the Committee. The Committee recommended that policy measures should be taken 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 is directed both at universities and politicians.

The chapter below was prepared against this background of the criticism raised with a view to providing more detailed documentation of the distribution of men and women in the Danish academic system. The material shows that the proportion of women is increasing at all levels of the academic system. In the period 2000-2005 the average growth of the proportion of women at professorship level equalled approximately one percentage point per year. However, low in actual figures the growth is, compared to the previous report, where growth was stated to half a percentage point per year, increasing more rapidly.

The slow growth rate is due to the fact that for a majority of the professorships there were only male candidates applying. When exclusively considering the professorships for which there were both qualified male and qualified female candidates, the female candidates have been more successful than the male candidates in the period 2004-2006. All in all, women now constitute more than 50% of all new university graduates; the share is around 47 % for newly enrolled PhD students and 11.8 % at professorship level.

### ***Monitoring and documentation regarding male and female researchers***

In Denmark, a detailed statistical mapping is conducted continuously regarding a number of conditions pertaining to male and female researchers' career opportunities including recruitment to the research community. The women's share of those obtaining a masters degree from a university has steadily increased throughout the period surveyed: From 45 % of the new masters in 1994 to more than 52 % in 2006.

It should be noted that there are considerable differences between the six major fields of science: Within health sciences, humanities, and agricultural- and veterinary sciences the proportion of women remains high, while smaller fluctuations occur within the three remaining fields of science during the time period considered in the two tables. Technical sciences remain the area with the lowest proportion of women during the entire period. Natural science is the area with the most remarkable increase of female students from 1994 – 2006. In 1994 one third of the students were women. In 2006 almost half of the students were women.

#### **Female fraction of students who completed a master's degree 1993-2006**

<b>Percent females</b>	<b>1994</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>
Arts and Humanities	65,4	67,9	68,5	71,3	67,2	71,0	68,3	69,5	69,2	65,8	66,9	67,7	67,7
Natural Sciences	33,5	39,0	42,9	43,7	41,9	40,3	43,3	39,8	39,7	40,4	44,0	45,4	46,7
Social Sciences	45,4	44,1	42,9	43,7	41,9	40,3	43,3	39,8	39,7	46,0	49,1	46,1	48,3
Technical Sciences	26,1	26,4	25,1	26,4	27,5	22,9	25,1	25,3	27,5	27,7	28,2	30,8	28,3
Agricultural & Veterinary Sciences	57,1	58,4	56,3	59,6	56,0	48,4	57,2	55,8	53,8	72,0	90,1	62,4	70,0
Health Sciences	63,4	64,1	62,1	69,0	62,8	63,6	60,2	60,9	61,9	61,0	64,2	66,1	62,4
<b>Total</b>	<b>45,0</b>	<b>46,1</b>	<b>46,2</b>	<b>49,7</b>	<b>47,7</b>	<b>48,7</b>	<b>48,6</b>	<b>49,9</b>	<b>50,6</b>	<b>49,3</b>	<b>52,5</b>	<b>52,6</b>	<b>52,2</b>

*Source: Danish Ministry of Science Technology and Innovation and Statistics Denmark*

### ***Research training (PhD)***

In Danish academia, a PhD-degree is a prerequisite for pursuing a career as a researcher at the universities or the government research institutions. Consequently, statistics on the number of female PhDs play an important role in making prognoses about the future. Over a period of 12 years the women's share of newly enrolled PhD-students has increased from 36 % in 1994 to 47 % in 2006. The Danish government has announced a remarkable increase in the funding for Ph.D.-students. Hence the actual number of women obtaining a doctoral degree will be much higher in the years to come.

It should be noted that the crossover frequency from masters programmes to PhD programmes varies considerably between the six fields of science. Within the humanities and social sciences only a limited amount of the master students continue as Ph.D.-students.

### Female fraction of newly enrolled PhD-students 1994-2006.

	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Arts and Humanities	46%	47%	49%	51%	53%	52%	52%	50%	49%	47%	52%	56%	49%
Social Sciences	38%	36%	31%	38%	32%	43%	46%	46%	45%	34%	51%	50%	49%
Natural Sciences	31%	24%	34%	33%	35%	30%	31%	37%	33%	35%	35%	37%	41%
Health Sciences	46%	54%	49%	49%	50%	55%	55%	54%	59%	56%	60%	54%	59%
Agricultural & Veterinary Sciences	49%	46%	50%	53%	47%	64%	64%	60%	54%	54%	61%	54%	61%
Technical sciences	17%	24%	24%	20%	22%	22%	24%	26%	25%	24%	29%	24%	26%
<b>Total</b>	<b>36%</b>	<b>37%</b>	<b>39%</b>	<b>38%</b>	<b>40%</b>	<b>43%</b>	<b>43%</b>	<b>44%</b>	<b>43%</b>	<b>41%</b>	<b>47%</b>	<b>45%</b>	<b>47%</b>

Source: Danish Ministry of Science Technology and Innovation and Danish Centre for Studies in Research and Research Policy

### Employment at universities

In the period 1997-2006, women's share of the total scientific staff has increased successively in all six main areas.

### Female fraction among the entire population of university professors, associated professors and assistant professors

	2000	2001	2002	2003	2004	2005
Professors	8,2%	n/a*	10,4%	10,1%	10,9%	11,8%
Associated Professors	21,6%	21,6%	22,8%	23,3%	24,4%	25,6%
Assistant Professors	33,9%	36,3%	35,9%	36,1%	37,6%	38,7%
<b>Total</b>	<b>22,0%</b>	<b>22,9%</b>	<b>23,3%</b>	<b>23,7%</b>	<b>25,1%</b>	<b>25,4%</b>

\* Not available due to faults in data from one university

Source: Danish Centre for Studies in Research and Research Policy

The average growth in the proportion of women has been approximately one percentage point per year for professors, associate professors and assistant professors in the period 2000-2005.

### Female fraction among the population of newly employed university professors, associated professors and assistant professors

	Assistant professors			Associated professors			Professors		
	1998-2000	2001-2003	2004-2006	1998-2000	2001-2003	2004-2006	1998-2000	2001-2003	2004-2006
Female fraction	34,1	36	36	27,1	29	31	9,9	15	18

Source: Danish Centre for Studies in Research and Research Policy

The statistical mapping provides information on the sex of all applicants for all scientific positions at all Danish universities. The survey includes a mapping of the field of applicants for each announced vacancy. Thus it is possible to determine the number of announced vacancies attracting applicants of only one of the sexes in relation to the number of announced vacancies

attracting applicants of both sexes. Furthermore, it is possible to determine the sex of the *qualified* applicants for each vacancy. The composition by sex of each scientific evaluation committee is also registered

Concerning the period 2004-2006 women were appointed to 46 % of the associate professorships and 42 % of the assistant professorships in cases where there was competition for the positions between qualified candidates of both sexes. For the professorships there were qualified candidates of both sexes; in 39 % of these cases women were appointed. Two issues should especially be noticed:

- The success of female applicants should be seen in relation to the different *number* of applicants of each sex. There was in average 3.0 qualified male candidates per professorship compared to 1.3 qualified female candidates. The lower share of women appointed to professorships should be seen against the background that for the 72 professorships where there were qualified candidates of both sexes, there was a total of 95 qualified female candidates while the total number of qualified male candidates was 218. All in all, 29 % of the qualified female candidates were appointed to the position they applied for while for the qualified male candidates the share was 20 %.
- The fact that in the most recent period surveyed (2004-2006) female candidates have been *more* successful in achieving appointments than male candidates has however *not* led to a significant shift in composition by sex of the total scientific staff. There were qualified candidates of *both* sexes for only 31 % of the professorships, associate professorships and assistant professorships that were filled in 2004-2006. Only when filling *these* positions was there the possibility of appointing either a man or a woman at the time of the final decision.

### Composition of scientific evaluation committees for appointment of university researchers

The analysis of the evaluation committees shows that there has been an increase in the number of women at evaluation committees since the last reported figures.

### Composition by position and gender of evaluation committees for appointment of professors, associate professors and assistant professors 2004-2006

	Exclusively male members	Exclusively female members	Both male and female members	Total evaluation committees	Number of committees
<b>Committees</b>	52%	1,1%	47%	100%	1646

Source: UNI-C

### ***Women's access to research funds allocated by the research councils***

Apart from gender-related conditions when scientific positions at the universities are filled, access to funding from the research councils is of importance to the overall situation of female researchers.

Since 2000 the Danish Agency for Science, Technology and Innovation has published statistical information on numbers of applicants, amounts applied for, number of grants and amounts granted to male and female applicants respectively. Thereby it becomes possible to follow the development in each field of science and each programme committee. The Danish Agency for Science, Technology and Innovation's statistical information includes a survey of the applicants' sex compared to the sex of successful applicants who receive a grant from the research councils. As it appears from the table below each applicant's rate of success may be determined both by application and by the proportion of the amount requested which is actually granted. The amount granted is often lower than the amount requested.

### **Applications, grants and rate of success within the general funding activities in 2007. Women's and men's share in percent.**

	Women		Men	
	Rate of success, number of applications	Rate of success, amount	Rate of success, number of applications	Rate of success, amount
Danish Research Council for the Humanities	32,5 %	14,8 %	37,0 %	16,0 %
Danish Natural Science Research Council	26,5 %	18,6 %	29,9 %	25,4 %
Danish Social Science Research Council	32,3 %	23,8 %	32,3 %	18,3 %
Danish Medical Research Council	26,4 %	13,8 %	39,9 %	16,7 %
Danish Technical Research Council	18,9 %	12,7 %	24,5 %	16,3 %
<b>Total</b>	<b>26,4 %</b>	<b>14,5 %</b>	<b>33,1 %</b>	<b>18,6 %</b>

Source: Danish Agency for Science Technology and Innovation <sup>1</sup>

The overall conclusion is that in 2007 the male applicants have been more successful than the female applicants in having their applications accepted by the research councils. Considering the amount granted, the success of male applicants is also higher.

### ***Political initiatives to promote equality in research and education***

As it appears from the above, there has been a positive development towards more women in scientific positions at all levels. The Ministry of Science, Technology and Innovation remains aware of the need to monitor the development through a continued separation by gender of most statistics concerning education and research.

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<sup>1</sup> Since the last report a reform of the Research Councils has been undertaken. The previous six research councils are now reduced to five. The responsibility of the Danish Agricultural & Vet. Research Council has been incorporated into the research councils for natural science, health and partly technical research council.

Apart from this monitoring, the Ministry and other relevant actors have taken other initiatives that may contribute to continuously promoting an equal gender distribution in education and research. The most important initiatives are mentioned below:

In 2005 a think tank under the Minister of Science, Technology and Innovation and the Minister of Gender Equality forwarded a set of recommendations aiming at getting more women into research as well as ensuring that women in research have good possibilities of staying in research as well as promoting

The recommendations are aimed at different levels – politicians, university management and the individual researchers.

Among other things the Think Tank recommends that the universities define objectives in their development contracts with the Ministry of Science, Technology and Innovation or in independent strategies on recruitment and gender equality. The objectives should be measurable, in writing and accessible to the public; and there should be an annual follow-up. As well, the Think Tank recommends that the Danish Parliament allocate resources for a new initiative to promote talented young women in science.

Although there are neither targets nor quotas relating to women in science in Denmark, the Equal Opportunity Act stipulates that “public committees, commissions and similar bodies set up by a minister for the purpose of laying down rules or for planning purposes of importance to society should consist of an equal number of women and men”<sup>2</sup>.

After the *Think Tank on More Women in Research* published its report in 2005, some of universities formulated specific objectives concerning the proportion of female researchers. This is an ongoing process where some universities show determination to increase the proportion of female researchers.

The development contracts for the period 2006-2008 are currently being replaced with a new set of contracts covering the period 2008-2010, but this general commitment to increase the proportion of female researchers is also apparent in the new set of development contracts.<sup>1</sup> Moreover, the Ministry of Science, Technology and Innovation has launched a research programme for young female researchers. In the period of 2006-2008 45 million DKK will be granted to research projects in natural and technology sciences. Both men and women are welcome to apply for the grants but if two applicants are just as qualified the applicant from the underrepresented sex will receive the grant.

Now the Danish Research Councils are launching a programme for the benefit of training younger female researchers in research management. The programme has approximately DKK 35 million.

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<sup>2</sup> <http://eng.social.dk/index.aspx?id=6b4eeb6e-37a7-42a5-96e5-1e10b43c0771>

Finally, like other public institutions in Denmark, the universities should every second year account for their achievements with regard to gender equality to the Ministry of Science, Technology and Innovation. Based on the feedback from the universities the ministry writes a report on gender equality to the Ministry for Gender Equality.

Regarding work–life balance is of importance for female researchers. Maternity leave is 18 weeks, paternity leave is two weeks and parental leave is 32 weeks (per family), until the child is 48 weeks.

### ***Youth education - Need for all youngsters***

It is a goal for the Danish government that by 2015, at least 95% of any year-group of youth should complete a youth education. Current figures indicate that on average 81% of the Danish youth completes a youth education, whereas the similar figure is merely 64% for young people with other ethnic background than Danish (immigrants and descendants).

The current campaign *We Need All Youngsters* (“Brug for alle unge”), which focuses on youth education programmes and young people with a non-Danish ethnic background was launched by the government in December 2002. Its primary objective is to increase the number of young people enrolling in and - not the least completing – a youth education programme.

The *We Need All Youngsters* campaign works to ensure that young people with a non-Danish ethnic background and their parents become more aware of the opportunities available within the Danish educational system, and that they exploit these opportunities on equal terms with their Danish counterparts.

At present, the campaign focuses on the following primary activities:

- Setting up retention programmes in vocational colleges
- Running teams of role models
- Carrying out recruitment campaigns
- Setting up homework assistance schemes.

The activities are carried out in close collaboration with relevant partners, including the Ministry of Education and selected educational institutions, voluntary organisations, actors on the labour market and the municipalities.

The campaign activities have generally been well received by the target group and the collaborating partners. The campaign staff has acquired a considerable amount of experience in arranging activities aimed at strengthening the educational attachment of young people with a non-Danish ethnic background. Furthermore, the staff has built up an extensive network of partners within the educational system, among labour market partners and within voluntary associations.

Whenever an initiative appears to be successful, the campaign staff communicates the experiences to municipalities and educational institutions across the country, so that these experiences can be incorporated into local integration efforts.

The campaign was evaluated last year. The evaluation showed that the campaign has been effective, and that the sort of initiatives launched by *We Need All Youngsters* will also be necessary in the future.

For more information please contact: [info@brugforalleunge.dk](mailto:info@brugforalleunge.dk)

## Article 11: The Situation in the Labour Market

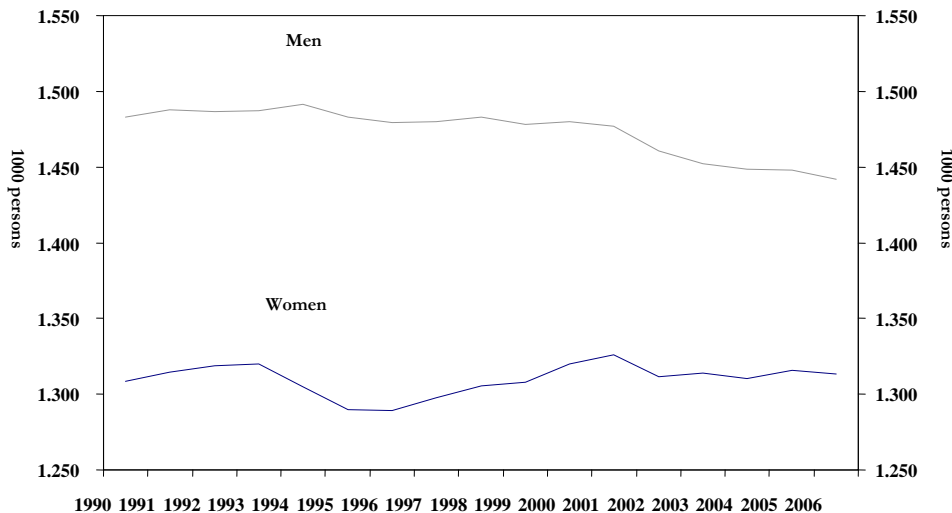
### A. Women in the workforce in Denmark

- Women constitute 47.5 per cent of the entire workforce,
- Women's participation rate is lower than men's. From 1997 to 2006, the participation rate for women was stable at 72-74 per cent. In comparison, men's participation rate has been about 80 per cent. In 2006, the participation rate was 79.6 per cent for men and 73.4 per cent for women.

Danish women have the highest employment rate among European women at 73.4 per cent.

In 2006, the workforce that includes all employed and unemployed persons totalled 2.76 million full-time persons. Women accounted for 1.31 million of these, which corresponds to 47.5 per cent of the entire workforce. The number of persons in the workforce has been falling slightly since 2002 for men, whereas it has remained fairly stable for women, cf. Figure 1.

**Figure 1.** The workforce by gender



Source: Statistics Denmark - [www.statistikbanken.dk](http://www.statistikbanken.dk)

By EU standards, Denmark has rather high participation and employment rates, in particular for women, and these years both women and men have a very low unemployment rate. Women's and men's extensive participation in the labour market remains an essential prerequisite of the Government's employment policy.



The gender equality policy in the employment field is based on this fact and is, in particular, targeted at dismantling the gender-segregated labour market, reducing gender pay gaps and reconciling work and family life.

Gender mainstreaming is an important tool to promote gender equality. Gender impact assessments of the labour market legislation are essential in order to understand the gender perspectives within the core services of the Ministry of Employment and provide knowledge to improve the functionality of the services, including promoting gender equality.

A considerable target is to prevent bottlenecks. This is best achieved by broadening women's and men's qualifications in order to enable them to perform diversified jobs, also over and beyond what is usual for their gender. The Public Employment Service is very concerned and uses its gender mainstreaming efforts in order to disseminate knowledge about the gender perspective in its work, so that colleagues have the necessary tools to work on mainstreaming.

### **Unemployment rate**

In general, women's unemployment rate is higher than men's. The trend is that men's and women's unemployment rates follow the same pattern. Unemployment for both men and women has basically been decreasing since 2003. In August 2007, the unemployment rate among women was 3.9 per cent, whereas 2.7 per cent of men in the workforce were unemployed.

### ***B. Ban on discrimination***

- Gender discrimination has been forbidden in all walks of life since the year 2000,
- On the labour market, gender discrimination has been forbidden since 1978,
- Both direct and indirect discrimination is forbidden. Especially discrimination during pregnancy and maternity leave is forbidden,
- Harassment and sexual harassment are considered discrimination on the grounds of gender.

The enforcement of the ban on discrimination still takes place within the system set up for the settlement of industrial disputes, the ordinary civil courts of law and the Gender Equality Board. Most of the cases dealt with concern dismissal during pregnancy and maternity, sexual harassment and equal pay cases.

### ***C. The gender-segregated labour market and the pay differentials***

The gender-segregated labour market is considered the most important reason for the pay differentials between women and men. Therefore, the two gender equality challenges are dealt with together.

- A little more than half of all female employees and about 21 per cent of men are employed in the public sector. A larger number of men are employed in the private sector. In local government, there are more than three times as many female as male employees. By contrast, there are slightly more men than women employed in the state sector,
- On average, men earn more than women. The naked pay differentials reflect among other things differences in the trades they work in, differences in the jobs they perform, and differences in the personal characteristics such as educational level and work experience. Today, discrimination is a minor problem.

### **Gender segregation on the labour market shows in several ways**

- Women and men work in different sectors: women dominate the local government sector and men are employed in the private and state sectors to a much higher degree,
- Women and men work in different sectors: few women are employed in the construction sector, and the office sector remains dominated by women,
- Enterprises tend to see women and men in specific jobs: there is a tendency that many enterprises have fixed, preconceived ideas of what jobs women and men can perform. A female smith is unusual,
- Customers may have an idea that they want their orders attended to by men or women: male social educators are not always welcomed by parents at child-care facilities; women electricians are not always considered qualified.

### **Pay development for women and men**

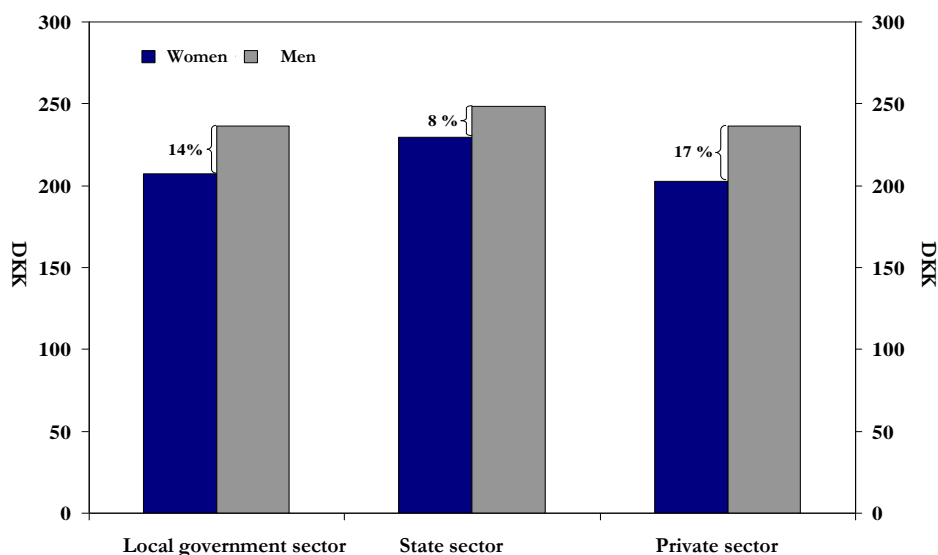
In 2005, the hourly earnings (exclusive of inconvenience premium) were DKK 236.7 for men employed in the private sector against close to DKK 202.8 for women, cf. Figure 2. That corresponds to a pay differential of 16.7 per cent.

In 2005, the hourly earnings for men employed in the local government sector were DKK 236.6, cf. Figure 2. Hourly earnings for women were DKK 214.3, which is 14.3 per cent lower than for men.

In 2005 men employed in the state sector earn on average DKK 248.6 per hour performed. That is 8.3 per cent more than for women, whose hourly earnings in 2005 amounted to DKK 229.7, cf. Figure 2.

Hourly earnings (exclusive of inconvenience premium) indicate total payment by the employer to the employee. Accordingly, hourly earnings include pay during sickness and leave in connection with childbirth as well as other paid absence, holiday pay and public holidays as well as employee benefits.

**Figure 2.** Pay differentials (earnings exclusive of inconvenience premium per hour performed) for employees in the *local government, state and private sectors* by gender, 2005



Source: Statistics Denmark - [www.statistikbanken.dk](http://www.statistikbanken.dk)

A report drawn up by SFI (The Danish National Centre for Social Research) in 2004 analyses the pay differentials between men and women in Denmark. The pay differentials are among other things the result of an unequal distribution of men and women in the private, state and local government sectors respectively. A much larger proportion of women compared to men are employed in the public sector. On the other hand, women are given compensation for absence in the public sector to a higher degree than men, which to some extent offsets the pay differentials, cf. SFI (2004).

The analysis is being conducted again on the basis of pay information up to 2006. The report concludes that approximately one third of the pay differential is due to the fact that men have another work function.

In the *state sector*, the pay differential was 8.1 per cent in 2001 (7.8 per cent in 1997). Consequently, the pay differential did not change significantly from 1997 to 2001. The reason for the pay differential is that men have higher education and more work experience, and another work function than women. It is only a minor proportion that cannot be explained by means of the statistical approach.

The pay differential in the *local government sector* was 11.3 per cent in 2001 (6.9 per cent in 1997). Consequently, there was an increase in the pay differential from 1997 to 2001. In spite of this increase in the pay differential, the entire difference can be explained by means of the statistical approach. As much as five sixth of the pay differential can be explained as a result of work function differences.

## **Concrete Initiatives on the gender-segregated labour market and equal pay**

In relation to the Government's gender equality strategy, the following concrete initiatives have been taken since the sixth report:

The Government's effort on equal pay and the gender-segregated labour market is very complex and is conducted in dialogue with companies and the social partners in recognition of the fact that promoting equal pay takes place at the workplace and during the collective bargaining.

The Equal Pay Act provides protection against discrimination and both the Gender Equality Board and industrial arbitration deal with such cases. The website [www.ligelon.dk](http://www.ligelon.dk) presents an overview of what cases have been settled by the European Court of Justice, the courts of law, industrial arbitration and the Gender Equality Board.

The Social Partners are aware of their crucial role in this field, so it is thoroughly debated how companies and employees may change their attitudes in order to admit more women to well-paid male dominated jobs. This approach makes it possible to deal with equal pay, the gender-segregated labour market, and the reconciliation of working life and family life at the same time.

The debate takes place among other things at equal pay seminars organised by the Ministry of Employment where researchers and experts discuss various gender equality subjects. Examples of gender equality subjects are: the significance of the gender-segregated labour market to pay differentials between women and men, what is the significance of taking maternity leave to the individual woman's pay conditions, corporate gender-segregated pay statistics.

The knowledge of the pay gap between women and men is to be used in the enterprises and to exert influence on collective agreements. As far as possible, experience should be collected in databases and tool boxes as best practice for inspirational exchange of experience for both enterprises and the social partners.

One of the initiatives is an equal pay guide, which is to promote the enterprises' work on gender equality and equal pay. The guide offers an insight into the mechanisms that are the reason why women and men do not earn the same. The guide gathers knowledge, points of view and presents practical advice on how enterprises, union representatives and employees can take part in the work on equal pay.

In 2008, the equal pay guide has been supplemented with a corporate guide on the gender-segregated labour market. The guide is to help enterprises to see how they can use women's and men's talents in the best possible manner in as many different work functions as possible.

As of 1 January 2007, all major enterprises are required to draw up gender-segregated pay statistics. It means that many enterprises for the first time are required to work on equal pay. Cooperation on equal pay in the enterprises becomes a top priority. Therefore, it is the enterprises that already have gathered experience from joint consultation committees that are to draw up gender-segregated pay statistics. It is only major enterprises that are required to do so. However, the new statistics will hopefully mean that the large

enterprises take the lead so that the good experience gained from promoting equal pay between women and men will spread to other enterprises.

Both the equal pay guide and a guide on gender-segregated pay statistics are available on the website [www.ligelon.dk](http://www.ligelon.dk). On this website, all material is gathered that may assist enterprises in their efforts to ensure equal pay between women and men.

On the website there are, furthermore, a number of examples from enterprises that have worked actively on equal pay and the gender-segregated labour market.

In the year 2004, the Danish National Centre for Social Research presented a report on pay differentials on behalf of the Ministry of Employment. A new report is expected in 2008.

#### ***D. Maternity, paternity and parental leave***

- On average, women received maternity benefits in 27.2 weeks in 2006, whereas men received paternity benefits in 3.7 weeks on average. Men's paternity leave constitutes 8 per cent of the entire leave,
- In some cases, the person concerned gets paid by the employer in connection with confinement. In these cases, benefits are paid to the employer.

The rules on maternity, paternity and parental leave were amended in 2002 and extended in order to improve the parents' leave conditions in connection with childbirth. Reference was made to the regulations in the sixth report.

Pregnancy and maternity leave: a female employee shall be entitled to absence from work due to pregnancy and maternity from the date estimated to be four weeks before the birth of the child.

Paternity leave: the father of a child shall be entitled to absence for up to two weeks after the birth or reception of the child in the home or - according to an agreement with the employer - within the first 14 weeks after the birth of the child. Nearly all fathers make use of this leave.

Parental leave: each parent is entitled to 32 weeks, which might be prolonged to 46 weeks with some pay reduction. This parental scheme is very flexible. The parental leave may not only be prolonged, but it may also be divided up so that part of the leave can be put off. If the employer agrees, the parents are entitled to share the leave so both parents are able to work part-time.

The economic compensation is full benefits for 12 months, which amount to DKK 183,000 pr. year. Furthermore, a large and increasing number of employers provide pay during leave in connection with childbirth for a large part of the leave period.

### Mothers' and fathers' use of maternity, paternity and parental leave

In 2006, a total of 148,073 persons received benefits in connection with the birth of a child. Out of these, women accounted for 68.1 per cent. On average, women received maternity benefits in 27.2 weeks in the course of 2006, whereas men received paternity benefits in 3.7 weeks on average, cf. Table 1.

These statistics do not show how much leave is taken altogether in connection with childbirth, but the average benefits received within a single year. For many women, the total leave period will extend into the following year.

**Table 1.** Total benefits in connection with childbirth, etc. 2002 – 2006

	2002	2003	2004	2005	2006
Total number of weeks	1,941,735	2,744,945	2,854,566	2,897,338	2,938,458
Women's share, percentage	94,5	94,9	94,5	94,1	94,0
Persons	124,094	138,629	146,906	148,073	149,256
Women's share, percentage	63,8	68,3	68,4	68,2	68,1
Average number of weeks:					
- Women	23,2	27,5	26,9	27,0	27,2
- Men	2,4	3,2	3,7	3,6	3,7
- Total	15,6	19,8	19,4	19,6	19,7

*Source: Statistics Denmark and Ministry calculations*

When the leave period is calculated per child in the year of the birth and the following year, it appears that fathers are taking an increasing share of the total leave period. In 2005, the father's share was 7.5 per cent and the mother's 92.5 per cent, cf. Table 2.

It is expected that fathers will make use of parental leave to an increasing extent as pay during parental leave for both parents is becoming increasingly prevalent. In connection with the recently concluded collective bargaining in the public sector, parents have had their paid leave extended by six weeks.

**Table 2.** Days of leave per child

	Number of days per child		Percentage of total number of days	
	Father's leave	Mother's leave	Father's share of leave	Mother's share of leave
2003	19	278	6,40	93,60
2004	18	272	6,21	93,79
2005	22	271	7,51	92,49

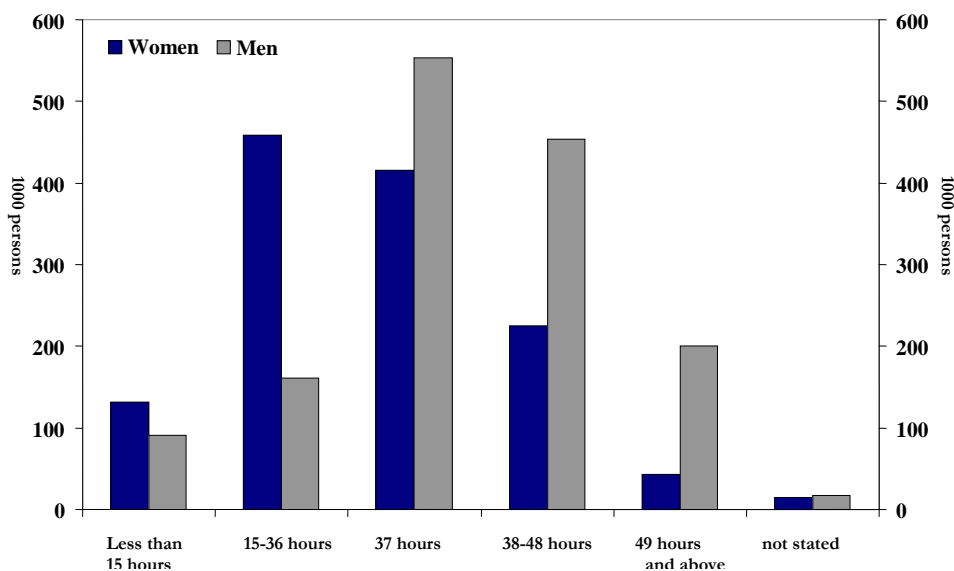
Source: Statistics Denmark and Ministry calculations.

In 2006, a state equalisation scheme in connection with childbirth was introduced. All employers must contribute to the scheme even if they do not provide pay during maternity/paternity leave, nor have any employees who are to take a leave period in connection with the birth of a child. The objective of the scheme is to ensure that it is not only women-dominated trades that have to bear the payroll costs during the leave period.

### *E. Part-time work/reduced hours/working hours*

- In 2007, there were more women than men who worked less than 37 hours per week. By contrast, there were more men than women who worked 37 hours or more,
- In 2006, the average weekly working hours for women were 32.2 hours whereas men worked on average 38.3 hours a week.

**Figure 3.** Employment in 1,000 persons by gender and weekly working hours



Source: Statistics Denmark - [www.statistikbanken.dk](http://www.statistikbanken.dk)

There are more part-time employed women than men. There are more than four times as many women as men who work between 30 and 34 hours a week. For those who work between 20 and 29 hours a week, there are close to three times as many women as men. The use of part-time work has decreased during the last years.

A survey from the Danish National Centre for Social Research (SFI) shows that 16 and 19 per cent of employed men and women respectively in 2001 had formal flexible hours. Among persons who had formal flexible hours, approximately nine out of ten used the possibility of flexible hours.

Close to every third out of the employed men and women in 2001 had the opportunity to work at home. Out of these, approximately four out of five used the option to work at home, see table 4.

**Table 3.** Formal flexible hours and home working used by employed men and women, percentage, in 2001

	<i>Men</i>	<i>Women</i>
Proportion with formal flexible hours	16,4	18,6
- proportion of which making use of flexible hours	89,1	92,1
Proportion with the possibility of home working	31,2	31,4
- proportion of which making use of home working	82,1	81,6

*Source: The Danish National Centre for Social Research (2002)*

From 2001 to 2006, there was a practically constant proportion of both men and women who worked at home on a regular basis, cf. Figure 4. In the same period, there was a great increase in the number of men and women who occasionally worked at home. For men, the number of persons rose from 282,000 in 2001 to 368,000 in 2006, which is an increase of approximately 30 per cent. The number of women who occasionally worked at home rose from 154,000 persons to 236,000 persons in the same period, which is an increase of approximately 53 per cent. In the entire period, there were more men who worked at home. The proportion of women who occasionally worked at home increased from 35 per cent in 2001 to 39 per cent in 2006.

A fairly equal number of men and women had normal working hours in 2001. For both men and women, almost seven out of ten employed persons had normal working hours. Considering irregular working hours, work in the evening and work on a Saturday are most prevalent among both men and women. There is a trend that women to a higher extent than men work on a Saturday, whereas men to a higher extent work at night, cf. Table 4.



**Table 4.** Different working hours for employed men and women, percentage, in 2001:

	<i>Men</i>	<i>Women</i>
Normal working hours	69,3	67,5
<i>Irregular working hours:</i>		
- working in the evening	20,4	20,9
- working at night	10,8	7,1
- working on a Saturday	20,8	24,5
- working on a Sunday	15,9	16,8

*Source: The Danish National Centre for Social Research (2002)*

Since 1964, men's gross working hours have decreased, whereas women's gross working hours have increased<sup>3</sup>. Compared with 1964, men's gross working hours decreased by one hour and 44 minutes to an average of five hours and two minutes per day in 2001. Within the same period, women's gross working hours increased by close to one and a half hours to an average of three hours and 53 minutes per day in 2001.

Compared with 1964, men spent more time on housework in 2001, whereas women spent less time. In 2001, men spent close to two and a half hours a day on housework, which is an increase of almost two hours compared with 1964. Women spent an average of three and a half hours a day on housework, which is a fall of close to one hour compared with 1964, cf. Table 5.

**Table 5.** Distribution of work among couples in 1964, 1975, 1987 and 2001, average number of hours per day

	<b>1964</b>		<b>1975</b>		<b>1987</b>		<b>2001</b>	
	<i>Men</i>	<i>Women</i>	<i>Men</i>	<i>Women</i>	<i>Men</i>	<i>Women</i>	<i>Men</i>	<i>Women</i>
Gross working hours	06:46	02:12	05:40	02:38	04:45	03:18	05:02	03:53
Housework	00:29	04:29	01:07	03:50	01:38	03:03	02:26	03:30

*Source: The Danish National Centre for Social Research (2003)*

There are also great differences in women's and men's attachment to the labour market. On average, women work fewer hours than men and are more absent from the labour market due to maternity and other types of leave and as a consequence of a higher unemployment rate. Therefore, men spend greater average time on the labour market than do women. In 1998, the length of women's average full-time work experience in years was 16 per cent less than for men.

In 2002, legislation was introduced to the effect that an employer and an employee have the right to agree that the employee works part-time. This right applies independent of corresponding regulations in collective agreements and practice. The legislation offers better opportunities to reconcile working life and family life.

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<sup>3</sup> Gross working time includes paid work and participation in qualifying education, transport to and from work and studies.

### ***F. Targets for the gender mainstreaming strategy***

The strategy of gender mainstreaming is to improve the quality and effectiveness of the ordinary work and in this manner to meet the individual needs of men and women to a higher degree.

#### **Promotion of equality policy goals**

The Ministry of Employment has formulated a gender policy within its area. The gender policy is a prerequisite for gender assessments of Parliamentary Bills in the Ministry of Employment.

For the Ministry of Employment, the goals are very clear:

- Disaggregate the gender-segregated labour market
- Equal treatment
- Reduce the pay differentials between women and men
- Reduce women's extra unemployment
- Reconcile family life and working life

#### **Data collection**

- Common supervision – create consciousness of the importance of gender for the labour market policy,
- Gender-segregated statistics in all units in order to supervise key services for the benefit of gender assessment and identification of the need for gender mainstreaming of key services.

The Ministry needs profound knowledge about how gender equality influences the labour market. This knowledge is updated every year for the benefit of the Ministry's work on gender equality on the labour market to ensure that the debate on gender equality takes place on an objective and informed basis.

The main function of data is to acquire precise knowledge of the persons who are included in the mainstreaming initiative. The target group must be described carefully. When note has been taken of the gender together with all other relevant personal characteristics, there is more knowledge of what the scope of the initiative is to be. And the quality of the initiative will be improved

Gender mainstreaming has as a prerequisite that it is possible to assess the conditions of persons. The demand for data implies that individuals are placed into meaningful groups related to the content of the assessment. The gender is always meaningful. Very often age, ethnicity, and educational background are necessary variables.

The number, distribution of sex, and characteristics of the most important indicators within a certain area of society are therefore an essential tool in the work on gender mainstreaming.

The breakdown of data by sex must also be implemented in such a way that gender stereotypes are removed. It is important that data show a true picture of the status of the two sexes in society.

The various units in the Ministry are responsible for establishing supplementary data within their own area, to enable them to deliver the analysis necessary for Parliamentary Bills in order to live up to the obligation of presenting supplementary memos on gender equality.

### **The content of the memo**

- The reasons for the Parliamentary Bill. It must be explained why the Bill is introduced,
- The purpose of the Parliamentary Bill. It is described how the Bill is to change the current situation on the labour market i.e. the size of the labour supply,
- The target group,
- Aggregate assessment – Description and analysis of the significance of the Parliamentary Bill regarding the conditions of women and men on the labour market.

Since 1995, all Parliamentary Bills on active labour market initiatives and leave schemes have been gender assessed. Since then, the arrangement has been extended to all Parliamentary Bills in the Ministry. All Parliamentary Bills have been accompanied by a memo since 2005.

The purpose of the memo is to uncover if there are relevant gender and equality aspects of the Parliamentary Bill. This must appear from the memo. Sometimes the Parliamentary Bill is of greater importance for one sex than the other. The memo must contribute to avoiding unintended effects.

The memos contain the background to the Parliamentary Bill. What is the occasion for presenting the Bill? Is the Bill part of an agreement in Parliament or part of the Government's policy platform? The purpose of the Parliamentary Bill: What problem is to be solved and how will the current situation change?

The target group of the Bill is especially important. It is necessary to know who will be influenced by the Bill. Their number, the division between women and men, their age, their educational background, their connection to the labour market will give a clear picture of the affected persons. In the Ministry of Employment, it is very often persons who receive public allowances.

In this respect it is important to identify and analyse the target group. The analysis of the target group on the basis of data is decisive to secure that the basis of decisions is sufficient in order to formulate the content of the initiative. A clear picture of the content of the initiative is necessary. At the same time, it has to be made clear how the persons concerned are influenced by the initiative. I.e. is there more or less money available for the persons concerned when a public service is adjusted?

The memo must show what political interests are at play. Taking into account the different positions of women and men on the labour market, it is altogether necessary to know how they are affected.

It has also appeared that priority has not always been given to how many persons will be affected by a Parliamentary Bill. Considering how much that means to the costs of a Bill, it is very strange indeed. But it is clear that the memos help to correct this situation.

The civil servants who are responsible for the work on Parliamentary Bills must themselves write the memos on gender equality. Naturally, they have guidelines at hand telling them how to do this. As mentioned earlier, gender-segregated statistics are at hand, but they must find out how many persons are affected by a Bill.

### ***G. Mainstreaming of the core services within the Ministry of Employment***

The Public Employment Service (PES) system has for many years focused on promoting gender equality on the labour market. In connection with the establishment of the new employment system and the new job centres that came into force on 1 January 2007, the gender equality effort has been reorganised. The principle governing the gender equality work in the new system will be the mainstreaming strategy. It means that all job centres under the new structure are to work on gender equality and the dismantling of the gender-segregated labour market.

In order to support this work, a special function for gender equality was established in connection with the commencement of the reform. The special function is required to initiate various activities within the area and support the gender-equality promoting activities at the individual job centres, among other things by advising the job centres on the gender equality work and by monitoring the initiatives at the job centres and throughout the country. Furthermore, at all job centres a key person is appointed to act as a link between the special function and the job centres.

The job centres have the possibility to approach the special function for gender equality and obtain information, help and guidance to carry out, among other things, the mainstreaming work. Furthermore, the special functions have an active, outreach role to play in terms of organising courses and seminars for the job centres. In order to support the information initiative, a website has been set up with easily accessible information within the area of gender equality.

In the area of gender equality, there is good experience of the mainstreaming method. The method implies that the individual member of staff qualifies for working on, for example, the gender equality effort. It means that knowledge about the area is not only confined to a few consultants but is rolled out so that all staff members obtain knowledge and co-ownership of the best tools to perform the task.

### **The special function's tasks**

The point of departure of the special function's activities and tasks is the gender equality policy of the Ministry of Employment. They are to contribute to:

- Increasing the employment opportunities of both men and women,
- Dismantling the gender-segregated labour market in order to help eliminate the pay differential between women and men,
- Eliminating excessive unemployment for women and men.

The vision of the special function for gender equality is that the function by means of advice and information contributes to integrating the gender and gender equality perspective in the job centres' core tasks (the mainstreaming strategy), so that all staff members at all levels incorporate the gender aspect into all tasks.

### **The activity plan**

The special function is to draw up an activity plan every year in which it is set out what initiatives the function will launch in the course of the year ahead. The action areas for the special function's activities for 2008 are to:

- Ensure that the recruitment basis for private and public enterprises has a balanced gender distribution in areas that are short of labour,
- Support the guidance offered at the job centres with focus on dismantling gender-based barriers with regard to choosing education and job,
- Increase the employment rate for women and reduce women's proportion of the number of persons who receive transfer income in general, and reduce the unemployment rate for selected groups of men,
- Contribute to developing mainstreaming competence at the job centres and among other employment policy actors.

The objective of all activities described under the four action areas is to mainstream work at the job centres. Part of the strategy is to include the gender equality perspective at all levels of the decision-making processes. Through its activities in 2008, the special function will support the development of the necessary competence at the job centres and among other actors in the regional and local employment efforts.

### **Gender mainstreaming within the National Board of Industrial Injuries**

Work on promoting mainstreaming that has been carried out so far at the National Board of Industrial Injuries has been based on a wish to obtain knowledge of the significance of gender with regard to the award of industrial injuries compensation at present, and what is needed to maintain this knowledge in future.

The relevant initiatives may be divided up into initiatives with respect to the internal system and the external system:

- The result of the survey of the *consideration of a case* is included in the further work of the Occupational Health Committee, which means that a topic for research will be formulated as to whether arm injuries may develop due to repetitive work without the use of force. At

present there exists no medical evidence that arm injuries may arise as a result of repetitive work without any use of force. Therefore, there is no basis for easing the use of force requirements in the catalogue of industrial diseases that is being drawn up,

- A topic for research will be formulated as to whether stress, bullying and harassment, etc., which are also typical “women’s strains”, may lead to actual mental diseases. In this area, there is, however, no qualitative analysis of reporting and recognition patterns,
- The trend in recognition percentages for men and women is monitored closely – especially after 1 January 2005 when a new industrial disease concept came into force.

### ***H. Women Entrepreneurs***

Since taking office in 2001, the Danish Government has put a lot of attention on promoting entrepreneurship. It has implemented more than 50 different initiatives through five action plans. The initiatives are focused on improving entrepreneurial conditions in Denmark. The initiatives are for women as well as men as favourable conditions are conducive for everybody.

It is not a political priority to have entrepreneurial objectives targeted specific groups. Therefore Denmark does not have public schemes for promoting or supporting women entrepreneurs.

In the last European Social Fond program period (2000-2006) quite a number of Danish projects supported by the fond were directed at women. The experiences gathered from these projects are collected and will be used for the purpose of future initiatives and programmes. In the current program period (2007-2011) there is also a priority on projects with a strong focus on equal opportunities.

There is a considerable time lag before improvements in framework conditions materialise in better performances. Hence the effect of the initiatives cannot be seen in the statistics yet. In addition, the statistics on new enterprises and entrepreneurs has a time lag of between 3-4 years. The newest figure covers 2004.

In Denmark around 25 pct. of the entrepreneurs are women. The share fell slightly between 2001 and 2004. The figures cover all new enterprises including companies, sole proprietorship and partnerships.

	2001	2002	2003	2004
<b>Male</b>	74,6	74,7	75,4	75,9
<b>Female</b>	25,4	25,3	24,6	24,1
<b>All</b>	100	100	100	100

The Global Entrepreneurship Monitor can be used to compare Denmark with other countries. From their survey it can be seen that 3.30% of Danish women in 2006 were engaged in early stage entrepreneurial activity – whereas the figures for respectively Sweden was 2.43%, Norway 5.87%, UK 3.61% and the Netherlands was 3.60%. The Danish share is a little below the average for the 19 European countries that participated in the GEM-analysis.

There are a number of different reasons for the lower number of female entrepreneurs. One reason is that a large proportion of Danish women tend to take an education that leads to employment in the public sector where entrepreneurial opportunities are limited.

### ***I. Women in management***

Since 2003, the Minister for Gender Equality has given focus to women in management. In the private sector, women account for a mere 4 per cent of senior executives. At the level immediately below, at executives' level, the figure for women is 7 per cent. Women represent between 15 and 19 per cent of middle managers in the private sector. In the state sector, women account for 20 per cent of senior executives, in the municipalities the figure is 22 per cent.

With regard to boards, women are particularly under-represented in large enterprises, where a mere 11 per cent of the directorships are held by women. By comparison, the proportion of women directors is close to 24 per cent in small enterprises and approximately 18 per cent in medium-size enterprises. A total of 62 per cent of the boards of large enterprises have no women members.

The strategy for the Minister's action in the area is based on cooperation, dialogue and knowledge sharing with the cooperation partners in the private sector. It must be made clear to the enterprises that it is good business strategy to recruit from the entire pool of talent, and that women in management mean better executive teams and better opportunities to address all the enterprise's customer segments. Rather than introduce quotas, the Minister for Gender Equality has decided to launch a charter for more women in management. For a detailed description, please see below.

In the period 2004-2008, the Minister for Gender Equality has launched the following initiatives:

In 2004, the Department of Gender Equality chaired a European project on women and management. The Danish partners: Financial Services Union, Denmark, the Confederation of Danish Industries, Scandinavian Airlines Denmark, and Nykredit have all worked on the recruitment of women managers internally in their organisations. The Department of Gender Equality has developed the website [www.towards-power.com](http://www.towards-power.com) and made the collected results accessible there.

In 2005, the Minister for Gender Equality presented an economic analysis of the correlation between the proportion of women in management in the private sector and the significance of this to the financial bottom line of enterprises. The survey which was conducted by the Aarhus School of Business showed a positive correlation between the proportion of women in management and the financial results.

The report led to a long-term effort to boost the number of women in management in the private sector. The Minister for Gender Equality, for example, set up a network for private enterprises for the purpose of raising the proportion of women in management. The network is

to give enterprises the possibility of exchanging professional experience on strategies and methods to increase the number of women in management.

In June 2006, the Minister for Gender Equality together with the Confederation of Danish Industries organised a TopLederCamp (Senior Executive Camp) for opinion makers and senior executives from leading enterprises. At this event, the participants were given 30 hours to come up with ideas for new initiatives and strategies to improve the representation of women in top management. In 2007 as a follow-up on the Camp, the Minister for Gender Equality together with the Confederation of Danish Industries appointed ten senior executives among men and women representing public and private enterprises. They are, among others, the Chief of Defence, CEOs from Scandinavian Airlines Denmark, LEGO and DONG, a Police Commissioner and the Permanent Secretary of the Ministry of Economic and Business Affairs. For a one-year period, the senior executives are to constitute a corps of ambassadors who are to work towards bringing more women into management and onto boards in the public and private sectors. The task of the ambassadors is primarily to set the agenda in the public debate and keep up the discussion about women and management.

In 2007, the Department of Gender Equality and the State Employer's Authority launched a one-year mentor programme for women managers in the state sector and the private sector. The objective of the programme is to help women who are already managers to develop their careers further towards senior executive positions in both the public and private sectors. The programme has been designed in such a way that a mentee from the private sector is assigned a mentor from the public sector and vice versa. This programme also provides the opportunity to exchange experience between the two sectors. The participating enterprises include, among others, Urban, Nykredit, Carlsberg, the Danish Veterinary and Food Administration and the Danish Court Administration. A total of 27 mentees and 27 mentors take part in the scheme.

In Marts 2008, the Minister for Gender Equality launched a charter for more women in management. The charter has been drawn up by a steering group comprising managers from five public and five private enterprises. The charter is to function as a driving force for the work on women and management. The Minister for Gender Equality invites public and private enterprises to sign the charter. Enterprises that sign the charter commit themselves to setting goals for getting more women into management. The individual enterprise itself is required to set up target figures and tailor activities and initiatives to the conditions of the enterprise, for example sector, size and proportion of women employees. The steering group has drafted a catalogue of ideas containing examples of best practice and human resource tools as a source of inspiration for the work towards boosting the number of women in management.

## **Article 12: Health**

As stated in previous reports, women and men have equal access to health care services in Denmark, including those related to family planning. The government continuously evaluates the prioritisation of gender-related health issues and prevention programmes addressing health issues specific to women, such as breast cancer.



From January 1st 2009 12 year old girls will get the HPV vaccine for cervical cancer free of charge. Girls aged 13-15-årige will at latest October first 2008 get the vaccine in a catch up round.

Research related to women's health is considered essential in Denmark, and women are included as subject of research of the same basis as men.

### ***Fertility***

Women's fertility has increased since the middle of the 1980s from 1.4 to 1.9 children per women in 2006. During the same period of time, the average age for women giving birth increased from 27.7 years in 1985 to 30.2 years in 2005. The average age for first-time mothers was 28.9 years in 2005<sup>4</sup>. The relatively high age for first-time mothers is a consequence of more women today deliberately postponing having children.

In 2005, 9652 "IVF-treatments" (in vitro fertilisation) were initiated which resulted in a total number of 2192 clinical pregnancies and 1792 births with at least one live-born child<sup>5</sup>.

### ***Right to abortion***

Women in Denmark got the right to legally induced abortions in 1973. According to the law, all women in Denmark have the right to have an induced abortion before the end of the 12<sup>th</sup> week of pregnancy.

In spite of the right to abortion the abortion-rate has been declining since 1989. There has been a decrease in the abortion-rate (number of induced abortion per 1,000 women) from 16.5 abortions per 1,000 women to 12.2 per 1,000 women in 2006. There has also been a relative decrease in the share of induced abortions. In 2005 the share of induced abortion consisted of 23.6% of the number of births of live born children.

Women seeking induced abortions can choose between medical or surgical induced abortions. In 2006 37.7% of all induced abortions were medical induced abortions, 58.6% were surgical induced abortions. The remaining 3.7% were combined medical and surgical induced abortions.

From 2002 to 2006 there has been a minor but consistent increase in the abortion-rate among young women aged 15 – 19 years. In 2006 the abortion-rate was 16.3 per 1.000 women among women aged 15 – 19 years.

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<sup>4</sup> Data source: Fertility rates, average age for women giving birth as well as the age of first-time mothers are all from *Statistics Denmark* and are found on [statistikbanken.dk](http://statistikbanken.dk)

<sup>5</sup> Data source: *National Board of Health*, the report "IVF- treatments in Denmark 1998-2005" tables 2 and 10 ([http://www.sst.dk/publ/tidsskrifter/nyetal/pdf/2007/14\\_07.pdf](http://www.sst.dk/publ/tidsskrifter/nyetal/pdf/2007/14_07.pdf)).

From 1999 – 2003 an action plan was implemented to decrease the number of induced abortions in Denmark. A total amount of DKK 20 million was granted to this plan. The action plan was continued from 2004 – 2007 where a total amount of DKK 14 million was granted to the continuation of activities to reduce the number of induced abortions. The activities supported through the action plan and the follow-up to the action plan was based on the existing access to free abortion before the end of the 12<sup>th</sup> week of pregnancy. The activities focussed on providing information to the general public and to identify vulnerable groups, e.g. young people and immigrants from non-westerns countries, to train health personnel, and implement model projects.

As a follow-up to the abovementioned plan a total amount of DKK 19.2 million has been allocated (from 2008 – 2011) to support initiatives to reduce the number of induced abortion and sexually transmitted infections.

### ***Public Health Programme***

In September 2002 the Government published a public health programme “Healthy throughout Life” which sets the targets and strategies for the public health policy in the period 2002-2010. The programme contains targets for several risk factors and establishes a special focus on efforts to reduce the major preventable diseases and disorders, among other diseases which primarily effect women.

As part of the new Government platform 2007 the Danish government will launch two new large initiatives to follow up on “Healthy through out life”. Firstly, the government has just appointed a committee consisting of experts in the field of health promotion and disease prevention programme, health economics and representatives from both the public and private sector. The committee shall deliver its recommendations in the beginning of 2009 as to how health promotion and disease prevention in Denmark can be done even better than today. Secondly, the government will on the background of the committee’s recommendations publish a new public health and disease prevention programme in 2009 including clear aims for the future effort.

### ***Life expectancy***

In 2006-07 life expectance for Danish women rose to 80.5 years. On the average Danish women lived 4.5 years longer than Danish men in 2006-7, as men had a life expectance of just below 76 years. In the 1980s the difference between women and men’s life span was 6 years. The gender difference has narrowed due to the fact, that there has been a greater increase in men’s than women’s life expectancy. Between 1995-2005 the life expectancy for women increased by 2.4 years, while men gained 2.9 years over the same 10-year period.

Life expectancy for women in Denmark has risen more than in the other Nordic countries and neighbouring countries such as Germany and Great Britain. However, life expectancy for Danish women is still below the average for other EU- and OECD-countries.

During the 1970s and 1980s, the most frequent cause of death amongst both women and men was coronary diseases. This has changed as the mortality rates for coronary diseases have decreased dramatically. Despite a continuous decrease in mortality rates for cancer, cancer has been the most common cause of death for both sexes since the mid 1990s.

### ***Tobacco smoking***

Danish women smoke on a rather large scale. Men still smoke more than women, but the gender difference is small in Denmark compared to other European countries. In 1994, 35 percent among women and 39 percent among men smoked every day. The number is steadily decreasing. In 2008, 23 percent of women and 24.5 percent of men smoke every day. However, there appears to be a decline in number of female heavy smokers. All through the nineties approximately 14 percent of women smoked more than 15 cigarettes a day. In 2007, the figure has dropped to 11 percent.

Due to the large proportion of smokers among women, death caused by lung cancer has increased in the female population, as well as death caused by chronic obstructive pulmonary disease.

### ***Obesity***

The prevalence of overweight (BMI  $\geq 25$ ) and obesity (BMI  $\geq 30$ ) is increasing rapidly - in Denmark as in the rest of the Western world. In 2005 11 percent of Danish women and 12 percent of men were obese. Effective methods and tools to prevent and to treat obesity need to be developed. Primary prevention includes a healthy diet and physical activity. A wide number of initiatives and projects have been initiated to prevent and treat obesity, including projects targeting certain ethnic groups, which are at special risk of developing obesity, and obese pregnant women.

### ***Health and prevention for foreign women***

An increasing part of the Danish population is made up of immigrants and descendents from immigrants. In 1980 immigrants and their descendents constituted 3.0 % of the total population and in 2005 the number was 8.4 %.

In the past few years disease prevention and health promotion targeted at ethnic minorities have been a prioritized area for the Danish National Board of Health. Also on local levels in many municipalities, ethnic minority health has received much attention. Several initiatives have been implemented, some focusing on ethnic minorities in general, and others on specific subgroups defined either by country of origin, gender, or age group. Women have been the direct target of several initiatives, and according to a recent analysis from the National Institute of Public Health initiatives targeting ethnic minority women are overall much more common than initiatives targeting men.

Of the initiatives directly targeting women many have focused on reproductive health. The National Board of Health has with support from The Ministry of Refugee, Immigration and Integration Affairs run a four-year project aimed at the prevention of unwanted pregnancies and sexually transmitted diseases, especially HIV. This has been undertaken in collaboration with local partners across the country like NGOs and ethnic communities. The activities have varied from local information meetings to the production of special issues of non Danish language newspapers dealing with reproductive health matters. It has been a priority to get the target group involved in planning and executing these activities as much as possible. In addition, more centralized activities have been undertaken, e.g. production of information DVDs and leaflets in several languages, and a national seminar on prevention and health promotion among immigrants.

In relation to antenatal care several hospitals with a high proportion of ethnic minorities in their uptake areas offer special group consultations for non-Danish speaking women or consultations with midwives especially trained in working with ethnic minority women. In some areas with high concentration of social problems community outreach antenatal programs have been established. The newly published professional antenatal care guidelines from the National Board of Health include information specifically relating to immigrant mothers.

Another group of projects targeting women has dealt with health on a more general level, focusing on creating health promoting networks among women living in socially troubled communities. These have been undertaken in bigger cities like Copenhagen, Odense and Aarhus. In a network-building approach, women have been offered physical activities, healthy cooking classes and lessons in childcare and nutrition.

### ***HIV/AIDS***

By the end of 2006 1317 women were diagnosed with HIV in Denmark since 1990. This is nearly 28 percent of all persons diagnosed with HIV. Women are not a prioritised group in the prevention of HIV/AIDS as such, but as part of risk groups such as intravenous-drug abusers and immigrants. Moreover, priority is given to informing the public in general. In 2006 70 women were reported as having HIV and 20 women as having AIDS. Most of HIV-positive women belong to ethnic minorities and are born abroad

In the period of 1990 to 2006 in total 1532 foreigners i.e. 719 men and 813 women out of a total of 4770 have been reported with HIV in Denmark. Some have died, and others have left the country.

In 2006 245 newly diagnosed HIV infections were reported in Denmark of which 96 persons had immigrant background. The two largest groups of immigrants represented in the statistics, are people originating from Africa and from Asia, which reflects the epidemic in these countries and regions. Most of the HIV positive immigrants living in Denmark have been infected in their originating countries.

In the last 5 years focus on the HIV/AIDS preventive efforts targeting ethnic minorities have increased in Denmark. The Danish National Board of Health has prioritized the effort both

according to an increase in the production of informational material and of financial support to the area and by underlining the need for a strengthened effort in the Board's four-year strategy paper. The National Board of Health has made the Danish AIDS-Foundation the primary collaboration partner in the field merging a Counseling Unit and a Project and Knowledge Unit.

In 2004 almost 6.000 people contacted the counselors for information and guidance on issues concerning HIV/AIDS. Most of the persons who contacted the counseling were women, and approximately 80% of the counseling was done by phone.

The task of The Project and Knowledge Unit is to enter into dialogue with different community based immigrant organizations and on a partnership based approach define, develop and implement HIV/AIDS related activities. The Unit supports the collaborating partners with both health professional aspects and financial assistance, and the CBOs contribute with their knowledge on specific cultural and linguistic matters relevant to the all phases of the activities.

### ***Violence against women***

Violence against women is an infringement of the Danish Criminal Code. In addition, the Government regards violence against women as a reflection of a lack of equality and respect between women and men.

It is estimated that approximately 70,000 women aged 16-64 are exposed to physical violence on an annual basis. In 40 per cent of the total number of violence cases, the perpetrator is a present or former partner, which means that approximately 28,000 women aged 16-64 are the victims of partner violence every year. In the period 2000-2005, there was an estimated fall of one third in the number of women victims of partner violence (for details, see the section: Indicators on violence against women).

It is estimated that approximately 29,000 children aged 0-15 are the victims of domestic violence on an annual basis. Approximately 2,000 women and a similar number of children move into shelters every year.

In 2002, the Government's first action plan to combat violence against women was launched (2002-2004). The first action plan contributed to breaking the taboo surrounding domestic violence against women, but there is a need for maintaining focus on the problem.

Therefore, on 20 April 2005 the Minister for Gender Equality presented a new four-year "Action Plan to Combat Men's Domestic Violence against Women and Children 2005-2008".

The activities of the Action Plan for 2005-2008 focus on prevention and embeddedness of the action within the four main goals to:

- Support the victims,
- Target activities at the perpetrator,

- Target activities at professionals,
- Promote knowledge and information.

For the period 2005-2008, a total of DKK 60 million has been earmarked for the action plan. Subsequently, another DKK 48 million has been allocated for a project under the heading “Support and treatment aimed at women and children victims of domestic violence”, as well as a total of DKK 15 million for the years 2007-2010 to strengthen treatment for violent men. The money has been allocated to three different treatment facilities in Denmark.

The Danish action plan involves five ministries: the Ministry of Health and Prevention; the Ministry of Refugee, Immigration and Integration Affairs; the Ministry of Justice; the Ministry of Social Welfare and the Minister for Gender Equality. As chairman of the inter-ministerial working group to combat violence against women, the Department of Gender Equality holds the steering role regarding the implementation of the action plan. The inter-ministerial working group monitors the implementation and publishes an annual situation report on the implementation. The situation report is submitted to, among others, the Folketing.

An independent evaluation has been drawn up of the Government’s first action plan to combat violence against women 2002-2004. Similarly, in the course of 2008 an independent evaluation will be conducted of the most recent action plan. This evaluation is to constitute the background to future action to combat violence against women.

Furthermore, in August 2007 the National Commissioner of Police published a strategy for reinforced police action against homicides and other serious crimes motivated by jealousy. The main focus points of the strategy are: Establishing special units in each police district to gain and develop a high level of professional competence, strengthening of the cooperation between police, social authorities and health care authorities and efficient use of restraining orders, expulsion orders and restriction orders.

### ***Support for victims of domestic violence - Women shelters***

Denmark has approximately 45 women shelters, the vast majority of which are financed through the public system. Every year separate statistics are drawn up for women and children respectively at shelters. The annual statistics are published in both Danish and English. In 2006, a total of 1,699 women and 1,634 children stayed at the 36 shelters that participate in the annual statistics of LOKK (National Organisation of Shelters for Battered Women and their Children).

### ***Disabled women - victims of violence***

A total of DKK 9 million was earmarked for a three-year project to develop methods regarding physically disabled women staying at shelters (2005-2007). The project, which will maintain its activities in 2008, is a continuation of the efforts to make selected shelters physically accessible to users of wheelchairs and other battered women and children with serious physical disabilities. Eight shelters nationwide participate in the project.

In 2006, a total of 40 women with disabilities had stayed at a shelter for short or long periods of time. The specific problems disabled women subjected to violence have will be part of the nationwide educational days for professionals taking place in 2008.

### ***Immigrant women***

The proportion of women staying at shelters who were born outside Denmark dropped to 43 per cent in 2006 from 50 per cent in 2005. Similarly, compared with 2005 there was a minor drop in the percentage of women without Danish nationality. In 2006, a total of 27 per cent did not have Danish nationality compared with 32 per cent in 2005. The majority (64 per cent) of the women who are not Danish nationals reside in Denmark on the basis of family reunification. Women who have been reunited with family members have in general spent more time at shelters than other women. The average period of time for women reunited with family members is 71 days, whereas the group of Danish nationals account for an average of 32 days spent at shelters.

### ***Indicators on violence against women***

In 2004 and again in 2007, Denmark collected statistics and information about men's violence against women. The 2004 survey based on figures from 2000 showed that approximately 64,000 women are exposed to physical violence every year. Out of these, approximately 42,000 women are the victims of a violent former or present partner. The 2007 survey based on figures from 2005 showed that approximately 70,000 women are exposed to violence on an annual basis. Out of these, 28,000 women are the victims of a violent former or present partner. It means in other words that in the period 2000-2005 there was an estimated decrease of 14,000, i.e. a third, in the number of women victims of partner violence. During the Danish EU Presidency in 2002, Denmark succeeded in having adopted seven common EU indicators regarding violence against women. The indicators are a follow-up on the Beijing Platform for Action. The two reports with statistics published in both Danish and English bring together information about these seven indicators.

### ***Surveys***

Surveys have been initiated regarding partner violence among young women and men respectively (violence between dating adolescents), and the marginalisation of battered women from the labour market. The surveys shall provide knowledge of and insight into these particular problems and thus constitute the basis for enhancing the efficiency of future action in the areas. The surveys will be published during summer 2008.

In March 2006, the Minister for Gender Equality presented a survey on everyday life and violence in Danish men's lives with foreign women. The survey's point of departure was both problems regarding violence against women as well as trafficking in women. It showed among other things that the men had looked for a partner for the purpose of establishing a life together that is normally associated with a couple and marriage based on love. In about 50 per

cent of the cases, the men's motivation to look for a foreign partner was also associated with difficulties in finding a Danish partner.

### ***Information efforts***

Providing information about ways in which the battered person can find this support is a key element in the action plan. The information efforts have at the same time contributed to breaking the silence and the taboo surrounding domestic violence, which used to be a barrier to stopping violence. The official website [www.voldmodkvinder.dk](http://www.voldmodkvinder.dk) remains a key access point to knowledge and information about violence against women. On the site battered women can find the address of authorities and voluntary organizations offering support and counselling as well as the addresses of shelters in Denmark. The website contains information in Danish and eight other languages.

- An information folder was produced and distributed in credit card format: "Stop the violence against women – Break the silence" in Danish and several other languages (2002). In 2006, the leaflet was reprinted, this time in Danish and eight other languages (Danish, English, Arabic, Bosnian, Somali, Turkish, Russian, Thai and Farsi). The publication is available from libraries throughout the country, general practitioners, the police, hospitals, hairdressers, etc. and is furthermore accessible at [www.voldmodkvinder.dk](http://www.voldmodkvinder.dk). The folder contains information about shelters and specific and practical advice to women exposed to violence. The publication also refers women to the 24-hour hotline: 70 20 30 82, which also includes the services of interpreters.
- An information campaign was addressing ethnic minority women (2005-06). The campaign focused on the rights of ethnic minority women in connection with children, divorce, violence and finance. The campaign ran at language schools throughout the country. As a supplement to the campaign, the Minister for Gender Equality published a leaflet in January 2006 called "Family, Gender and Rights in Denmark", which has been translated into seven languages.
- Information films telling ethnic minority women of their rights and opportunities of assistance in Danish society have been produced. The films show battered women's encounters with the police, the shelter, the municipality, the state county and the lawyer. The films are available in ten languages (Danish, Greenlandic, English, Arabic, Urdu, Somali, Turkish, Russian, Thai and Farsi). The films are distributed to, among others, shelters, language schools, day folk high schools for women, counselling facilities for women and ethnic minorities, residents' counsellors, municipalities and the libraries of relevant educational programmes – for example the Police College and the College of Social Work. The five films are, moreover, available on various websites, including [www.lige.dk](http://www.lige.dk) and [www.voldmodkvinder.dk](http://www.voldmodkvinder.dk). Communicating information through films means that it is also possible to reach women who cannot read.



### ***Activities for children and young people***

At primary and lower secondary schools and youth education programmes throughout the country, an information campaign has run since 2005 on domestic violence and violence between dating adolescents. The campaign includes representatives of the local shelter, the local police and two young girls. One of the girls has grown up with domestic violence, and the other experienced dating violence as a teenager. The participants tell about domestic violence with focus on “violence against mother” and about violence between dating adolescents. The events are, furthermore, attended by a rap musician who sings about violence in the family and violence between dating adolescents. In addition, a film is shown about violence between dating adolescents, and CDs with the rap musician are distributed. Support has subsequently been provided for similar information campaigns targeted at teacher training colleges throughout the country.

Funds have been allocated for a digital children’s network called “Børnelinket” (children’s link), which is a chat room for children and young people exposed to domestic violence. The objective is to strengthen the action regarding children and young people suffering from domestic violence by giving the target group the opportunity to communicate with other children and young people in similar situations.

In cooperation with a number of project municipalities, the Ministry of Social Welfare has launched a placement project to support battered women and children to establish a life without violence after a period of time spent at a women’s shelter. In connection with the project, methods will be developed to support especially children who grow up with domestic violence in their homes.

In connection with the 2008 agreement on the rate adjustment pool scheme, a total of DKK 30 million (2008-2011) has been allocated for an out-patient treatment facility targeted at battered women and children who for various reasons do not use the shelters. The objective of the project is for the mothers to reduce the consequences of violence and to help the mothers to regain parental competence. The action for the children is to reduce the consequences of violence and strengthen the child’s development opportunities. In connection with the same agreement on the rate adjustment pool scheme, DKK 4.5 million has been granted to the NGO for Children Exposed to Violence at Home in support of a comprehensive campaign to prevent domestic violence and violence between dating adolescents as well as to break the vicious circle of negative social heritage. The results are to be achieved through information campaigns including educational establishments, cafés, dentists and general practitioners, children’s wards of hospitals, shopping centres and by advertising on the Internet. Save the Children has been granted DKK 6 million for strengthened efforts to combat IT-related sexual assaults on children, including the fight against child pornography on the Internet.

### ***Support for the victims of violence***

In connection with the action plan to combat violence against women 2005-2008, funds have been allocated to LOKK (National Organization of Shelters for Battered Women and their Children) for legal support targeted at battered women and at professionals. Shelters, other

organisations and authorities are offered individual counselling as well as more general guidance regarding legal issues.

Support has also been granted for emergency psychological assistance to battered women at shelters for the period 2005-2008. The scheme has been used by shelters throughout the country.

In the period 2006-2008, the Danish Red Cross has received support to develop and strengthen a nationwide service including after-protection/networks for battered women once these have left a shelter. The project has placed special focus on ethnic minority women who have been exposed to violence.

### ***Men's role in the fight against violence***

With the two national action plans, focus has been placed on men's role in the effort to combat violence against women and children; primarily through a clear indication of violent men's responsibility for putting an end to their destructive conduct.

In this connection, a government-supported treatment facility for violent men has been set up known as Dialogue against Violence [www.dialogmodvold.dk](http://www.dialogmodvold.dk). The initiative was in the first instance established in Copenhagen, but offices have subsequently been opened in the two second largest cities of Aarhus and Odense. Most recently in 2007, support was allocated for Dialogue against Violence's front-line emergency teams that are to cooperate with local authorities. At the same time, funding has been granted for the treatment services directed at violent men which are managed by the women's shelter in Odense and the counselling programme for violent men under the Municipality of Herning.

In August 2007, the Minister for Gender Equality launched a nationwide campaign under the heading: "Be a man – Say no to violence against women". The key idea of the campaign was to present the typical excuses made by perpetrators of violence and in some cases also by the victims of violence to cover up violence, the bruises and the broken noses, for example: "My wife fell on the bathroom floor again", "My girlfriend walked into a door again" or "My wife fell down the stairs again". The campaign included posters on public buses, advertisements, TV spots and a campaign with role models at [www.voldmodkvinder.dk](http://www.voldmodkvinder.dk). A subsequent assessment of the campaign showed that men who had seen it had changed attitude and condemned violence against women to a greater extent.

### ***Activities targeted at professionals***

In order to ensure sustainability of the efforts and embeddedness among the authorities responsible, the action plans contain various initiatives targeted at the professional front-line personnel who are to support and counsel battered women. In 2005-2007, a number of course activities were implemented for employees and volunteers at shelters regarding the encounter with and methods in the work to help battered women with an ethnic minority background. Similarly, the National Organisation of Shelters for Battered Women and their Children

(LOKK) has published a series of leaflets and reports on experience gained in the area. Furthermore, the Danish National Police have invited LOKK to cooperate on combating violence against women.

In 2008, a nationwide educational campaign will be organised for professionals in this field. In addition to front-line staff among the police, social authorities, health authorities, etc., the campaign will also address the managerial level within local authorities.

### ***Reporting on Criminal Cases***

In 2005 the Danish Ministry of Justice issued a revised government circular on the reporting of criminal cases involving sexual abuse of children committed by persons who work with or otherwise care for children.

In accordance with this government circular the police reports criminal cases to the Director of Public Prosecutions when a person, who works with or otherwise has direct contact with children, has been charged with sexual abuse of children or incest and indecent exposure if the victim was younger than 15 years.

Based on the reports from the police the Director of Public Prosecutions can inform the place of work that an employee of theirs has been charged with or convicted for a criminal offence that involves sexual abuse of children.

In order to further combat sexual abuse of children on the Internet the Danish National Police has developed a filter that blocks access to websites that have been identified as containing illegal pictures or videos of children. Internet users who try to access these websites are met with an official page that explains that they are trying to access a page that has been blocked because it contains illegal material.

The filter makes it possible to block websites with illegal content that are not hosted in Denmark and where it therefore may be difficult or at least take some time for the authorities to have the websites shut down.

The filter has been developed in co-operation with the Danish internet service providers and the organization Save the Children.

### ***Female Genital Mutilation (FMG)***

Female genital mutilation - with or without consent from the victim or her parents - is a crime under s. 245 A of the Danish Criminal Code. The maximum penalty is 6 years' imprisonment or, in case of particularly aggravating circumstances, 10 years' imprisonment.

Where the perpetrator is a Danish national or resident in Denmark, female genital mutilation is subject to Danish criminal jurisdiction and punishable under s. 245 A of the Danish Criminal Code regardless of whether the act was committed in Denmark or abroad and regardless of whether the act was a criminal offence under the law of the State where the act was committed.

In the period 2003-2006, there has been no convictions under s. 245 A of the Danish Criminal Code.

In the opinion of the Danish Government, a main effort in combating FGM must be based on bringing about a change of attitude, and information campaigns towards groups, where women traditionally are exposed to FGM, have been undertaken.

The Ministry of Social Welfare and Gender Equality (formerly Ministry of Social Affairs) in 2003 published a pamphlet: "We are all responsible". The target groups were and are health visitors, doctors, teachers and case workers. Guidelines are given about how to deal with a girl, who is at risk to be or is already a victim of FGM.

### **Article 13: Gender Equality in Other Areas of the Financial and Social Life** **"The right to family benefits"**

The Danish legislation contains no official definition of family policy, but the expression is usually used about measures to support families with children.

Present Danish family policy covers a far broader field than previously and thus solves not only income support problems, but increasingly intervenes with prevention and rehabilitation. Similarly, measures for the benefit of children and young people have been given increasing priority.

Ongoing developments have to a certain extent changed family policy objectives. In the 1990s, the issue of increasing family allowances was on the political agenda, today the key issues are rather the establishment of services for all children and improved possibilities for parents in active employment to be together with their children, for example by means of leave benefits for child care.

#### ***Family allowance***

The family allowance comprises financial assistance to persons with children under the age of 18. The family allowance is tax-free and paid completely independently of the parents' or the child's own income.

Generally, family allowance is paid to the child's mother. However, special circumstances may result in the allowance being paid to another person. The decisive criterion is where the child lives. Recipients of the allowance may thus be the child's father if the child lives with him – irrespective of who has custody of the child. Also persons who have taken the child into care with a view to adoption or the child itself if he/she is an adolescent living away from home and supporting him-/herself in whole or in part may receive family allowance.

The conditions for receiving family allowance are as follows: the child must not have reached his or her 18<sup>th</sup> birthday, and, generally, the child must be living in Denmark. However, special rules apply to the EU member states and certain other countries. The child must not be married or have entered into a registered civil partnership. The child must not be supported by public funds. This is the case if, for example, public authorities have placed the child in care, e.g. in a residential home or in family care. Finally, at least one of the persons having custody of the child or having taken the child into care with a view to adoption must be fully liable to pay tax in Denmark.

### ***Child allowance***

Ordinary and extra child allowances are benefits given either to single parents or when both parents are entitled to old-age pension. However, extra child allowance is granted on the conditions that ordinary child allowance is already being granted and that the child is staying with the parent holding custody of him or her. Only one extra child allowance is paid per household irrespective of the number of children. Furthermore, special child allowance may be granted to children who have lost one or both parents. In connection with twin delivery or adoption, multiple child allowance or adoption allowance may be granted.

Foreigners who are not EU/EEA citizens and citizens in certain convention countries must have had permanent residence in Denmark for the past three years to receive special child allowance. To receive the other types of child allowance, foreigners must have lived in Denmark for the past year.

## **Article 14: Rural Women**

The vast majority of women residing in rural areas in Denmark hold jobs - either full time or part time – in sectors other than the agricultural one. Some might be married to farmers or are living with farmers but they are not confined to the agricultural sector. Their lives are not distinctly different from those of women in urban areas.

As a whole women residing in rural areas cannot be regarded neither as a specifically vulnerable group nor as a population group with a specifically high risk of being subject to violence and discrimination.

Living standards for families in Danish rural areas are in general similar to living standards in urban areas. Women in rural areas have exactly the same rights as everybody else in Denmark: Free admittance to schools and education for all, access to free medical assistance and to free social services assistance.

Concerning all issues listed in article 14, subparagraph a-h, it accordingly can be underlined that Danish women residing in rural areas enjoy the same rights and opportunities as other Danish citizens, and that there is no need to apply special measures to abolish non-existing discrimination.

## ***Chapter 4: Legal Capacity and Marriage and Family***

### **Article 15: Legal Capacity**

Men and women are equal before the law and enjoy equal rights to hold property. Men and women have the same right of access to the judicial system and to receive equal treatment before the courts.

### **Article 16: Marriage and Family Relations**

In 2003, the Government drew up an action plan to prevent forced marriages and forced-like marriages and to combat arranged marriages. The objective of the action plan was, among other things, to prevent forced marriages and to combat family reunification against the background of arranged marriages, as well as to contribute to better integration and increased equality between the genders.

Action areas under the action plan included:

Information, dialogue and cooperation, counselling, strengthened local government efforts, the establishment of special girls' clubs and residences, as well as research. Officially, the action plan ran until 2005, but the initiatives and the financing of them have continued.

There is no verified official statistical information on the number of forced marriages in Denmark.

The Danish National Centre for Social Research made a research project in 2004 about marriage and couples among ethnic minorities in Denmark. They conclude that the risk of forced marriages is highest for ethnic minorities from Turkey, Pakistan and Lebanon but according to the respondents from the research project none of them had been forced to marry. The overall conclusion of the research is that it is very difficult to find out how many forced marriages there are among ethnic minorities in Denmark.

The Ministry of Refugee, Immigration and Integration Affairs has decided to update data on marriages and couples among ethnic minorities. The research project will focus on the impact of the rules on family reunification, introduced from 2002 and onwards in relation to marital patterns and family reunification among ethnic minorities. The research will furthermore look at the impact of the rules on immigration to foreign countries and on non-registered marriages inside as well as outside Denmark. At present the research project is undergoing an EU public procurement procedure. It is planned to start in June 2008 and finish in September 2009.

Regarding the concluding comments of the Committee - number 30 and 31 - concerning the combat of forced marriages, a wide range of initiatives have been implemented over the last years.

It should be noted, that the focus in Denmark is not only on forced marriage, but on honour related conflicts in general, which include forced marriage but also other forms of suppression and violence. It should also be noted, that the victim of honour related violence can be both men and women, but women are strongly overrepresented.

The initiatives in Denmark consist of:

- Shelters for women and girls who are in danger of a forced marriage or has escaped a forced marriage;
- Rehabilitation and protections measures for these women to support their return to a normal life;
- Hotline offering advice to young people experiencing honour related violence;
- Hotline for professionals dealing with the youngsters;
- Hotline for parents who experience conflicts with their teenagers;
- An ethnic team which can advice the municipalities in the difficult cases about honour related conflicts;
- Information and advice to the municipalities, for example an internet based tool box, and seminars on the topic of honour related violence;
- Lectures on the topic for ethnic parents and children;
- Attitude campaigns to prevent honour related conflicts;
- Mediation in honour related conflicts.

Under way is also:

- A shelter for young couples who are in danger of forced marriages or has escaped a forced marriage;
- Rehabilitation and protections measures for these couples to support their return to a normal life;
- Aftercare for the young couples;
- A corps of professional mediators which can intervene in honour related conflicts;
- A corps of ethnic male role-models, who will be travelling around the country and having a dialogue with other young men about gender equality, the right to choose your own spouse etc.

New funds:

- On the political level it has just been agreed to allocate more funds to combat honour related violence. The funds are given to continue some of the above mentioned initiatives, but also to develop new initiatives.

Regarding the question of statistics, it can be noted that some of the new funds can be allocated to develop a method to measure the range of honour related conflicts and forced marriages.

It should be noted that one of the NGO's which offer mediation, advice, hotlines etc. has experienced a massive growth in the number of reported incidences concerning honour related violence from about 100 cases in 2005 till about 340 cases in 2007. The explanation for this increase is not known by the NGO. One explanation could be an increase in the spread of honour related conflicts, another explanation could however be that there today is a greater awareness among the girls about the possibility to fight the suppression and a greater knowledge about the possibilities to get help from society.

### **Criminal Code Amended**

In April 2008 a Bill amending the Criminal Code was adopted by Parliament. The Bill amended the provision on the illegal use of force, introducing a punishment of up to 4 years' imprisonment for the illegal use of force in connection with the conclusion of a marriage (where the ordinary punishment for the illegal use of force is up to 2 years' imprisonment).

One further action against forced marriages is ensuring that the authorities dealing with contracting marriage in Denmark are aware of the risk of forced marriages and know how to handle situations where it is suspected that one of the parties – or both of them – are forced to contract the marriage. Currently, guidelines about this are in preparation.

On October 1st 2007, a new act on parental responsibility entered into force. The act emphasises that in all cases concerning parental responsibility, the best interest of the child shall be predominant. The act also stresses, that in all matters concerning the child, the child's own view must be taken into consideration, with regard to the child's age and maturity.

Finally, the act has focus on the importance of parents cooperating on the upbringing of their children, even if the parents do not live together. Thus, the act makes it easier for unmarried parents to establish joint custody. And if non-cohabiting parents with joint custody disagree about custody, the court decides whether joint custody is to continue or whether one of the parents is to have sole custody. The court can only terminate joint custody for compelling reasons.



# Appendix A

A1

## Report by the Government of Greenland on the implementation of CEDAW

### Introduction

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was ratified by Denmark and entered into force on 21 May 1983. The Convention was ratified without a reservation extending to Greenland.

### Article 1

Greenlandic legislation contains no formal impediment to gender equality. Legislation does not distinguish between women and men, but ensures that all citizens of Greenland are assured the same rights without regard to gender.

Women and men have the same rights and the same responsibilities in all areas of society.

### Article 2

The Greenland Home Rule as introduced by the Greenland Home Rule Act No. 577 of 29<sup>th</sup> November 1978 is an extensive type of self-government. By the Greenland Home Rule Act, effective from May 1<sup>st</sup> 1979, the Danish Parliament has delegated legislative and executive powers to the Home Rule authorities, consisting of the popularly elected legislative Greenland Parliament, the *Landsting*, and the Greenland Home Rule Government, the *Landstyre*.

The Home Rule Act No. 577 of 1978 contains no provision that specifically refers to gender equality.

The Greenland Parliament has passed following acts on equality: Parliament Act no. 5 of 20 May 1998 on the Equal Status Council of Greenland, and Parliament Act no. 7 of 11 April 2003 on Equality of women and men.

With the Act on the Equal Status Council of Greenland, the equality work was reinforced, among other things, by the establishment of a secretariat for the Council and a grant from the Treasury. The Equal Status Council is obliged to submit an annual report on its work to the Government and Parliament.

The Act on Equality of women and men contains provisions to the effect that the public and the private sector must work for equality and incorporate equality in all planning and administration and that there must be an equal number of women and men in various committees and executive bodies.

### Article 3

The Greenlandic legislation is based on gender equality. Current legislation aimed at promoting gender equality encompasses these areas:

Under the Parliament Act no. 5 of 20 May 1998 on the Equal Status Council of Greenland; the objective of the Equal Status Council is to promote equality of opportunity between men and women in the Greenland society. The Equal Status Council may, at its own initiative or on request, investigate gender equality issues. The Equal Status Council also watches developments in society, acts as an advisory body to the Home Rule Government, the local authorities, and in private equal opportunities matters. Additionally, the Council serves as a link to advisory bodies on gender equality etc in the Nordic countries and promotes and contributes to the provision of information to citizens and authorities about gender equality.

The Parliament Act no. 7 of 11 April 2003 on Equality of women and men contains provisions to the effect that the public and the private sector must work for equality and incorporate equality in all planning and administration and that there must be an equal number of women and men in various committees and executive bodies.

Furthermore, workplaces in the public and the private sector, with over 10 employees, the workplaces has now an obligation to make an annual report to The Minister for Gender Equality on their work for equality between genders. A database has been established with the information from the annual reports (questionnaires) from 2005 and 2006 (data from 2007 is now being collected), and the ministry can extract data from the questionnaires. The data extracted from the database is going to be a tool for future work on gender equality for the Government.

According to the act, no man or woman can be unequally treated in employment relations. No man or woman can be paid unequally for the same jobs.

#### ***Promoting Gender Equality***

The Council has spent time and money on changing the Council's website, so interested people can read and download material concerning the Equal Status Council's work and projects, such as Gender Equality Act, Violence against Women, Women in Politics, Women in Top Jobs, Women's Representation on Boards, and Men's Groups. You can find the website here: [www.nali.gl](http://www.nali.gl).

The Minister for Gender Equality has requested the Council to work to increase the number of women participating in the political decision-making process. The Council finds it extremely relevant and important to increase the participation of both genders in the democratic decision-making processes. This work has been given priority, and the Council has set up an internal working group with the objective of planning and implementing courses. The course "Women in Politics" was held in 2003 for the first time. Both the Council and the participants found that the course was a success. In 2005, the Council held another course in "Women in Politics", with a lot of success.

The Council is also aware that contact with the media is important. The chairperson therefore contributes to the media on gender equality issues whenever the opportunity appears.

### Article 4

To promote gender specific rights does not run counter to the current law on gender equality, when the goal of these specific rights is to ensure attainment of the intent of the law.

When women become pregnant, they have the right to parental leave from their employment two weeks before the expected due date and 15 weeks after delivery (from 1st of July 2006: 21 weeks). The women

receive an allowance during the parental leave, if they do not have a right to full salary during leave according to their contract of employment.

### Article 5

The overarching goal of the current Equal Status Council of Greenland is to strive for a shift in attitude so that the Greenland society may demonstrate in practice that women and men have the same rights and opportunities. One way by which to achieve this goal is to arrange for public forums where issues regarding gender equality can be addressed.

In addition, the Equal Status Council is preparing for the publication of teaching materials and the review of gender equality ideals within existing teaching materials, such as booklets or through the homepage, or by strengthening the corps of ambassadors in local authority areas and consequently dissemination of knowledge on the act on Equality of women and men.

### Article 6

#### ***Trafficking of Women***

Because of the limited population (around 57,000 residents) and because the community is so small, it is believed that engaging in trafficking of women or prostitution is difficult without the authorities becoming aware. No instances of trafficking has been reported to Chief Constable of Greenland.

#### ***Abuse of Women***

In many towns, shelters have been established for women, who can get help in critical situations. By January 1<sup>st</sup>, 2005, men were also allowed to attend these shelters. The first crisis Center in Greenland was established in 1983 in Nuuk, the capital of Greenland. The Crisis Center offers women (and men), who have suffered abuse, shelter and social, legal and psychological help and guidance. In 2005, there were shelters in 7 of 17 communities. 413 women, 95 men and 330 children stayed at the shelters in 2007. Men are usually only allowed into a shelter for crisis dialogue but some are allowed to stay. The Crisis Centers are funded equally by the Greenland Home Rule Government and the local municipalities.

In 2001a cooperative research program on women and violence was established by Iceland, Greenland and the Faro Islands. The aim of the research program was to analyze the extent of violence, especially domestic violence, in the three countries. The results of the research program have yet to be published.

### Article 7

Women and men have the same political rights. Both women and men have the same right to vote and may be elected to the municipal councils, the Greenlandic Parliament, the government executive and the Danish Parliament, which has two representatives from Greenland.

Below is an overview of the women's participation in the political life. The latest statistics from the latest municipal elections in 2008 are as follows:

<b>Municipal Councils</b>	Total	Women	Women by %
Members	72	24	33,33
Mayors	44	1	25,00
Deputy Mayors	Not yet available		

From January 1<sup>st</sup> 2009 the number of municipalities is reduced from 18 to 4. That means that the number of seats at the municipal elections in 2008 has been reduced.

**Greenland Parliament.** Parliamentarians.

Elections 2005	Total 31	Women 12	Women by % 38.71
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Generally, parliamentary elections are held every four years. On occasion, the Premier calls for new elections and such was the case in 2005.

### ***Management of the Central Government Executive Administration***

There are currently a total of seven ministries in Greenland. One (1) minister is a woman, which is equal to 14.3%.

### ***Management of Ministerial Agencies and Institutions (ISIN)***

There are a total of 7 departments in the central administration of Greenland Home Rule Government. Among the 7 deputy ministers (Head of Department) 3 are women, i.e. 42.85 %

There are a total of 17 government owned companies. In the mentioned companies, there are 15 women of a total of 87 members of the boards, which is equal to 17.24%.

## **Article 8**

Women have the same right as men to represent the Greenland Home Rule Government internationally.

Greenland and Denmark cooperates in international affairs of particular relevance to Greenland, based on paragraph 11 of the Home Rule Act and act no. 577 of 24th of June, 2005 concerning the conclusion of agreements under international law by the Government of Greenland.

Department of Foreign Affairs of the Greenland Home Rule Government, which includes Greenland's permanent Representations in Copenhagen and Brussels, currently has a staff of 14 employees. The composition of 7 women and 7 men. The composition of the higher ranking officials is also 50% men and 50% women.

## **Article 9**

Rights of citizenship is an area under the authority of the Danish Realm. Therefore, one is directed to what is contained in the Danish report on this question.

## **Article 10**

In Greenland, girls, boys, women and men have the same rights and the same access to all schools and educational opportunities in all subject areas. Gender equality is a presumption, but is not directly stated in current legislation concerning education.

### ***Elementary School***

Compulsory education for a total of 10 years is provided for both girls and boys attending 8. class or lower in the school year 2007/2008 and forward. For other pupils the compulsory education is still nine years.

There is no discrimination based on gender in education. Both girls and boys have access to sports, home economics, handicrafts and industrial arts classes in elementary school.

### ***Trade Schools, Baccalaureate Education and Higher Education***

Both genders have the same access to the trade schools and the high school or baccalaureate education opportunities available in the Greenland. Generally, students leave the country to obtain higher education.

In the period 2003/7 an average of 275 women graduated per year with a qualifying education; 167 with basic training, 80 higher than basic training, and 28 with a higher education.

In the same period an average of 189 men graduated with a qualifying education; 124 with basic training, 43 higher than basic training, and 23 with a higher education.

## **Article 11**

Women and men have the same right and access to all types of employment.

In 2005 the work frequency was 78.7 %, measured as the number of persons with an income as wage-earner and/or by purchase of at least 40.000 DKK/ the number of persons aged 15-62 years at the beginning of the year. The corresponding figure for men was 82.3% and for women 74.4%, according to Statistics Greenland.

### ***Wages and Unemployment***

In 2007 the average unemployment per month (measured as the number of unemployed persons in the middle of the month between 15-62 years, born in Greenland and living in towns / the number of people between 15-62 years, born in Greenland and living in towns) was 5.4 % according to Statistics Greenland. The ratio for men was 6.4 % and for women 4.8 %.

Greenland Statistics has not available statistics concerning the level of wages in general and the average wages of men and women respectively but is endeavoring to establish such statistics. Figures from the tax statistics indicate that single men has a somewhat higher income than single women.

Among the unemployed an average of 58.3 % were men, 41.7 % were women.

### ***Parental Leave Grant Scheme***

The Parental Leave Grant scheme was first established by a regulation of the Greenland Parliament in October 1996 (Parliamentary Regulation No. 12 dated 30 October 1996), changes in marts 2006 (Parliamentary Regulation No. 1 dated 27 marts 2006). This law has major significance for the working conditions of women, because the law gives women the possibility to remain home with their children at parental grant or full pay if they are entitled to full pay according to their contracts of employment. Fathers have the right to receive the parental grant.

The national treasury bears 90% the expense of this parental fund scheme, and the local municipality covers 10%.

## **Article 12**

### ***Population Statistics***

January 1<sup>st</sup> 2008, there were a total of 56.462 inhabitants in Greenland. A total of 26.577 or 47% were women. In 2006 the life expectancy at birth for all men was 65.8 years, 64.7 years for men born in Greenland, and 71.2 years for all women, 70.6 years for women born in Greenland.

### ***Health Care System***

The national Greenland health care system, including the services of the municipal physicians and the hospitals, is provided free of charge for all citizens and legal residents, on the basis of gender equality.

### ***Pregnancy***

When women become pregnant, they have the option to visit their municipal doctor and the midwife. These visits are provided free of charge. During these visits, the health of the mother and child is monitored. Moreover, women receive appropriate advice regarding, for example, nutrition and exercise.

## **Article 13**

Women and men have the same social and economic rights. Women and men have the same access to sports and free-time activities and to cultural activities.

## **Article 14**

Women and men living in rural districts have the same rights as all other Greenlanders. However, there is great difference in the living conditions between the rural communities and larger towns.

## **Article 15**

Women and men are equal before the law. Women and men have the same right of access to the judicial system. Women and men have the same rights to hold property and women and men receive equal treatment before the courts. The Judicial Reform Commission has proposed a reform of the criminal code and the judicial code. The proposals are based on the said principles.

## **Article 16**

Women and men have the same right to enter into marriage, to select a spouse and to seek divorce. Women and men have the same right to enter into a registered partnership.

Women and men have the same rights to choose their last name and their occupation.

## **The Greenland Home Rule Arrangement**

Greenland is a geographically separate and well-defined part of the Danish Realm situated in the North Atlantic and covering an area of 2,175,600 square kilometres. 85% of the area is covered by ice. As of 1 January 2008 the total population was 56,462 of which 50,270 (89%) were born in Greenland and 6,192 (11%) were born outside Greenland.

The population born in Greenland constitutes the indigenous people of Greenland, Inuit or Kalaallit, sharing a language and culture distinct from the Danish. In the Danish ratification instrument concerning ILO convention no. 169 of 28 June 1989 concerning Indigenous and Tribal Peoples in independent Countries, the Danish Government and the Greenland Home Rule Government declared that the indigenous people in Greenland is the only indigenous people in Denmark.

### **The Danish Constitution**

By 5 June 1953, a revised Danish Constitution was passed. Section 1 of the Constitution provides that the Constitution shall apply to all parts of the Danish Realm. Greenland's status as a colony was thus ended by integration into the Danish Realm. In pursuance of the Danish Constitution, two members of the Danish Parliament (Folketinget) are elected in Greenland.

The Constitution places the people of Greenland on an equal footing with the Danes and the Faroese as Danish Citizens.

### **The Greenland Home Rule**

The Greenland Home Rule Arrangement was established by Act no. 577 of 29 November 1978 on Greenland Home Rule. The Act has not altered Greenland's constitutional status as part of the Danish Realm.

The Home Rule Act recognizes the distinct position of Greenland from national, cultural and geographical points of views within the Realm. At the same time, the Act is based on the unity of the Realm.

The Home Rule authorities in Greenland consist of an elected assembly, the Greenland Parliament (Landstinget), and an executive, the Greenland Home Rule Government, henceforth the Government of Greenland (Landsstyret), which is responsible for the administration. The composition of these bodies is not regulated in the Home Rule Act, but by Greenland Home Rule legislation. According to this, the Greenland Parliament consists at

present of 31 members, the Greenland Government of 7 members (the Premier and 6 other members).

The unity of the Realm, as stated in section 1 of the Danish Constitution and expressed in section 1 of the Home Rule Act, sets certain limits to the scope of Greenland Home Rule: Sovereignty continues to rest with the Realm; Greenland remains part of the Danish Realm; only areas appertaining exclusively to Greenland may be transferred to the Home Rule authorities; the delegation of power cannot be unlimited and must be precisely defined by act of Parliament; certain areas cannot be transferred. These areas include inter alia: The Constitution, foreign policy, defence policy, The Supreme Court, citizenship and monetary and exchange policy.

The Home Rule Act recognizes the Greenlandic language as the principal language. The Danish language must be taught thoroughly. Both languages may be used in public affairs.

In 1985, a separate Greenland flag was recognised by an act of Parliament.

### **Transfer of Power to the Greenland Home Rule Government**

The Home Rule Act rests on the basic principle that the legislative power and the responsibility for financing shall be vested in the same authority. Consequently, the Act has 2 models for transfer of jurisdiction:

- According to section 4 of the Act – without grant (compensation) from the State, and
- According to section 5 of the Act – with a grant from the State.

When the Greenland Home Rule takes over an area of jurisdiction, the Greenland Home Rule must assume the inherent expenses. Conversely, the Greenland Home Rule is the sole beneficiary of taxes and revenue generated in areas transferred to the Home Rule.

Transfers of jurisdiction, in accordance with section 5 of the Home Rule Act, thus recognizes Greenland's limited economic capacity in relation to financing the desired scope of public tasks.

Among areas of jurisdiction taken over without grant from the State according to section 4 are: The regulation of the fisheries, the tax system in Greenland, the organisation of the Greenland Home Rule and the municipalities.

When areas of jurisdiction are taken over with a State grant (in pursuance of section 5 of the Home Rule Act), the grant is fixed by negotiation between the Danish Government and the Government of Greenland on the basis of the expenses defrayed by the State for the tasks in question. The takeovers are formalized by acts passed by the Danish Parliament, which defines the overall framework for the area in question. The Government of Greenland then assumes the regulatory and administrative power in these areas within the framework of the acts.



The grants combined are provided as a block grant or core funding. The size of the block grant is negotiated between the Danish Government and the Government of Greenland every 2-3 years and passed as an act by the Danish Parliament. In 2008, the block grant amounts to DKK 3.3 billion.

In areas financed by grants from the State, the relevant Danish Minister is responsible for ensuring that the Government of Greenland observes the legal framework established in the concrete Enabling Act. On the other hand, the Minister's responsibility goes no further than this. Within the framework of the enabling act the Government of Greenland thus has considerable freedom to make its own priorities.

The Home Rule Act, section 7 provides for transfer of areas other than those listed in the schedule to the Home Rule Act to the Government of Greenland upon agreement between the Danish authorities and the Government of Greenland.

Areas which have not been taken over by the Greenland authorities fall under the auspices of the Danish authorities (the Danish Government and the Danish Parliament).

The schedule of transfer attached to the Home Rule Act is now almost empty. The transfer of health services in 1992 was the last major transfer of responsibility. The Government of Greenland thus holds legislative and administrative powers in most of the areas that affect the daily lives of the Greenlanders.

The appendix contains a list of areas of jurisdiction taken over by the Government of Greenland without grant from the Realm (section 4 of the Home Rule Act), with grant from the Realm (section 5 of the Home Rule Act) and according to section 7 of the Home Rule Act.

With respect to legislation in areas of responsibility resting with the authorities of the Realm, the Act contains a number of hearing mechanisms and cooperation procedures that are designed to safeguard the interests of Greenland. Government Bills that affect or may be implemented in Greenland are to be submitted to the Government of Greenland for review before they are brought before the Danish Parliament.

Corresponding hearing procedures apply to administrative regulations and draft treaties, cf. below.

### **Mineral Resources in Greenland**

The Home Rule Act decrees that the resident population of Greenland has fundamental rights to Greenland's natural resources. To safeguard the rights of the resident population and to protect the interests of the unity of the Realm, decisions concerning prospecting for, exploration for and exploitation of mineral resources (including oil and gas) in Greenland are made jointly by the Danish Government and the Government of Greenland. Each party has the possibility to veto a specific decision concerning a license. The decisions are based on recommendations from a Joint Committee composed of an equal number of representatives of the Danish and the Greenland Parliaments.

The detailed provisions concerning the arrangement are spelled out in act no. 335 of June 6, 1991, as amended by act no. 317 of June 6, 1998.

The administration of minerals and petroleum has been transferred to The Greenland Home Rule by agreement between the Danish Government and the Government of Greenland. Negotiations concerning licenses for prospecting, exploration or exploitation of mineral resources are thus performed by the Government of Greenland, whereas the actual licenses are given by the Danish Government and the Government of Greenland on the basis of recommendations of the Joint Committee. The legislative power in this area remains with the Danish Parliament.

Revenue from exploitation of mineral resources up to DKK 500 million must be shared equally between the Danish Government and the Government of Greenland. The division of revenue exceeding DKK 500 million has to be determined by negotiations between the Danish Government and the Government of Greenland.

### **Foreign Affairs**

Under the Danish Constitution the Danish Government has the power to enter into international obligations and is responsible for the conduct of foreign policy.

The sections on foreign affairs of the Home Rule Act are based on the Constitution. Co-operative procedures serving to accommodate the interests of Greenland and to coordinate positions and interests between Greenland and Denmark were included in the Act and have been further developed in practice. Thus a practice concerning involvement of the Government of Greenland in foreign affairs of particular interest to Greenland has been established.

According to an agreement between the Danish Government and the Government of Greenland as equal parties, Act no. 577 of 24 June 2005 pertaining to the conclusion of agreements under international law by the Government of Greenland (the Authorisation Act) entered into force on 26 June 2005. By this Act, the Government of Greenland has been given the opportunity, on behalf of the Kingdom of Denmark, to negotiate and conclude international agreements with foreign states and international organisations which relate entirely to areas of jurisdiction taken over by the Greenland authorities.

The arrangement does not apply to agreements under international law affecting areas as defence and security policy, or agreements which will apply to Denmark or which are negotiated within an international organization of which the Kingdom of Denmark is a member.

The Authorisation Act supplements the sections on foreign affairs in the Home Rule Act and codifies and confirms to a large extent customs and practice developed prior to the Act, cf. above.

The Government of Greenland may be represented in the Danish delegations to international negotiations of particular interest to Greenland, and the Government may authorize the Greenland Home Rule to negotiate directly, with the cooperation of the Danish Ministry of Foreign Affairs. The possibility of authorisation has been used, for instance in negotiations and agreements concerning the fisheries in Greenland waters.

The legislative power acquired by the Government of Greenland in connection with the transfer of jurisdiction is limited by international agreements and other international rights and obligations. The Government of Greenland must also ensure that its legislation is in accordance with the international obligations that are also incumbent on Greenland, cf. section 10 for the Home Rule Act.

Apart from special areas, for example relating to human rights, it will normally be possible to accede to international agreements with effect solely for Denmark, giving Greenland the opportunity to decide on the extent to which the agreement concerned should apply to Greenland, cf. section 10 of the Home rule Act.

The Government of Greenland must consult the Danish Government before introducing legislative and administrative regulations, which may affect third State interests and Denmark's position vis a vis other countries, cf. section 11(2) of the Home Rule Act. Along the same lines, the Authorisation Act assumes close co-operation between the Danish Government and the Government of Greenland to safeguard the overall interests of the Realm.

In order to reinforce foreign policy cooperation, based on equality as parties, the Danish Government and the Government of Greenland in 2003 signed a joint declaration of principle in concerning the involvement of Greenland in foreign and security policy (the Itilleq Declaration).

The Declaration establishes, among other things, that: "When such matters of special interest to Greenland require international negotiations, it is the natural starting point for the Government of Greenland to participate in such negotiations along with the Government of Denmark in order to assert Greenland's views and interests."

With the aim of promoting and facilitating cooperation between the Danish Ministry of Foreign Affairs and the Department of Foreign Affairs of the Government of Greenland, the respective ministers responsible for foreign affairs signed an administrative cooperation agreement in spring 2005.

### **Appointment of a Greenlandic-Danish Commission on Self-Governance**

On 21 June 2004, the Danish Government and the Government of Greenland signed the terms of reference for a Greenlandic-Danish Self-Governance Commission. In accordance with the terms of reference, the Commission will deliberate and make proposals for how to transfer further powers to Greenland on the basis of Greenland's existing status and in accordance with the right of self-determination of the people of Greenland under international law.

The work of the Commission is based on the principle that there must be consistency between rights and obligations. The Commission is tasked with making proposals for new arrangements concerning the economic relations between Greenland and Denmark. The Commission is expected to submit its report in spring 2008. The Government of Greenland has planned for a referendum scheduled for 25 November 2008. A new Act on Self-Governance is expected to enter into force on June 21, 2009. For further information on the work of the Self-Governance Commission reference is made to the following website: [www.nanoq.gl](http://www.nanoq.gl).

## Areas of Jurisdiction Taken Over by the Greenland Home Rule Government

### I. Areas of Jurisdiction taken over under Section 4 of the Home Rule Act

Areas of Jurisdiction taken over under Section 4 of the Home Rule Act	Date of Takeover
Greenland's administration arrangement	1 May 1979
The administration arrangement for the municipalities	1 May 1979
Taxes and duties	1 January 1980
Regulation of the supply of manpower in Greenland	1 January 1980
Regulation of commercial Greenland fishing, whaling, etc.	1 November 1980
Preservation	1 January 1981
Power to intervene in conflicts notified in accordance with collective agreements concerning journalists	1 October 1982
Power to establish rules on compensation of pay, etc. for high cost of living for that part of the private labour market in Greenland on which pay is regulated on the basis of the Greenland wage regulation index	1 December 1983
Trade legislation	1 January 1985
Regulation of the remainder of commercial fishing	1 January 1985
The legal position of pupils in basic vocational education	1 February 1985
Power to intervene in conflicts notified in accordance with collective agreements (re-establishment of the duty to keep the peace) on the remainder of the public, non-State labour market and on the private labour market (Thule Air Base partially exempted)	1 November 1985
Power to establish rules on other terms of pay and employment on the private labour market in Greenland (Thule Air Base partially exempted), including rules on compensation of pay, etc. for high cost of living where the pay is regulated on the basis of the Danish wage regulation index	1 November 1985
Competition legislation	1 January 1986
Employment of seamen	1 July 1986
Village halls	1 January 1987
Interference suppression and communal aeriels	1 January 1987
Regulation of non-commercial hunting and fishing	1 January 1989
Power to legislate on invitations to submit tenders	1 May 1989
The establishment of rules concerning the conclusion of collective agreements and other agreements, etc. for personnel employed by the Greenland Home Rule Government and the municipalities who are not covered by the general agreement for civil servants in Greenland	1 April 1991
The establishment of rules for and supervision of the production of naturally-dried fish for the Greenland domestic market	1 November 1993
Areas of Jurisdiction taken over under Section 7 of the Home Rule Act, cf. Section 4	Date of Takeover
Place names in Greenland - Act 555 30/11/1983	1 January 1984
The establishment of rules concerning the Greenland flag - Act 222 6/6/1985	6 June 1985
The establishment of rules on summer time - Act 817 19/12/1989	1 January 1990
The establishment of rules concerning expropriation in fields of responsibility taken over - Act 1012 19/12/1992	19 December 1992
The study and exploitation of water power resources - Act 1075 22/12/1993	1 January 1994
Dogs and prevention of cruelty to animals - Act 906 16/12/1998	1 January 1999
Responsibility and liability in the media field - Act 439 31/5/2000	1 January 2001

## II. Areas of Jurisdiction taken over under Section 5 of the Home Rule Act

Areas of Jurisdiction taken over under Section 5 of the Home Rule Act	Date of Commencement	Responsible Department
Act 579 29/11/1978 relating to municipal primary and lower secondary school in Greenland	1 January 1980	Danish Ministry of Education
Act 580 29/11/1978 for Greenland relating to labour and social agencies	1 January 1980 <sup>1)</sup>	Office of the Danish Prime Minister
Act 581 for Greenland relating to the training of teachers for municipal primary and lower secondary school and relating to socioeducational training <sup>2)</sup>	1 January 1980	Danish Ministry of Education
Act 583 29/11/1978 relating to radio and television activities in Greenland (replaced by Act 815 19/12/1989 relating to radio and television activities in Greenland)	1 January 1980	Danish Ministry of Culture
Act 584 29/11/1978 for Greenland relating to leisure activities	1 January 1980	Danish Ministry of Culture
Act 587 29/11/1978 relating to the Church in Greenland (replaced by Act 264 6/5/1993 relating to the Church in Greenland)	1 January 1980	Danish Ministry of Ecclesiastical Affairs
Act 589 29/11/1978 relating to the library system in Greenland	1 January 1980	Danish Ministry of Culture
Act 582 29/11/1978 for Greenland relating to vocational training	1 January 1981	Danish Ministry of Education
Act 609 23/12/1980 relating to people's high schools in Greenland	1 January 1981	Danish Ministry of Education
Act 610 23/12/1980 relating to the museum system in Greenland	1 January 1981	Danish Ministry of Culture
Act 612 23/12/1980 for Greenland relating to land use, urban development and building	1 January 1981	Office of the Danish Prime Minister
Act 134 28/3/1984 relating to support for trade and industry in Greenland	1 January 1985	Danish Ministry of Economic and Business Affairs
Act 135 28/3/1984 for Greenland relating to the production and sale of Greenlandic products	1 January 1985	Office of the Danish Prime Minister
Act 944 23/12/1986 for Greenland relating to housing supply, housing support, rental of housing, etc.	1 January 1987	Danish Ministry of Economic and Business Affairs
Act 848 21/12/1988 relating to the transfer of Greenland's central salary processing system to the Greenland Home Rule Government	1 January 1989	Danish Ministry of Finance
Act 850 21/12/1988 for Greenland relating to environmental matters, etc.	1 January 1989	Danish Ministry of the Environment
Act 369 6/6/1991 relating to the health service in Greenland	1 January 1992	Danish Ministry of the Interior and Health
Areas of Jurisdiction taken over under Section 7 of the Home Rule Act, cf. Section 5	Date of Commencement	Responsible Department
Act 469 6/11/1985 for Greenland relating to supply, traffic, postal service, etc.	1 January 1986	Office of the Danish Prime Minister
Act 943 23/12/1986 for Greenland relating to electricity, water, heating, the fire service, ports, roads, telecommunications, etc. <sup>3)</sup>	1 January 1987	Office of the Danish Prime Minister/Danish Ministry of Science, Technology and Research <sup>3)</sup>
Act 847 21/12/1988 relating to the transfer of Greenland Fisheries Research (Grønlands Fiskeriundersøgelser) to the Greenland Home Rule Government	1 January 1989	Danish Ministry of Food, Agriculture and Fisheries
Act 305 14/5/1991 fixed the State subsidy to the Greenland Home Rule Government for civil tasks at the airport at Sdr. Strømfjord and at the defence area at Thule as well as the responsibility for Kulusuk Airport. These tasks were transferred to the Greenland Home Rule Government via an agreement of 21 February 1991 between the Office of the Danish Prime Minister and the Greenland Home Rule Government with effect from 1 October 1991.	1 October 1991	Office of the Danish Prime Minister

<sup>1)</sup> The rules on assistance activities for Greenlanders in Denmark did not enter into force until 1 January 1981

<sup>2)</sup> Act 581 29/11/1978 was repealed with the commencement of Act 582 29/11/1978 for Greenland relating to vocational training, and the field is now regulated by this Act.

<sup>3)</sup> By Act 1089 29/12/1997 for Greenland relating to telecommunications, telecommunications to and from Greenland were transferred to the Greenland Home Rule Government as at 1/1/1998. By a Royal Decree of 27/10/1997, departmental responsibility was transferred from the Office of the Danish Prime Minister to the Danish Ministry of Science, Technology and Research.

# Appendix B

B 1

## REPORT BY THE GOVERNMENT OF THE FAROES ON THE IMPLEMENTATION OF CEDAW

### **Introduction**

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was ratified by Denmark and entered into force on 21 May 1983. The Convention was ratified without reservation extending to the Faroes.

Pursuant to a Parliamentary Resolution dated 31 March 1987, the Parliament of the Faroes endorsed the entry into force of the Convention in the Faroes. The human rights expressed in the Convention, therefore, have been applicable to the Faroes for some years. This is the second report documenting the efforts of the Faroese Government to ensure gender equality in all areas of society.

### **Developments since the last report**

Since the last report the effort to ameliorate the parity between men and women on the Faroes has been guided by a two-pronged approach. The primary activities have been directed at changing the mindset of the Faroese population with regards to gender parity where effort has been made to increase awareness of the importance of gender parity with regards to political, social, economic, and cultural aspects in society, and resources have been directed at ensuring rights through legal measures as well as to increase the participation of Faroese women in politics.

### **Notes**

With regards to statistical material we must unfortunately acknowledge that the small population and the consequential moderate size of the central administration places limits on the resources available for data compilation.

## CEDAW

### **Article 1**

Faroese legislation contains no impediment to gender parity. Legislation does not distinguish between women and men, but ensures that all citizens of the Faroes are vested the same rights without any preferential positive rights to any gender. Accordingly women and men have the same rights and the same responsibilities in all areas of society.

### **Article 2**

The Faroese Parliament passed the law governing gender parity in 1994 (Parliamentary Act No. 52 dated 3 May 1994 on Gender Parity). The principal purpose of the law was to eliminate all forms of discrimination based on gender.

The legislation provides *inter alia* that the Gender Parity Commission, hereafter the GPC, may 1) invoke its prosecutorial powers to investigate a case of alleged violation of protected rights; 2) may recommend that those whose rights have been violated seek legal redress for compensation; and 3) may bring a civil action alleging activities or practices inconsistent with the intent of the law (§ 12).

### **Article 3**

Current legislation regarding gender equality encompasses these areas:

- **Employment practices, etc.**, wherein, *inter alia*, an employer is not permitted to differentiate or discriminate among its employees on the basis of gender and an employer shall offer both women and men equal pay for equal work.
- **Parental leave**, wherein all employees have the right to be absent from work in connection with pregnancy, child-birth and post-partum, pursuant to current law and/or agreements between the respective union/person and the employer.
- **Education materials**, wherein materials for the education and training of children shall be consistent with the intent of the law.
- **Commissions and councils**, wherein all governmental commissions, committees, councils, representatives, and the like that are appointed by a governmental authority or institution shall be constituted in such a manner that essentially an equal number of both genders are represented.
- **Gender Parity Commission** wherein the Gender Parity Commission shall have oversight powers to ensure compliance with the Gender Equality Act and the Gender Parity Commission shall serve in the capacity of advisor and counsel with regard to issues of gender equality for governmental authorities, institutions, organizations and individuals.

### **Article 4**

To promote gender specific rights does not run counter to the current law on gender equality, when the goal of these specific rights is to ensure attainment of the intent of the law.



## **Article 5**

The overarching goal of the Faroese Government is to continue to strive for a shift in attitude to ensure that women and men have the right to the same possibilities in the Faroese society. One mean by which to achieve this goal is to arrange for public forums where issues regarding gender parity can be presented and discussed. In this regard *Demokratia* and the Gender Parity Commission have played a pivotal role in raising public awareness of gender equality issues.

In addition, the Gender Parity Commission is arranging for the publication of teaching materials and the review of gender parity ideals within existing teaching materials.

## **Article 6**

### **Abuse of Women**

The Crisis Centre in Tórshavn offers women, who have suffered abuse, shelter and social, legal, and psychological help and guidance. In 2006, the Crisis Centre processed 375 requests for assistance. Thirteen women stayed at the Crisis Centre for periods ranging from 7 to 65 days. The reasons for referral included domestic violence, divorce, financial difficulties, incest and rape. The major portion of the activities of the Crisis Centre were funded by the government.

### **Trafficking**

Because of the limited population (around 48,000 residents) and because the community is so small, it is believed that it would be difficult to engage in the trafficking of women or prostitution without the authorities becoming aware.

## **Article 7**

### **Political rights**

Women and men are vested the same political rights, i.e. they have equal electoral and eligibility rights to the Faroese Parliament and the Danish Parliament, the latter having two representatives from the Faroes. Nevertheless, women are still not as well represented as the male gender in those legislative chambers.

### Demokratia

To address the identified low participation of women in politics the Faroese Government established an independent committee, *Demokratia*, appointed in 2005 with the explicit assignment to encourage more women to participate in politics.

*Demokratia* has sought to raise awareness of gender equality by organizing public events and debates as well as actively to attract media coverage to the issue of gender parity. Furthermore, *Demokratia* in close cooperation with the GEC have been active in their communication with the political system as well as with the general public.

### Demokratia: Efforts and Achievements

In 2006 and 2007 the management board in *Demokratia* has organized a series of public information events and general debates, around the entire country, where the overarching aim has been to increase public awareness of the importance of augmenting the number of female representatives in Faroese politics and how this can be achieved. In addition, in the months before the general election in January 2008 *Demokratia* launched a major campaign to encourage women to actively partake in the political

debates and to increase the number of women running for parliament. This campaign achieved widespread media coverage, and was supplemented by an advertisement campaign, activities aimed at raising awareness of gender parity in primary schools, an interactive website on gender parity, and courses in presentation-skills for women in politics and trade unions. Furthermore, as a result of the active work of *Demokratia* nearly all political parties have had an explicit focus on parity equality in their political agendas.

The responses from the government, media, and the general public to the initiatives have by large been positive. As mentioned above most political parties have placed gender parity on their political agendas and further on an organisational level the parties have taken measures to improve the internal organisation so as to encourage more women to run for parliament. In other words the issue of gender parity in politics has now become an accepted and integral part of the public debate. Furthermore, measurable result of the efforts of the Gender Parity Commission and *Demokratia* can be seen in the outcome of the general elections in January 2008 (below).

**Table 1: The Faroese Parliament**

Elections	Members	Women	Women by %
2008	33	7	21.2%
2004	32	3	9.4%
2002	32	4	12.5%
1998	32	4	12.5%

As a result of the elections in January 2008 the share of women in parliament increased from 9.4% to 21.2%. This is a significant increase and can partly be explained in the combined efforts of the GPC, *Demokratia*, and the Faroese Government to promote women's roles in politics.

### **The Faroese Government (Landsstýrið)**

Furthermore, after the general elections in 2008, the female representation in the Faroese executive powers, i.e. government, increased substantially, namely from none to 3 of 8 possible ministerial seats. In other words the representation increased from 0% to 37.5%

**Table 2: The Faroese Executive**

Elections	Total	Women	Women by %
2008	8	3	37.5%
2004	7	0	0%
2002	9	1	11%
1998	8	1	13%

The public debate and the results of the general elections clearly indicate that there is a change in attitude with respect to the importance of gender equality in political and public forums.

### **Municipal and local government councils**

Municipal elections were held in 2004 and the gender distribution on municipal and local government councils below shows that women are underrepresented in most municipalities.

**Table 3: Municipal councils**

<b>Municipality</b>	<b>Council members</b>	<b>Hereof women</b>	<b>Mayor</b>	<b>Head of Administration</b>
Vestmanna kommuna	7	1	Male	Male
Sunda kommuna	11	2	Male	Male
Sørvágs kommuna	7	2	Male	Female
Nes kommuna	7	2	Male	Male
Miðvágs kommuna	7	1	Male	Male
Gøtu kommuna	7	3	Male	Male
Sjóvar kommuna	7	1	Female	Female
Tórshavnar kommuna	13	6	Male	Male
Klaksvíkar kommuna	11	3	Male	Male
Runavíkar kommuna	11	0	Male	Female
Tvøroyrar kommuna	7	1	Male	Male
Fuglafjarðar kommuna	9	1	Male	Male
Vágs kommuna	9	2	Female	Female
<b>Total</b>	<b>113</b>	<b>25 (22,1%)</b>	<b>18,2%</b>	<b>24,9%</b>

*Note: Only municipalities with more than 1000 inhabitants*

Election for the local government councils will be held in autumn 2008, and this could indicate whether the increase in female representation seen in the general elections in 2008 will be reflected *mutatis mutandis* in the municipal council elections.

### **Management of the Central Government Executive Administration**

There are currently a total of eight governmental ministries on the Faroes and seven Permanent Secretaries are men. Only the Permanent Secretary at the Prime Minister's Office is currently female. Though, the Permanent Secretary to the Faroese Parliament and the Ombudsman to the Faroese Parliament are both female.

### **Management of Ministerial (Public) Institutions**

There are a total of 76 governmental (Public) institutions. In 19 of the institutions, women serve as the senior administrator, which is equal to 25 % of the total.

### **Governmental Commissions and Councils**

The Gender Parity Act provides that the number of women and men serving on public commissions and councils shall be equal. Since the law entered into effect, the Gender Parity Commission has worked diligently to ensure that the representation of women and men on these public councils is in accordance with the provisions set forth in the above mentioned law. In 2000, there were 70% men and 30% women serving on public commissions and councils. In 2007 there were 65% men and 35% woman.

**Table 4: Public Commissions and Councils**

<b>Year</b>	<b>Men</b>	<b>Women</b>
2007	65%	35%
2000	70	30%

Furthermore, of the 102 boards and commissions where the government authorities appoint members, 63 had gender equality, i.e. 62% of the total. Within this context equality is defined as an equal number

of members of both sexes and in case of an odd number of board members either sex must only be overrepresented by a single member on the board, e.g. on a board of 5 members parity is achieved if the sexes are distributed 3 to 2, but not if they are distributed 4-1.

### Article 8

Women have the same right as men to represent the Faroes internationally. The Faroes maintain diplomatic missions in Copenhagen, Brussels, Reykjavik and in London, and the mission in Reykjavik is the sole to be headed by a woman.

### Article 9

The right to citizenship is an area that is under the competence of the Kingdom of Denmark. Therefore, the reader is hereby directed to what is contained in the Danish report on this issue.

### Article 10

In the Faroes, girls, boys, women and men continue to have the same rights and the same access to all schools and educational opportunities in all subject areas.

**Table 5: Gender distribution in the Faroese Public School system**

Class level	Boys	Girls	Girls % of total
1	387	356	48%
2	339	346	51%
3	363	319	47%
4	390	349	47%
5	363	375	51%
6	374	342	48%
7	356	333	48%
8	378	375	50%
9	395	391	50%
10	237	214	47%
<b>Total</b>	<b>3582</b>	<b>3400</b>	<b>49%</b>

**Table 6: Higher education – by gender and level of education**

Level	2004/05			2005/06			2006/07		
	Women	Men	% Women	Women	Men	% Women	Women	Men	%Women
Upper secondary	945	678	58%	947	754	56%	1000	779	56%
Vocational	48	42	53%	76	52	59%	101	33	75%
Higher education	303	273	53%	292	304	49%	320	278	54%
<b>Total</b>	<b>1296</b>	<b>993</b>	<b>57%</b>	<b>1315</b>	<b>1110</b>	<b>54%</b>	<b>1421</b>	<b>1090</b>	<b>57%</b>

**Table 7: Higher education – by gender and place of education**

	2004/05				2005/06				2006/07			
	Faroes		Abroad		Faroes		Abroad		Faroes		Abroad	
	Students	%	Students	%	Students	%	Students	%	Students	%	Students	%
Women	303	53%	538	60%	292	49%	523	57%	320	54%	563	61%
Men	273	47%	363	40%	304	51%	390	43%	278	46%	359	39%
<b>Total</b>	<b>576</b>	<b>100%</b>	<b>901</b>	<b>100%</b>	<b>596</b>	<b>100%</b>	<b>913</b>	<b>100%</b>	<b>598</b>	<b>100%</b>	<b>922</b>	<b>100%</b>

### Research and gender equality

The budget for public funded research projects is split into 6 main areas which the Faroese Research Council (*Granskingarráðið*) has prioritized since 2003. There are currently 61 research project underway, and of these 21 have women as project supervisors, i.e. 34%. Of the total research funds, DKK 37 million, projects with female supervision account for DKK 15 million, i.e. 42%.

### Article 11

Women and men have the same right and access to all types of employment.

### Wages and Unemployment

Of the total wages paid in 2007, 36.1% were paid to women. Wage distribution has changed but little since 2004.

Average income for Faroese women in 2007 was DKK 209,000, up from DKK 170,000 in 2003, while the average income for Faroese men in 2007 was DKK 370,000, up from DKK 310,000 in 2003. One reason for the difference in wages for women and men is that women on average work comparatively fewer hours than men as well as the fact that there are more men than women in the age group 16 to 66 years.

**Table 8: Total wages in 2007 by industry sector and gender (DKK 1.000):**

	Men	Women
Public administration and services	868,713	1,410,022
Finance and insurance	180,548	160,527
Household service	28,968	23,114
Fish and seafood production	193,910	155,820
Hotel and restaurants	32,786	53,720
Agriculture	9,517	2,954
Fisheries	937,127	28,698
<b>Total</b>	<b>2,251,569</b>	<b>1,834,855</b>

### Parental Leave Grant Scheme

Work is currently on the way to extend the rights of parents to receive disbursement from the Parental Leave Grant Scheme. The proposed amendments to the act on the Parental Leave Grant Scheme (Parliamentary Act no. 48 of April 3rd 2001) will extend the number of weeks that parents can receive disbursement from the Scheme by seven weeks, from the current total of 26 weeks to 33 weeks. The paternity leave is extended from 2 to 5 weeks, and the shared leave is extended from 10 to 14 weeks. Additionally, a single parent will now be able to transfer the parental leave quota normally assigned to a partner or spouse.

The aim of the proposed amendment is to improve the conditions for families with children with regards to reconciling family and work life, as well as to promote gender equality on the labour market.

The proposed amendment is expected to be passed in the Parliament during the summer of 2008.

### **Competency Development for Women**

Specific programs continue to be arranged so as to strengthen the competence of women on the labour market and as independent business professional. For example, the adult education program at the Faroese Business School and the Faroese Trade Council have conducted classes specifically designed for women who were interested in establishing their own businesses or who had their own businesses.

## **Article 12**

### **Population Statistics**

In 2007 there were a total of 48,350 inhabitants on the Faroes, of which 48.0% were women.

**Table 9: Population (as of January 1st 2007)**

	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
<b>Male</b>	24345	24722	25023	25116	25031	25135
<b>Female</b>	22616	22946	23155	23221	23152	23215
<b>Total</b>	46961	47668	48178	48337	48183	48350
<b>Female in %</b>	<b>48,2</b>	<b>48,1</b>	<b>48,1</b>	<b>48,0</b>	<b>48,1</b>	<b>48,0</b>

In the period from 2002-2006, the average life expectancy of Faroese men was 76.5 years and 81.3 years for women.

**Table 10: Average life expectancy**

	<b>1999-2003</b>	<b>2000-2004</b>	<b>2001-2005</b>	<b>2002-2006</b>
<b>Male</b>	76.5	77.0	76.9	76.5
<b>Female</b>	81.1	81.3	81.4	81.3
<b>Average</b>	78.8	79.1	79.1	78.9

## **Article 13**

Women and men have the same social and economic rights, and there are no substantial developments to report in this regard. Women and men also continue to enjoy the same access to sports and free-time activities and to cultural activities.

## **Article 14**

Women and men living in the more remote villages and on the outlying islands enjoy the same rights as other citizens of the Faroes. There have not been any changes or substantial development since the last CEDAW report.

### **Article 15**

Men and women are equal before the law. Women and men continue to have the equal rights of access to the judicial system, enjoy equal rights to hold property, and to receive equal treatment before the courts. There have not been any changes or substantial development since the last CEDAW report.

### **Article 16**

There have not been any changes or substantial development since the last CEDAW report.

## **The Faroe Islands Home Rule Arrangement**

### **The Faroe Islands**

The Faroe Islands are a geographically separate and well-defined part of the Danish Realm situated in the North Atlantic and covering an area of 1,399 square kilometres. As of 1 January 2008 the total population was 48,439.

### **The Danish Constitution**

By 5 June 1953, a revised Danish Constitution was passed. Section 1 of the Constitution provides that the Constitution shall apply to all parts of the Danish Realm. In pursuance of the Danish Constitution, two members of the Danish Parliament (Folketinget) are elected in the Faroes.

### **The Faroe Islands Home Rule**

The Faroe Islands Home Rule Arrangement was established by Act no. 137 of 23 March 1948 on Faroe Islands Home Rule.

The Faroe Islands Home Rule Arrangement recognizes the distinct position of the Faroes from national, cultural and geographical points of views within the Realm. At the same time, the Home Rule Act is based on the unity of the Realm.

The Home Rule authorities in the Faroes consist of an elected assembly, the Faroe Islands Parliament (Lagtinget/Løgtingið), and an executive, the Faroe Islands Home Rule Government, henceforth the Government of the Faroes (landsstyret/landsstýrið), which is responsible for the administration. The composition of these bodies is not regulated in the Home Rule Act, but by Faroe Islands Home Rule legislation.

The unity of the Realm, as stated in section 1 of the Danish Constitution and expressed in section 1 of the Home Rule Act, sets certain limits to the scope of the Faroe Islands Home Rule: Sovereignty continues to rest with the Realm; the Faroes remain part of the Danish Realm; only areas appertaining exclusively to the Faroes may be transferred to the Home Rule authorities; the delegation of power cannot be unlimited and must be precisely defined by act of Parliament; certain areas cannot be transferred. These areas include inter alia: The Constitution, foreign policy, defence policy, The Supreme Court, citizenship and monetary and exchange policy.

The Home Rule Act recognizes the Faroese language as the principal language. The Danish language must be taught thoroughly. Both languages may be used in public affairs.

A separate Faroese flag is recognised by the Home Rule Act.



## **Transfer of Power to the Faroe Islands Home Rule Government**

The Home Rule Act rests on the basic principle that the legislative power and the responsibility for financing shall be vested in the same authority.

When the Faroe Islands Home Rule takes over an area of jurisdiction, the Home Rule must assume the inherent expenses. Conversely, the Faroe Islands Home Rule is the sole beneficiary of taxes and revenue generated in areas transferred to the Home Rule.

However, following agreement with the Government of the Faroes and in pursuance of legislation, areas of jurisdiction have been taken over with a grant (compensation) from the State under section 9 of the Home Rule Act (i.e. within the fields of social welfare and health).

The grants combined are provided as a block grant or core funding. The size of the block grant is negotiated between the Danish Government and the Government of the Faroes every 2-3 years and passed as an act by the Danish Parliament. In 2008, the block grant amounts to DKK 615.5 million.

In areas financed by grants from the State, the relevant Danish Minister is responsible for ensuring that the Government of the Faroes observes the legal framework established in the concrete Enabling Act. On the other hand, the Minister's responsibility goes no further than this. Within the framework of the enabling act the Government of the Faroes thus has considerable freedom to make its own priorities.

Since its introduction in 1948, the Home Rule authorities have taken over legislative and administrative power in a significant proportion of the areas that affect the daily lives of Faroese citizens.

Areas of jurisdiction not taken over by the Home Rule authorities include: the legal system, the police, the prison service, criminal law, property law, civil law, family law and succession law, aliens, fields relating to the financial sector, intellectual property law, aviation.

With Act no. 578 of 24 June 2005 relating to the takeover of affairs and fields of affairs by the Faroese Home Rule authorities (the Takeover Act), which entered into force on 29 July 2005, the possibilities for taking over areas of jurisdiction were expanded significantly.

The Faroe Islands Home Rule authorities decide the time at which areas of jurisdiction, etc. are taken over under the Takeover Act. Certain areas of jurisdiction that are listed in Schedule I to the Act (including the police, the legal system, the Established Church (the Evangelical-Lutheran Church of Denmark), aliens) require a high degree of preparation, for which reason the time for taking over these areas, etc. is decided by the Home Rule authorities after negotiation with the Danish authorities.

Areas which have not been taken over by the Faroese authorities fall under the auspices of the Danish authorities (the Danish Government and the Danish Parliament).

The Appendix includes a list of the areas of jurisdiction taken over by the Home Rule authorities.

With respect to legislation in areas of responsibility resting with the authorities of the Realm, the Home Rule Act contains a number of hearing mechanisms and cooperation procedures that are designed to safeguard the interests of the Faroe Islands. Government Bills that affect or may be implemented in the Faroe Islands are to be submitted to the Government of the Faroes for review before they are brought before the Danish Parliament.

Corresponding hearing procedures apply to administrative regulations and draft treaties, cf. below.

### Mineral Resources in the Faroe Islands

In 1992 the Government of the Faroes and the Danish Government according to the Home Rule Act agreed that the field concerning mineral resources in the Faroe Islands was transferred to the Government of the Faroes. The Government of the Faroes has assumed the expenses that are connected to the field and receives revenue from this area.

### Foreign Affairs

Under the Danish Constitution the Danish Government has the power to enter into international obligations and is responsible for the conduct of foreign policy.

The sections on foreign affairs of the Home Rule Act are based on the Constitution. Co-operative procedures serving to accommodate the interests of The Faroe Islands and to coordinate positions and interests between the Faroe Islands and Denmark were included in the Act and have been further developed in practice. Thus a practice concerning involvement of the Government of the Faroes in foreign affairs of particular interest to the Faroe Islands has been established.

According to an agreement between the Danish Government and the Government of the Faroes as equal parties, Act no. 579 of 24 June 2005 pertaining to the conclusion of agreements under international law by the Government of the Faroes (the Authorisation Act) entered into force on 29 July 2005. By this Act, the Government of the Faroes has been given the opportunity, on behalf of the Kingdom of Denmark, to negotiate and conclude international agreements with foreign states and international organisations which relate entirely to areas of jurisdiction taken over by the Faroese authorities.

The arrangement does not apply to agreements under international law affecting areas as defence and security policy, or agreements which will apply to Denmark or which are negotiated within an international organization of which the Kingdom of Denmark is a member.

The Authorisation Act supplements the sections on foreign affairs in the Home Rule Act and codifies and confirms to a large extent customs and practice developed prior to the Act, cf. above.

The Government of the Faroes may be represented in the Danish delegations to international negotiations of particular interest to the Faroe Islands, and the Government may authorize the Faroe Islands Home Rule to negotiate directly, with the cooperation of the Danish Ministry of Foreign Affairs.

The legislative power acquired by the Government of the Faroes in connection with the transfer of jurisdiction is limited by international agreements and other international rights and obligations. The Government of the Faroes must also ensure that its legislation is in accordance with the international obligations that are also incumbent in the Faroes.

Apart from special areas, for example relating to human rights, it will normally be possible to accede to international agreements with effect solely for Denmark, giving the Faroe Islands the opportunity to decide on the extent to which the agreement concerned should apply to the Faroes.

The Government of the Faroes must consult the Danish Government before introducing legislative and administrative regulations, which may affect third State interests and Denmark's position vis a vis other countries. Along the same lines, the Authorisation Act assumes close co-operation between the Danish Government and the Government of the Faroes to safeguard the overall interests of the Realm.

In order to reinforce foreign policy cooperation, based on equality as parties, the Danish Government and the Government of the Faroes signed a joint declaration of principle on the participation and involvement of the Faroe Islands in foreign and security policy in spring 2005 (the Fámjin Declaration).

The Declaration establishes, among other things, that: "When such matters of special interest to the Faroe Islands require international negotiations, it is the natural starting point for the Government of the Faroes to participate in such negotiations along with the Government of Denmark in order to assert the Faroe Islands' views and interests".

In addition to the involvement of the Government of the Faroes under the Fámjin Declaration, the Government of the Faroes must also be consulted prior to the ratification of international agreements that are incumbent on the Faroe Islands, i.e. both the international agreements on which the Government of the Faroes has participated in the negotiations under the Fámjin Declaration and other international agreements that are incumbent on the Faroe Islands.

## Special Faroese Affairs

### List A

The following areas of jurisdiction shall be designated special Faroese affairs and transferred with immediate effect to the Faroe Islands Home Government or are transferred later at the request of the Løgting [Faroe Islands Parliament] or the Danish Government.  
[Section 2 of the Home Rule Act]

Item	Provision	Transfer Status
1.	Local Faroese administration within the framework of the new system. Including - within this framework: rules governing the “Løgting”, elections for the “Løgting”, administrative regulation, initiation, adoption, approval and publication of legislation enacted by the “Løgting”, appointment, dismissal, conditions of service, salaries and pensions of Faroese civil servants.	These areas of jurisdiction have been taken over as special affairs.
2.	Municipal affairs. Including: local government administration, supervision and taxation.	These areas of jurisdiction have been taken over as special affairs.
3.	Building, fire service, town planning, housing, rent, population register.	These areas of jurisdiction have been taken over as special affairs.
4.	Health service, medical practice, midwifery, hospital service, apothecaries. Including: public medical officers, legislation on unqualified practising (quacks), eradication of tuberculosis and other contagious diseases, care of mental patients, vaccination.	The apothecaries (pharmacies) and the sanitary regulations (environmental matters) have been taken over as special affairs. <i>The rest of the health fields remain joint affairs, although the Faroe Islands Home Rule Government has, in pursuance of Section 9 of the Home Rule Act in accordance with the framework Acts passed by the Danish Parliament, taken over legislative and administrative power in the fields with block subsidies.</i>

5.	Public welfare services. Public assistance. National insurance. Compulsory accident insurance Labour, apprentices, assistants,  holidays.	Public welfare services, compulsory accident insurance, labour, apprentices, assistants and holidays have been taken over as special affairs. <i>Public assistance and national insurance remain joint affairs, although the Faroe Islands Home Rule Government has, in pursuance of Section 9 of the Home Rule Act in accordance with the framework Acts passed by the Danish Parliament, taken over legislative and administrative power in the fields with block subsidies.</i>
6.	Direct and indirect taxes. Including: stamp duties, totalisator duties, duties on special Faroese lottery. Handling charges such as legal fees and land registration fees shall accrue to the authority which defrays the cost of the institution concerned.	These areas of jurisdiction have been taken over as special affairs.
7.	Licensing and, in general, disposal of own income and expenditure.  Accounting regulations, audits and appropriation of own receipts and expenditures.	These areas of jurisdiction have been taken over as special affairs.
8.	Approval of harbour duties.	This area of jurisdiction has been taken over as special affaire.
9.	School system. Including: elementary schools, secondary schools and courses; teachers' training; people's high schools, post-primary schools and vocational schools, such as commercial schools, technical schools, navigation schools, etc.	These areas of jurisdiction have been taken over as special affairs.
10.	Archives, libraries, museums. Except: National archives. Reservation is made for compulsory deliveries to the Royal Library.	These areas of jurisdiction have been taken over as special affairs.
11.	Protected buildings, nature conservancy.	These areas of jurisdiction have been taken over as special affairs.

12.	<p>Harbours, coastal protection, canals, hydraulic plant, traffic, including roads, railways, tramways, ferry services, bus services and road haulage.</p> <p>Motor and traffic.</p> <p>Local post, telegraph and telephone services.</p> <p>Electrical installations.</p>	<p>These areas of jurisdiction have been taken over as special affairs.</p>
13.	<p>Rural and agricultural matters.</p> <p>Including: general rural legislation, copyhold tenure, tenancy, parcelling of land, exchanges of strip-holdings, small holdings, plant cultivation, animal husbandry, horticulture, agricultural side-line occupations, soil improvement, forestry.</p> <p>Veterinary service.</p> <p>Pest control.</p> <p>Domestic animals, arbitration, protection of animals, legislation on dogs.</p> <p>Territorial hunting and protection of animals.</p> <p>Territorial fishing and protection of fish.</p> <p>Land registration.</p>	<p>These areas of jurisdiction have been taken over as special affairs.</p>
14.	<p>Licensing of theatres and cinemas, entertainment</p> <p>Collections and lotteries.</p> <p>Shipwrecks.</p> <p>Property lost and found.</p> <p>Toxic substances, explosives, arms.</p>	<p>These areas of jurisdiction have been taken over as special affairs.</p>

15.	<p>Supplies, production and distribution.  Price control; price ceilings.  Rationing, discounts and subsidies.  Restrictions on bonuses and dividends.  Peddling of goods.  Rules governing alcoholic beverages.  Shop closing rules.  Catering.  Trade licensing.  Trade and association registers.  Registers of ships.  Brokers, state-authorized translators;  average adjusters, state-authorized  measurers and weighers.  Auditors.  Storage facilities.  Commission, agents, commercial  travellers.  Agents of foreign firms.  Book-keeping.  Mortgage credit institutes, etc., local  insurance activities.</p>	<p>These areas of jurisdiction have been taken over as special affairs.</p>
16.	<p>Local public trustee.  Cadastral system.  Tourism.  Expropriation of land for specific uses.  Provisions governing the production  of printed matters.  Provisions concerning special time  rules.  Civic duties.  Equal rights for men and women.</p>	<p>These areas of jurisdiction have been taken over as special affairs.</p>

**List B**

The following areas of jurisdiction shall be the subject of further negotiation in order to determine whether and to what extent they can be recognized as Special Faroese Affairs.  
[Section 3 of the Home Rule Act]

Item	Provision	Transfer Status
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1.	The Established Church. Including: all aspects of church organisation, rituals, church officials, their salaries and pensions, church buildings, churchyards, admission into and withdrawal from the Established Church, congregations formed by voluntary association of parishioners, release of parishioners from the obligation to use the services of the incumbent clergyman, Dissenting creeds, public holidays legislation.	<i>These areas of jurisdiction remain joint affairs.</i>
2.	Police.	<i>This area of jurisdiction remains joint affaire.</i>
3.	Underground deposits of raw materials. Radio. Aviation	Underground deposits of raw materials and radio have been taken over as special affairs. <i>Aviation remains joint affaire.</i>
4.	The Land fund.	This area of jurisdiction has been taken over as special affaire.
5.	Import and export controls.	This area of jurisdiction has been taken over as special affaire.

Areas of jurisdiction taken over by the Faroese authorities according to The Takeover Act (Act no. 578 of 24 July 2005)	
<b>Area of jurisdiction</b>	<b>The date for takeover</b>
Media responsibility	11 May 2006
Civil emergency preparedness	1 January 2007
The Established Church (the Evangelical-Lutheran Church of Denmark)	29 July 2007
Fields concerning company law, business funds and associations and annual accounts	1 January 2008



## THE POLITICAL AND LEGAL STATUS OF THE FAROES

### *Declaration by the Government of the Faroes*

“All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.” This is stated in both Covenants of 1966, and reconfirmed as a general principle in the 1993 Vienna Declaration and Programme of Action. These provisions and the consistent practice of states and international organisations constitute the legal basis for the right of self-determination that the People of the Faroes have and retain, including the option of independence if and when the People so decide.

The Faroes were settled in the beginning of the ninth century by Norwegian Vikings. These Norsemen came both directly from Norway and via the British Isles according to the Icelandic sagas. Archaeological and genetic evidence support this.

They founded an independent Nordic nation, which had its own political and legal structure fully based upon Old Norse traditions, in which the Ting (parliament) was the supreme seat of power.

Over the centuries, and still today, the People of the Faroes have kept their own national, historic, linguistic and cultural identity.

The Kingdom of Norway and the Kingdom of Denmark entered into a union in 1380 through an inter-Nordic regal marriage that was formally enshrined in the Treaty of Bergen of 1450. In 1814, this union was abolished by the Treaty of Kiel, which instead set up a new union between the Kingdom of Norway and the Kingdom of Sweden. Pursuant to the Treaty of Kiel, the treaty-provided-relationship between the Faroes and the Kingdom of Norway was now replaced by an identical relationship with the Kingdom of Denmark.

After 1814, the Faroes can be classified as an overseas colony or protectorate under the King of Denmark. They were not regarded as an integral part of the Kingdom of Denmark.

The Danish authorities sought a gradual political and legal integration of the Faroes into the Kingdom of Denmark during the democratisation process of the Kingdom of Denmark in the second half of the nineteenth century. Notwithstanding this development, the Faroes fully preserved their status as a distinct territory and jurisdiction. At no point have the People of the Faroes approved such integration.

During the Second World War, all links between the Faroes and the Kingdom of Denmark were abolished and the Faroes, which were defended by British forces, were responsible for all their internal and external matters.

In 1946, a referendum was organised in the Faroes in which the People of the Faroes for the first time in history were asked to determine their future. The People decided at this referendum – which was formally approved of by the Danish authorities – to establish the Faroes as an independent state.

As soon as the Parliament of the Faroes had recognised this decision, the Danish authorities dissolved the Parliament and a general election was ordered. The newly elected parliament accepted a negotiated settlement, which was based upon a home government arrangement that entered into force in 1948.

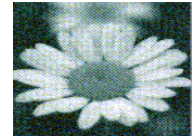
In 2005, the Government of the Faroes and the Government of the Kingdom of Denmark agreed on a new negotiated settlement that is composed of two new arrangements, which in concert establish full internal self-government as well as a certain degree of external self-government. This settlement is not seen or understood to be an exercise or replacement of the right of full self-determination.

Prime Ministers of the Kingdom of Denmark have on several occasions and also most recently declared that the Faroes shall be established as an independent state as soon as the People of the Faroes so decide. These declarations are reiterated in a corresponding decision by the Parliament of the Kingdom of Denmark in 2001.

A new Constitution of the Faroes has been prepared and the Constitutional Committee of the Faroes submitted a draft proposal on 18 December 2006. The new Constitution will *inter alia* contain provisions with regard to a future referendum in respect of secession of the Faroes from the Kingdom of Denmark. This new Constitution will enter into force if and when endorsed at a referendum by the People of the Faroes.

In summation, the People of the Faroes have and retain their inalienable and sovereign right to self-determination under international law.

Women's Council in Denmark/Kvinderådet  
Niels Hemmingsensgade 10, 2.  
Postboks 1069, 1008 København K, Denmark  
Tlf: +45 33 12 80 87, fax: +45 33 12 67 40  
E-mail: [kvr@kvinderaad.dk](mailto:kvr@kvinderaad.dk) - hjemmeside: [www.kvinderaadet.dk](http://www.kvinderaadet.dk)



Copenhagen, May 2008

**Comments by the Women's Council in Denmark (Kvinderådet) on  
the Seventh Periodic Report by the Government of Denmark on CEDAW**

The Women's Council in Denmark (hereafter "WCD") representing 47 organisations working within different fields of gender equality, welcomes the opportunity to comment on the Danish Government's Seventh Periodic Report (hereafter "the report") on the implementation of CEDAW. Unfortunately our knowledge on the situation regarding gender equality in Greenland and the Faroe Islands does not allow us to comment on these parts of the report.

Our comments will follow the set-up of the report, thus taking on the articles one by one. Immediately below is a summary of our overall reflections on gender equality in Denmark.

***General comments:***

The WCD would like to commend the Minister for Gender Equality on the Plans of Action within the areas of violence against women and trafficking in women. The action plan on violence against women has resulted in campaigns that have drawn attention to this serious violation of women's rights, while the area of trafficking in women saw the reflection period expand to 100 days and the establishment of a Centre for Human Trafficking.

On the other hand, we cannot recognise the report's description of the governmental work for gender equality according to which: "...to put it popular, there is not just one minister for Gender Equality, there are a total of 19". From our position it seems that gender equality is not a core priority for the Government, neither when it is about substantial political initiatives, nor sufficient funds and staffing.

We would like to draw special attention to:

Unequal pay. Denmark is rated low in rankings of gender pay gaps compared to other European countries, and the gap is widening.

Unequal representation. In municipalities women only hold 27 % of the seats and only 8 of 98 mayors are women. In top management positions in the private sector and within research (i.e. professors) there are very few women.

Weak institutional mechanisms. Denmark has no independent gender institute which can monitor and take action to secure gender equality, provide documentation and statistics within

the area of gender discrimination, support public debate and stimulate the processes of gender mainstreaming.

Prostitution. The report states that the minimum number of people involved in prostitution has risen from 3886 in 2002/03 till 5567 in 2006/07.

Lack of funding. The WCD would like to see more funds allocated to governmental work on gender equality including funds allocated to NGOs. Recently the Government withdrew its funding of the NGOs participation in the UN General Assembly. The result was that the WCD and other NGOs were absent.

### ***Comments by article:***

#### **Article 2: Constitution and Legislation.**

As stated in the comments of the WCD to the fifth and sixth periodic report, equal opportunities between women and men are not secured by the Danish Constitution. WCD has suggested that equal opportunities between women and men be incorporated into the Constitution in order to emphasise that the area is one of the fundamental principles of Danish society.

The WCD strongly regrets the fact that the CEDAW is not incorporated into Danish legislation. The incorporation of CEDAW would be a signal to society in general and women in particular of a strong commitment to women's rights and gender equality.

The WCD is of the opinion that Denmark has not fully implemented the EU directive on equal treatment of women and men as regards the question of an independent gender institution.

#### **Article 3: National Policy.**

The gender equality board. We support the equal access to a complaint board for all grounds of discrimination be it gender, age, disability, ethnic origin, religion or belief or sexual orientation. However, we are not convinced that the establishment of one common complaint board will serve the area of gender discrimination well. The proposed set up of the new general complaint board does not secure that the complaint board can take action on its own, as the funding will not allow for an acceptable number of staff nor sufficient visibility of the complaint board.

Women's studies and gender studies. Whereas gender studies is a dynamic research discipline that is often on the forefront of theoretical and methodological developments as well as providing a vital knowledge base for gender equality policy making, the institutional framework is very weak. Most Danish universities do not have strong gender studies centres, if any at all. Moreover, there are no Master or Ph.D. degree programmes in gender studies, thus making the recruitment of new generations of gender researchers difficult. The Co-ordination for Gender Studies, which was previously financed by the Ministry of Science, Technology and Innovation, is now housed and financed by the University of Copenhagen, which means that most of its activities are focused on local issues. The Co-ordination is staffed with one assistant professor, who also undertakes research and teaching obligations in addition to the co-ordination tasks. The role as a unifying institution is thus difficult to fulfil. WCD would like to point to the following areas of intervention: firstly, re-establishment of a national co-ordination for gender

studies. Secondly, development of a master degree program in gender studies. Thirdly, allocation of resources for a national research programme in gender equality.

NGOs. The allocation of support to the WCD has not been adjusted since 2005, which means that the value of the allocation is decreasing year by year. Moreover, the Ministry of Foreign Affairs has withdrawn its financial support to all organisations participating in the official delegation to the UN General Assembly. Thus the participation of the WCD in international work has suffered a severe setback, and the official Danish delegation to the UN General Assembly is without NGO expertise on gender issues.

#### **Article 5: Priorities. Sex Role Stereotyping and Prejudice**

Gender mainstreaming. As specified in the report the gender mainstreaming strategy has been implemented in all ministries, but as it is likewise stated, no action plan has been formulated for the at municipality level (p. 20).

As mentioned in the report all public authorities and municipalities are required to draw up a report on gender equality every two years (p. 8) to be submitted to the Minister for Gender Equality. Unfortunately no mention of the reported results of the municipalities is given in the report to the CEDAW committee. As the WCD finds the reported figures on the advancement of gender mainstreaming in the municipalities highly alarming, not least seen in relation to section 4 of the Act on Gender Equality (cited p. 8 under art. 3) we would like to draw the committee's attention to some of the findings (Deloitte, "Ligestillingsredegørelser for kommuner, regioner og stat 2007", 2008):

- In relation to gender mainstreaming at municipality level only 6% of the municipalities have a concerted strategy for working with gender mainstreaming, 7% of municipalities have a strategy in the making while 76% do not have a strategy and 9% answer that they do not know.
- When asked to what extent they are mainstreaming new initiatives (i.e. communication, political decisions, campaigns) 71 municipalities – of a total of 98 – answer that they do not. 20 municipalities have not answered or do not know, 7 municipalities are mainstreaming some initiatives, while not a single municipality state that most new initiatives are being gender mainstreamed.

Reasons for this poor performance could be found in the fact that only 2 municipalities have initiated initiatives to bring skills and knowledge on gender mainstreaming to their employees, while the rest, 96 municipalities, have indicated that there have been no training, or have not answered.

With only 2 municipalities having initiated initiatives to the building of competencies among staff in the subject matter it seems easy to understand why municipalities score so low. The report states "... municipalities are responsible for the work to promote gender equality within their own field" (p. 18). The question seems to be if they are capable of doing it. The figures from the municipalities clearly show that the staffs are not. A concerted effort headed by the Minister for Gender Equality to bring gender mainstreaming to the forefront at municipality level has to be initiated.

## **Article 6: Special issues, Trafficking and Code of Conduct**

Prostitution. 2005 saw the government release its action plan “A new Life” (Et andet liv) for interventions in the field of prostitution. The plan outlined multiple negative social, psychological and physical consequences of being in prostitution. Likewise the stigma and the reasons for staying in prostitution were outlined. It would suit the Minister for Welfare and Gender Equality if she used the report to voice the negative consequences prostitution have on the women to the Danish men who buy sex, thereby letting them know which harm they induce on the women.

Regrettably, in the public and governmental sphere prostitution is nearly only dealt with when trafficking is on the agenda. Very little attention is given to the Danish women in prostitution. Likewise, the demand side question – and thereby the customers - has a tendency to disappear

in the discussions. The WCD would like to see Denmark follow the example of Sweden, and soon Norway, by making it a criminal act to purchase sexual services. Needless to say, such a law should go hand in hand with offers in relation to social services, debt relief, education and creation of job opportunities into the labour market. The most substantial study on the subject matter in Denmark - based on interviews with prostitutes - shows that most of the prostitutes come from lower segments of society with only little education. Debt and economic problems are stated as some of the main reasons for women to enter into prostitution. WCD would like to see these women receiving appropriate support and not be used to cater for the needs of other people.

Figures suggest that the outreach work and offers for women who want to leave prostitution might be understaffed and/or under funded. As the report mentions, in 2007 26 women were referred to a psychologist, a number which suggests that much more could be done. Also the estimated minimum number of people involved in prostitution has seen a raise from 3886 in 2002/3 to 5567 in only four years. These figures indicate the need for attention by the Competence Centre for Prostitution, as it is stated in the report that the Centre should “play a key role in the combat of prostitution” (p. 21).

Regrettably, the government report to the CEDAW committee does not mention the existence of a circular on the issue of the use of prostitutes by persons with disabilities. This circular gives the State the bizarre role of a pimp, as it gives staff working with persons with disabilities the right to call for and make arrangements with prostitutes and further help with the logistics. The WCD obviously recognises the sexual needs of disabled persons but can in no way support the circular. Having one disadvantaged group to serve and cater for the needs of another disadvantaged group seems cruel. Furthermore it puts the sexual needs of persons with disabilities above the work towards gender equality.

### Trafficking in Women.

- The nationwide information campaigns of the former action plan targeted at the potential customers (p. 25, third bullet) have to our knowledge resulted in neither a decrease on the demand side nor a decrease of trafficked women into Denmark.

- One of the action areas of the new action plan is likewise “preventing human trafficking by limiting demand” (p. 25, third bullet at the bottom). The WCD hopes that this campaign will prove successful, but fears that there will be an increase in the demand for trafficked women as Norway is on the way with a ban on the purchase of sexual services like the ban already existing in Sweden. This alongside the steady increase in the number of prostituted women in Denmark could lead to Denmark ending up as “the brothel of Scandinavia”.
- Commending the extended reflection period, the WCD regrets that this is only given to women who decide to co-operate with the authorities to return voluntarily to the country of origin. Women who are scared to return to their home countries should not be sent out of Denmark and should not be refused the 100 days of reflection during which they could have received appropriate medical care and other services. We should not forget that it is Danish citizens who have bought the women for sexual purposes and in the first place made the demand which have lead to the women being trafficked.
- As a society we have the duty to help trafficked women regardless of whether they dare to return to their home countries or not. The WCD would like to see victims of trafficking receiving residence permits on grounds of trafficking.
- The issue of compensation is not dealt with in the Danish action plan. Only very few and small compensations have been given to victims of trafficking.
- As stated in the report, more attention has been given to the area by the National Commissioner of Police through a new strategy for reinforced police action. However, in a recent documentary on Danish National Television (DR1, “Prostitutionens bagmand”, 19. May 2008) it became evident how expectations did not seem to meet reality. The expected 5-15 police officers working on the issue of trafficking in each of the 12 police districts have in real life transformed to as little as 2. In the same documentary an anonymous police officer was cited for saying that police basically had given up on traffickers from Eastern Europe.

### **Article 7: Political Rights and Participation**

Women in local politics. As stated in the report the proportion of women in local politics has remained unchanged at 27% from the election in 2001 to 2005. In fact the proportion of women in local politics has barely changed since 1989, when it stood at 26%. The proportion of female mayors has been declining since 1997 coming down to as little as 8% today. The WCD had hoped for a more concerted effort from the Minister of Gender Equality on the occasion of the 100<sup>th</sup> year of women’s right to vote in elections for local governments. Renewal of a leaflet distributed at the last local government elections, which did not see more women in local politics, is fine, but for things to move further it should be backed by local meetings and gatherings which the Minister could have catered for. Extra funding to make it possible to celebrate the 100<sup>th</sup> anniversary as well as a massive effort to move things forward should have been secured.

It is stated that “focus is to be moved from the barriers to the good examples that everybody can learn from” (p. 30). In this regard it is important to mention that just because focus is moved the barriers are still there. It is important to know and recognise the barriers so they can be dealt with and this can go hand in hand with a focus on the good examples.

Both in regards to the poor representation of women and the general lack of focus on gender mainstreaming (refer to article 5 on gender mainstreaming) municipalities ought to be an area of concern and developments in these areas should be followed very closely.

**Article 8: Representing government. Women Ambassadors.**

Having initiatives in the Ministry of Foreign Affairs such as a mentorship programme for female employees with management (senior level) potential (p. 33) seems a good idea, as long as it goes hand in hand with initiatives for senior management to better its abilities to see and promote all the talented female employees.

**Article 9: Citizenship**

A foreign woman exposed to violence from her husband risks to be expelled from Denmark if she leaves her husband. If the woman has a residence permit on the grounds of marriage and has lived in Denmark less than 7 years, she cannot be sure to have her residence permit extended, despite of the fact that there is a dispensation in the Act on Aliens regarding women who are victims of violence (§19 article 8). She has to live up to certain criteria to obtain permission to stay. She must

be able to document the violence, she must prove her connection to Denmark and it must be substantiated that it is dangerous for her to return to her country of origin. For several women this means that they are caught in a choice between violence and expulsion. Amnesty International, Denmark, documented in a report (Vold eller Udvisning, 2006) that from 1998 to 2004 only 103 of 253 women had their permission of residence extended.

We regret that the report does not include statistics on this issue.

The WCD will underline that it is a duty for the Danish government to protect all women exposed to violence, including foreign women living in Denmark.

**Article 10: Access to education.**

Within all areas of education there is a serious need to mainstream the gender perspective. We would like to see the Minister of Gender Equality take action on this issue in cooperation with the Minister of Education. This action could be in the form of a survey covering the whole area of education with the aim of mapping where and how the gender perspective is best integrated in the educational system. We need knowledge more than single short time projects.

The WCD commends the detailed documentation on gender in relation to the universities. Regrettably, the figures still show a very slow development towards gender equality. The WCD would like to point at five possible areas for intervention. Firstly, allocating more funds for research projects led by outstanding female researchers. Importance must be paid to embed such projects at the university setting at the end of the programme. Secondly, targets and timeframes regarding female occupation of a specified percentage of professorships must be stated in the contract of each university. Thirdly, creation of more professorships in female dominated areas is needed. Fourthly, competitive appointments with regard to professorships on all levels should be ensured. Fifthly, resources to support the local gender equality initiatives at the universities should be allocated.



Outstanding female researchers are not valued in the way they ought to be. Recently, the Minister of Science gave his 'special science award' to seven elite researchers, none of them women. This was 'same procedure as last year', where 5 of 5 award winners were men.

### **Article 11: The Situation in the Labour Market.**

Unemployment rate. More women than men are unemployed regardless of the booming economy. Among unskilled women the difference is 100 % (women 6 % men 3 %). This is a structural matter that must be solved.

The Government has recently passed a bill which limits the access to supplementary unemployment benefit. Unskilled women constitute a large part of those being affected. As long as the employers do not offer full time jobs, this will result in lower income and pensions for women employees.

The gender segregated labour market and the pay differentials. Denmark is ranked low both in international and EU rankings on gender pay gaps, and the gender pay gap in Denmark is widening in spite of a huge number of seminars, reports, surveys, meetings etc. on this issue. It is a fact that female dominated jobs are valued lower than male dominated. The inequality is obvious both across sectors and within sectors. Women working in the health, social services and other service sectors are paid less than men working in jobs with comparable levels of education and responsibility. This indicates that a core problem is to meet the principle of equal pay for work of equal value.

But unequal pay is not limited to certain parts of the labour market. As stated in the report the gender segregated labour market plays a critical role in this connection. The WCD supports initiatives to break down the gender segregation through campaigns and guidance in schools. However, the Government has itself removed a very important tool that could be extremely useful in the efforts to bridge the gender pay gap; in 2003 Parliament abolished the former Government's bill regarding gender disaggregated wages statistics. This means that now only big companies are obliged to produce gender disaggregated statistics and few employees are included due to the fact that the Danish labour market is characterised by many small and medium sized companies.

The Government and the municipalities have an important role to play as employers. They have the opportunity to be in the forefront in the effort to narrow the gender pay gap. Until now we have seen very little action in this regard.

Maternity, paternity and parental leave. The report shows clearly the imbalanced share of the parental leave. This leaves women as less attractive employees than men from the perspective of the employer. The state equalisation scheme in connection with childbirth introduced in 2006 was a step forward, but has not solved the problem. The WCD would like to see a model like that of Iceland, with a more equal share of the leave i.e. an independent right of fathers to at least 3 months of paternity leave.

Gender mainstreaming within the National Board of Industrial Injuries. Research in the field of gender differences in reactions upon the flexible work should be further developed.

Women Entrepreneurs. Today, women make up 25 % of all people who are self-employed. However, if one looks specifically at women under the age of 30 they make up only 1.5 % of the self-employed. Women start up their own business later than men and account for only 10 % of the growth-entrepreneurs.

The Government has decided not to implement special measures to support women when they attempt to set up their own business. A number of courses targeted at female entrepreneurs have been closed down or are no longer offered.

One of the major problems for younger women is that there is no proper maternity scheme for self-employed women. They can either take full or half maternity leave on a public scheme and get paid the equivalent of unemployment benefit. Self-employed women need special terms for maternity leave. It is not possible for them to close down their business completely during periods of leave. Hence they need flexible arrangements.

Another important problem is access to resources. There are no specific loans available for female entrepreneurs. A survey from year 2000 concluded that it was not a case of discrimination when women had their loan requests turned down more often than men. Men got the loans because they could offer better security in the form of property. In other words, women's lack of access to economic resources hampers their chances of being able to set up a business.

There is a need to undertake research into what drives and motivates female entrepreneurs and self-employed women. In Denmark a lot of emphasis is put on growth and innovation, and it seems strange that there is no research that attempts to explain why women do not work in accordance with traditional concepts of growth.

Women in Management. In an effort to boost the depressing statistics on women in management, every year sees a new time consuming initiative be it camps, charters, set up of networks, appointment of ambassadors, mentor programmes etc. as described in the report. However, the statistics on women in management are still depressing and much lower than expectations should be. According to EUROSTAT Denmark ranks among the EU countries close to bottom in statistics regarding women in top management.

The WCD finds that time has come to use quotas as the mean to start moving ahead towards using the skills and knowledge of both women and men. Initiatives like the ones mentioned above are fine, sadly they have not proven successful or are simply too slow.

Quotas are not about giving women preferential treatment; quotas are about giving women and men equal opportunities.

Women's Pension Entitlements in Denmark. Women face difficulties in reaching the same level of pension payments as men on a similar educational level. Different and well-known factors are at work here. These are amongst others; the lack of equal pay is reflected in one's pension savings; women are unemployed more often than men, and as unemployed no funds are paid to one's labour market pension scheme; and women take the majority of maternity/parental leave.

## **Article 12: Health.**

Violence against Women. The two National Action Plans aimed at combating violence against women are indeed a big step forward. However, WCD finds the aim of the action plans too narrow. The focus of the action plans is domestic violence, but from our perspective violence against women includes many sorts of violence, i.e. domestic violence, rape, violence against prostitutes, violence at the work place etc.

It is of great importance that the many initiatives resulting from the action plans become permanent. National campaigns and special projects are very useful in order to raise awareness and develop methods. The municipalities, however, are the key actors as regards social services to victims of violence including children, and a more comprehensive support requires allocation of additional funding.

We will emphasize the need for free access to long-term psychological treatment for both women and their children, whether or not they are in contact with a shelter.

We call for more research regarding the long-term psychological effects of physical and mental violence.

We would like to see much more effort in the area of primary prevention of violence. This should be seen in the context of gender mainstreaming the educational system, the health system and the social service system.

## **Article 16: Marriage and Family Relations**

WCD considers forced marriages a severe violation of human rights. Forced marriages are not legal, and we support the aim of the national action plan: to combat forced marriages. Police efforts to

investigate cases of forced marriages should be increased in order to bring cases to the court and punish the perpetrators; likewise, increased support to victims and potential victims is needed.

With regard to arranged marriages, it is important to acknowledge that they are not illegal as long as they are not forced. Arranged marriage is a cultural phenomena which is incompatible with the gender roles and equality norms of modern society. Measures to meet arranged marriages should include awareness raising through information in schools, in families and among social servants. Increased dialogue between the minority and the majority population and increased efforts to integrate minorities at all levels of society, not least the labour market, are necessary.

In order to secure equal rights for all inhabitants in Denmark, WCD has recommended the government to find other measures to meet forced and arranged marriages than the 24 years age limit for family reunion with spouses.

In general we support inclusive strategies aiming at integrating women with ethnic minority background into Danish society. The Danish labour market, including the public labour market, has not proved sufficiently inclusive, resulting in high unemployment rates for women from non-western countries.

Act on parental responsibility. The new act on parental responsibility mentioned in the report is meant to meet children's need for both parents. The act on parental responsibility has a focus on parents cooperation and the indisputable equality between the parents, and therefore we think the act is a step towards equality between the sexes. But since the act has been implemented we experience that the focus on equality hinders that proper measures are taken in cases in which the parents are in reality not equal – e.g. in cases of domestic violence. It is with great concern that we now see, that the aggressor and his victim are brought together at the negotiation table to work out a common agreement on parental responsibility. In these negotiations focus is on cooperation and equality to an extent in which the women's status as victim is purely ignored and proper precautions are not taken. Therefore we now see a growing number of cases in which the parental responsibility is shared between the parents even though one of the parents (e.g. most often the father) has violated the other and sometimes also the child itself. This is in our view not to the benefit of the child neither the mother. Domestic violence must be a compelling reason to first of all give the negotiation process a special attention and procedure and secondly decide differently in cases of parental responsibility

Equal rights for lesbian couples. When a foreign woman gives birth to a child in Denmark, the child will get Danish citizenship if her partner is a Danish man. If her partner is a Danish woman this is not the case. In cases of insemination, the mother's partner – if a man - will have a right to parental leave. A female partner, on the other hand, has no right to leave. WCD supports equal rights for lesbian couples.

**Copenhagen, 2008**

**Ms. Randi Iversen  
President, Women's Council in Denmark**



**Comments of the DANISH WOMEN'S SOCIETY  
on the seventh Periodic Report by the Government of Denmark  
on the Implementation of the CEDAW Convention**

The Danish Women's Society (DWS) appreciates the opportunity to comment on the Danish Government's Report on the Implementation of the CEDAW Convention. As we find the National Report in general a fair and comprehensive description of the position of women in Denmark and the policies and measures implemented to ensure gender equality, our comments will be limited to the following points. For the sake of convenience and with our agreement, they are appended to the Government's report.

**Article 2: Constitution and Legislation**

DWS is of the opinion that the Constitution should with the least possible delay be up-dated and gender equality incorporated.

Very competent lawyers have called our attention to the fact that there is no overall, formal juridical equality of the sexes. The most numerous and most important problems of gender equality are not legally regulated and therefore neither formal gender equality nor the opposite is applicable. DWS looks forward to seeing steps taken to put this problem on the political agenda.

**Article 3: National Policy. Basic Human Rights and Fundamental Freedoms**

**Gender roles, children and youth**

We note with great satisfaction the extensive work being done to create debate on gender equality amongst children and youth, work for which we have high expectations in future.

To achieve gender equality, it is necessary to focus on:

- Women's equal participation with men in planning and managing education at all levels
- An education system which is not gender-segregated
- Gender equality as an indispensable and integral part of educational content

- Education in gender, gender equality, sexuality and conflict resolution integrated in school subjects, intensified in youth education and incorporated in medium and higher education
- Change in the hierarchy of values ascribed to work so that the low status of women's lines of work is broken down

DWS would also like to call attention to the unbalanced nature of the Ministry of Culture's canon of literature. We recommend that it be revised to achieve a much better gender balance among the authors chosen.

### **Gender equality among ethnic minorities**

Women from ethnic minorities receive and have received for a number of years a considerable amount of attention. This focus must continue as there are still many ethnic women and men, who, in spite of massive efforts to the contrary, have an exceptionally poor knowledge of responsibilities and rights. An area which requires immediate information action is marriage, and to an even greater degree, divorce. In connection with separation and divorce there are many women from ethnic minorities who are subjected to severe harassment, and child custody agreements are not respected.

### **NGOs**

The report acknowledges that the official Danish gender equality work benefits from the fact that these activities are carried out in close cooperation and dialogue with NGOs and experts in the fields. The Government is to be commended for these efforts to involve NGOs in its work for the advancement of women.

However, as we did in the fifth and sixth periodic report, DWS would like to call attention to the fact that the work done by most NGOs in Denmark is done on a volunteer basis. This is work that, although voluntary, must be as professional as possible to have impact. This is becoming increasingly difficult for women's organisations today. Most Danish women are working full-time or more in a combination of labour market and family obligations. They have little time for volunteer work.

In addition, the costs of operating a women's organisation today are increasing. The Government has removed support to NGOs for postage costs, for example, and it is nearly impossible to raise funds for international networking such as participation in international conferences.

These considerations are particularly important in light of the fact that many people mistakenly think that women's rights at home and abroad are now won – forever. Experience tells us that continual monitoring of rights won is necessary if we are to maintain them – and not all rights are as yet guaranteed for all women.

Therefore this situation must be acknowledged and appropriate financial assistance provided to women's organisations, not only for specific activities but also for daily administrative costs if

we are to continue our efforts to ensure further advancements for women both in Denmark and internationally.

In light of the above the Danish Women's Society finds it both desirable and reasonable that the budget of the Department of Gender Equality should be increased from the present budget of DKK 14.4 million and the Danish Women's Society be granted economic resources in the order of DKK 0.5 million from that budget.

## **Article 5: Priorities. Sex Role Stereotyping and Prejudice**

### **Gender mainstreaming**

DWS finds the present work with mainstreaming in the ministries and the results that have been achieved very satisfying.

However, we look with great concern at the fact that this same mainstreaming is only very slowly having any impact in private companies. To promote development in this area DWS finds quotas for women's representation in the boards of companies quoted on the stock exchange desirable. This gender inequality is catastrophic and can in no way be explained by claiming there are no women with the right qualifications and competencies but solely as an expression of tradition and frozen perceptions of gender roles. In Norway a quota of 40% has been introduced and the goal of gender equality is close to being achieved. It would be reasonable for Denmark to copy the Norwegian model. The Government's attitude is that increased representation by women should happen voluntarily. We find that this is in opposition to article 5.a.

### **Equal pay commission**

In addition DWS wants to see the establishment of an equal pay commission to focus on the mechanisms which restrict or promote women's opportunities in the labour market, including amongst others, recruitment and career routes, maternity leave and life earnings and percentage of women in boards, councils and commissions.

## **Article 6: Special Issues. Prostitution, Trafficking and Code of Conduct**

### **Effects of laws prohibiting the purchase of sexual services**

In spite of the Government's new initiatives and action plans regarding both prostitution and trafficking, the Danish sex industry is still growing with approximately 6,000 persons in prostitution at present, of which about half are estimated to have foreign origins. There is reason to presume that this growth will continue if there is no effective action to oppose the demand for prostitution.

With the Swedish law from 1999 which prohibits the purchase of sexual services, the equivalent Norwegian law which will enter into force during the summer of 2008 and the Finnish law that

already prohibits the purchase of sexual services from trafficked women, Denmark will be the only remaining Scandinavian country that has not focused on the demand side of prostitution – the sex buyer’s responsibility. There is very little criminal investigation in the area of prostitution, including cases of trafficking. Denmark will therefore, when the Norwegian law comes into force, become an even more attractive target for human traffickers than it is already. It is obvious for traffickers who have previously trafficked women to Norway to move their activities to Denmark where the risk of detection is low and the profit and customer base are large.

### **Criminal investigation**

The lack of police investigation has been criticised by NGOs and by some of the political parties. Also the UN found it necessary in February 2008 at the UN conference in Vienna on combating of trafficking in women to criticise the Danish state for not doing enough to combat trafficking in women in Denmark. The lack of action is evident, among other things, in the fact that only eight persons have until now been sentenced for trafficking in women in Denmark.

In 2007 there was a police and court reform which has meant that the police have been subject to significant restructuring and now have too little manpower. This can be part of the explanation for the lack of activity on the investigative side of the action plans regarding trafficking with women and prostitution. However, negligible investigation efforts are not a new phenomenon. The inaction was also evident before the police reform. It would therefore make sense to look into the possible barriers that exist to prevent effective efforts against trafficking in Denmark. It is DWS’ perception that there are people in the police, in the political parties, amongst the population and in the women’s movement who want to see markedly better efforts to contain the slave like conditions that trafficked women live under in Denmark. It just isn’t happening.

### **Sex buyers**

Danish prostitution policy has put more focus on young people at risk of entering the sex industry and prevention tactics by running educational campaigns for specialists who deal with vulnerable youth. DSW welcomes this. However, there is not sufficient focus on the largest group in prostitution – the sex buyers. There have been only a couple of small and ineffective campaigns by the state to inform men that women are harmed by prostitution and that prostitution is a social and gender equality problem. The size and growth of the sex industry demonstrates that the campaigns have had very little effect. Sex buyers continue to buy sex. The Danish Women’s Society has run a larger web campaign in 2008 to encourage debate on the demand aspect and on the responsibility of the sex buyer. Likewise the Municipality of Copenhagen ran a campaign against the buying of sex. But the state should take more responsibility and target much more of the millions of kroner used on anti-prostitution measures to reduce the number of sex buyers and prevent young men from becoming sex buyers in future.

Denmark ought to combat the demand for prostitution effectively by introducing a prohibition against the buying of sex similar to the Swedish and Norwegian model. The Swedish



experience shows that the sex industry in Sweden has stagnated since the introduction of the prohibition. This is not only a good immediate result but also one with preventive elements in the long run – fewer young people will be drawn into the sex industry and fewer young people will become sex buyers.

### **Victim support**

A law that prohibits the purchase of sexual services should be followed up by a permanent counselling offer for the formerly prostituted including legal, psychological, social and economic counselling as well as education, job counselling and job offers.

In addition an offer of counselling should be established for previous sex buyers as there is, amongst others, a group of sex buyers who have developed a dependence on prostitution and ought to have help to change this pattern of behaviour.

The harmful effects of prostitution, including long-term effects, are something that is often discussed by therapists and social workers in the field. There is, however, not enough research-based knowledge about the consequences of prostitution. We need comprehensive research in Denmark to shed light on women's conditions before, during and especially after a life of prostitution in order to create a good basis for both future social work and preventive work amongst young women and men.

The possibility of permanent residence permission should be given to trafficked women to avoid their being trafficked once again following expulsion from Denmark after the period of reflection. At the same time a development aid policy which supports exporting countries financially in establishing rehabilitation programs for repatriated victims of trafficking should be promoted. In addition, the Danish social programs for trafficked women should include the development of methods to enable follow up on victims who have returned home in order to prevent, to the greatest extent possible, trafficking of these women once again.

Finally, employment of more foreign women in the Danish labour market, where there is a lack of manpower, should be considered. It could decrease the feminisation of poverty and provide women with a genuine opportunity to create economically stable lives for themselves and the families they often provide for – as it is today, by means of prostitution.

## **Article 7: Political Rights and Participation**

### **Women's representation**

The proportion of women in elected organs has unfortunately not increased much in recent years. Since 1989 the percentage of women in local councils has only risen one percent from 26 percent to 27 percent and only in 1993 was the proportion higher – 28 percent. In comparison over 40 percent of local council seats in the other Nordic countries were held by women in 2005. Only 8 percent of the 98 mayors in Denmark are women and only 4 percent of town clerks are women. The percentage of women in Parliament has also been constant – 38-39 percent since 1998.

Giving more priority to the field of gender equality in Denmark would strengthen democracy in Denmark. For example, there is no permanent Gender Equality Committee in Parliament. This concern lies within the province of the Political-Economics Committee. DWS also finds that it would be a good idea to comply with the European Union's call to establish a gender equality ombud.

### **Research and information**

The closing of the Danish Centre of Knowledge for Gender Equality has meant that background analyses for politicians, evaluation of new legislation from a gender perspective and collection of new knowledge and experience from the rest of the world have been removed from the political agenda. Just one example of possible action areas is the fact that Denmark has one of Europe's most gender divided labour markets. It is important to provide knowledge and instruments to change the situation.

### **Gender Equality Commission**

Denmark is now also the only country in Europe without a Gender Equality Commission. Gender equality should be given priority because it is a part of democracy by creating equal opportunities for all.

### **Article 10: Access to Education**

DWS acknowledges the many excellent initiatives in the area of education. However, we find that the educational system in Denmark still exhibits noticeable gender differences which result in a gender division of the labour force and lack of women in senior positions in the universities, for example.

### **Vocational Training**

Research to clarify the gender segregated nature of the labour market in this particular educational sector – vocational training - is needed. Likewise, specific initiatives to address the problem are required.

### **Folkeskole/Gymnasiet**

Reference is made to initiatives in the Danish "folkeskole" and "gymnasiet" to teach neutral gender roles and encourage girls to pursue the natural sciences rather than the typical "soft" studies, such as humanities. However, since public debate in Danish society in general focuses on how boys should find *their own place* in the education system, DWS can only conclude that initiatives regarding the teaching of neutral gender roles has not had the desired effect and that more initiatives are required.

### **University**

DWS finds the absence of women's representation at the top of the university world unacceptable. The report gives us an obvious example of this dichotomy: 52% of the universities' governing committees are comprised exclusively of men. This is a problem which

must be addressed immediately, if need be with a system of quotas to ensure fair representation.

With reference to permanent employment positions at the universities, there is still an unacceptable majority of men and no change in the percentage of women holding these positions. A plan of action to address this problem is clearly needed. Such an initiative should also encompass a recruitment system designed to ensure an increase in the number of women applicants.

Furthermore, there is a distinct disparity in the distribution of grants and research resources, which indicates that men have easier access to said resources.

DWS finds present initiatives insufficient. More comprehensive initiatives in all these areas are needed.

## **Article 11: The Situation in the Labour Market**

### **Pay gap**

DWS has as one of its priorities economic independence as a prerequisite for gender equality. We are therefore pleased that Danish women have the highest employment rate for women in the EU.

If one looks closer at equal pay for women and men, however, the situation is not as positive. The pay gap is now 18 percent (EU-average is 15 percent). The pay differential is still not reduced 30 years after the introduction of the law on equal pay. On the World Economic Forum's index from 2007, Denmark ranks all the way down at 39.

To make thorough analyses of the underlying factors contributing to women's deferred increase of salary, exact statistics on pay are necessary. The new law on pay statistics, which came into force 1.1.2007, requires employers to produce pay figures when there are more than 35 employees and at least 10 women and 10 men with the same job type. However, the stringent criteria mean that the law includes only about 20 percent of the private employers (approximately 300,000 employees in the private sector). The law is consequently neither a tool for closing the pay gap nor a real lever for achieving equal pay. DWS finds that all firms should be required to produce gender-specific pay statistics. Pay differences can be due to education, experience, whether one has children and not least the gender-segregated labour market.

The definition in the law on equal pay for work of equal value is difficult and as a consequence is not used very much. Instead, the focus is on length of education, responsibility and now also market value. The valuation of work needs to be looked at, for example valuing care-taking and nursing work higher.

## **Women in management**

The inequality between women and men is not only horizontal but vertical. Even when women have the same education as men and even in branches where there are almost exclusively women, men have greater chances of becoming managers and executives. Having children also influences careers differently – negatively for women and positively for men. With regard to women’s hierarchical position, Denmark is number 23 in Europe because there are so few women at the top level of management. In the World Economic Forum’s index from 2007, we only have a ranking of 63. A mere four percent of senior executives in large private companies are women, and the percentage of women in the state is just 20 percent. In the boards of companies quoted on the stock exchange only six percent are women. According to a survey from the Institute of Business Cycle Analysis in spring 2007, only eight percent of private companies are making efforts to recruit women leaders. In public institutions it is 12 percent.

DWS does not regard a strategic “based on cooperation, dialogue and knowledge sharing” as sufficient for increasing women’s representation in management. From the same point of departure as Denmark, Norway has increased the representation of women in company boards to 40 percent in a period of two years. An initiative to increase gender equality in companies in general could be to obligate employers to work for gender equality and to report on it in company accounts.

## **Maternity leave**

Maternity leave is another vital issue. When maternity leave is extended over a certain period of time, it begins to have negative consequences for women’s attachment to the labour market. A highly educated woman employed in the private sector loses approximately five percent in salary every year of her life for every child she has if she takes a year’s maternity leave every time. In Denmark the new father takes only eight percent of the total leave period. In 2005 over half (53%) took no leave in connection with their child’s birth. Danish men are the men in Scandinavia who take the least leave.

Denmark is also the only Nordic country where fathers do not have a part of parental leave in connection with childbirth reserved for them. DWS finds this a contributing factor in maintaining inequality in the labour market, including career development, and in the home. Danish women often give up well paid jobs in the private sector in favour of the public sector when it is time to start a family. This mobility, which is not seen in the expectant fathers, contributes to keeping women in relatively low paid jobs with fewer career levels and a flatter pay structure. DWS finds that the only way to real equality and better exploitation of women’s competencies in the labour market of the future is “the Icelandic model”: a total of nine months parental leave in connection with childbirth of which three months are reserved for the woman, three months are reserved for the man and the last three months can be shared as wished.

## **Article 12: Health**

### **Abortion**

As in 2004, DWS would like to emphasize that considering motherhood as a societal function must not result in a narrowing of women's personal freedom. While both the action plan on abortion and other health promotion programmes are woman-specific, they often involve voluntary compulsion as if it is the embryo's/child's interests which are looked after and not the woman's.

DWS finds that every pregnant woman should make her own private, personal decisions about terminating early pregnancy. A woman's right to choose abortion must be accepted as the last resort it is by definition. There is no alternative to abortion and no research has documented that Danish women fail to show great responsibility in their use of the statutory right to abortion.

### **Fertility**

With regard to fertility treatment, DWS, as also mentioned in the 1996, 2000 and 2004 reports to CEDAW, is opposed to the splitting up of motherhood which has become a possibility with new technology (i.e. the genetic mother who donates the egg, the biological mother who bears the child and the social mother who raises the child). As the consequences of artificial fertilization and the splitting up of motherhood are totally unclear, DWS regrets that the following now are legalised:

- freezing of unfertilized human eggs
- unrestricted donation of unfertilized eggs

These measures do not contribute to protecting women's personal freedom, nor do they strengthen equality between the two sexes.

Denmark has signed the Convention on Human Rights and Biomedicine in the European Council. This Convention sets down general guidelines regarding how doctors should deal with donated eggs, with embryos and with further development of the method of treatment. Nothing at all is said about either pregnant nor birth giving women themselves although the convention affirms the primacy of the human being over the sole interest of science or society. Fertility is looked upon as an abstract phenomenon, and that is why it is necessary to keep a watchful eye on developments in fertility treatment as well as in basic research.

### **Maternal care**

As DWS pointed out in 2004, the maternity wards of many small provincial hospitals have in recent years been closed. This trend has continued. The fact that maternity centers and midwifery skills as well as obstetric expertise are disappearing from local communities is a great disadvantage for women who now often have lengthy transport distances when the birth has started. In Denmark there is a statutory right to choose the option of homebirth, but it is not followed up with information about this possibility by general practitioners and it is often very difficult to make midwives do house calls. If it is to be a genuine option, this right must be accompanied by information.

## **Violence against women**

The section on violence against women appears to be satisfactory in its description of the initiatives the Danish government has set in motion as part of its Action Plan 2005-2008.

There is, however, an important aspect in the efforts which has been overlooked but which DWS finds must be included if women who leave their violent partner are to be ensured a greater chance of maintaining a new, independent life without violence. It is the fact that women who are subjected to violence in relationships, as a consequence, often lose/have lost contact to the labour market and to their social network when they arrive at the shelters.

Recent Danish research (Vibeke Jensen Lybecker: Voldramte kvinders arbejdsliv. Udsatteenheden, Styrelsen for Specialrådgivning og Social Service, Socialministeriet, 2006) can likewise document that women who are subject to partner violence have increased risk of social marginalisation. The consequence of such violence in relation to work life means amongst other things that women who have experienced violence have double the amount of absence due to illness as women who have not experienced violence. LOKK's (National Organisation of Shelters for Battered Women and their Children) yearly statistics for 2006 show that women in shelters generally have a poorer attachment to the labour market than the rest of the female Danish population – only one out of five women who live in a shelter has a job.

When one is psychologically demoralized and socially marginalised, it can be difficult to find the strength to initiate a change in one's life situation. A good social network, employment and economic independence make it easier for a woman to begin and maintain a new life without violence.

Supporting a woman in maintaining and creating new networks, including connection to the labour market, is therefore of vital importance in enabling her to start a new life without violence after a stay at a shelter. Special efforts in particularly this area are needed.

## **Article 16: Marriage and Family Relations**

### **Arranged and forced marriages**

Information campaigns in recent years on arranged and forced marriages have had a positive influence on ethnic minority families. The result has been fewer arranged and forced marriages, young people who are older when they marry, and parents and children who have become more aware of the issue.

It has also become considerably easier for young people to get qualified help and they are making use of the possibilities. No longer willing to put up with the family finding a spouse for them, they are turning to shelters for advice and assistance. There is a great willingness in society to help young people because of the considerable focus on this issue. For example, many school students as well as students at other educational institutions write papers or do projects on the topic. This, too, contributes to an increasing awareness of why it is important to combat this phenomenon.

DWS would like to stress that in conjunction with information campaigns and other activities, it is important to take a human rights approach rather than a cultural approach to the subject of arranged and forced marriages. In this way, making a whole nation or people “guilty” can be avoided.

In the case of honour related killings it has been possible to bring evidence and sentence henchmen or accomplices for inciting a crime. DWS finds that it would be desirable to use the same approach in connection with arranged and forced marriages.

## **DANISH WOMEN’S SOCIETY**

**May 2008**

Karen Hallberg  
President

Leslie Larsen  
Coordinator

Contributions from: Esma Birdi, Katie Davie Dalsgaard, Hansina Djurhuus, Lisa Holmfjord, Karen Hallberg, Hanne Helth, Joan Bach Ludvigsen, Nina Bach Ludvigsen, Lene Pind, Bente Holm Nielsen, Lea Simonsen, Neel Sylvest.



Comments by K.U.L.U.-Women and Development (Kvindernes U-landsudvalg) to the Seventh Periodic Report on the Implementation of CEDAW

KULU-Women and Development (KULU), an advocacy organization for women's rights in development and an umbrella organization for 24 women's and development NGOs, a regional organization and individual members, welcomes the opportunity to comment on the Danish Government's Seventh Report on CEDAW implementation. We will confine our comments to just a few areas most pertinent for a women and development organization that links international work for women's rights in development with national work for gender equality and women's empowerment.

### **Article 3: National Policy. Basic Human Rights and Fundamental Freedoms**

#### ***Other actors: The International Gender Equality Committee (IGEC)***

*K.U.L.U. – Women and Development* values its membership of the IGEC, which we consider to be a key Danish forum for monitoring and promoting global gender equality and women's rights work and cooperation in this comprehensive area and linking it to gender equality work in Denmark. Connecting gender and women's rights NGOs with political party representatives from the parliament (Folketing), the Ministry of Gender Equality, and the Ministries of Foreign Affairs and of Development, and other ministries is an important function in sharing information and coordinating and monitoring work as it is implemented, as well as pinpointing work that needs to be done. (p.14)

#### ***NGOs***

The Report acknowledges the close cooperation and dialogue with NGOs and experts in the field as one of the strengths of official Danish gender equality work. We appreciate this recognition and the Government's efforts to work with and draw on NGO expertise. Perhaps due to the national focus of the reporting, the considerable cooperation and work contributed in the area of gender equality and women's empowerment in development policy and development aid, including macro-economic policies such as trade policy, in close cooperation with the Ministries of Development and of Foreign Affairs has not been highlighted. This considerable volume of NGO work done nationally on a professional but most often voluntary basis should be noted. Here KULU-Women and Development has played a particular role since its establishment in 1976, as the only development-NGO linking Danish women's organizations and development and environment NGOs. (p.16-17)



We also note that the conditions for working on a voluntary basis at a professional level is becoming increasingly more difficult for women's rights organizations, although the number of international issue areas that could benefit from women's rights advocates' expertise and sparring is continually increasing. At the same time, organizational running costs are increasing, and the national reorganization of funding for international development cooperation has both decreased the amount of funds available for NGOs and made access to funding for women and development NGOs more difficult.

Although progress has been made in gender equality and women's rights in development in Denmark and internationally, there is on the one hand, a long way to go before words and intentions embodied in CEDAW and other conventions, action plans, and agreements become reality, and on the other hand, a constant need for a women's rights advocate organizations to maintain a watchdog role to monitor developments, guard against roll-backs, for example in regards to reproductive and sexual rights and health internationally, and be on the forefront of issue and strategy development. The importance of this area of work in Denmark, which is confirmed by broad political support and top prioritization by the Government, clashes with the reality for women's rights organizations and warrants appropriate financial support for these organizations, for both program and core costs, in order to ensure their contributions. In light of the situation for women's NGOs, the tasks ahead, and the role and niche KULU-Women and Development occupies between different NGO-sectors, it would be expedient and a worthwhile investment, if KULU were ensured basic economic resources on the order of DKK. 0,5 million for its work in the cross-sector between women's NGOs, development and environmental NGOs and Danish decision-makers.

#### **Article 5: Priorities. Sex Role Stereotyping and Prejudice**

KULU wishes to emphasize gender mainstreaming as a fundamental principle and tool for gender equality work, affirmed by law in the Act of Gender Equality, and commends the work exerted to implementing section 4 of the Act which requires public authorities to incorporate gender equality in all planning and administration. The intention to step up the work on identifying indicators and improving documentation in order to better measure results of actions is very important as a means to improve tools and methodology and, in the end, to improve the efficiency of gender mainstreaming work.

It is worth noting that the Ministry for Foreign Affairs and Ministry for Development/Danida has also produced a Gender Equality Toolbox to assist officials and development workers in translating commitments to gender equality and women's empowerment into tangible results. How education in and the use of such tools are promoted and whether it is a mandatory competence for all should be monitored closely. The strategies, methods, and tools Denmark promotes in its cooperation with developing country partners should also be practiced in full in Denmark in all policy, strategy and program work and administration.

This is also the case for the e-learning tool for gender mainstreaming in the state sector, which is being developed. It is a good initiative to make it available, but ensuring its availability and subsequent use by the target groups is just as important as the development of the tool.

Concerning gender responsive budgeting, an important albeit difficult instrument in this work, it would be beneficial for the Report to better reflect the work carried out and progress made in ministries, municipalities, and other public authorities. It would be of great interest to share lessons learned and benefit from reactions and lessons learned from other CEDAW members as well as other actors in Denmark.

## **Article 6: Special Issues. Prostitution, Trafficking and Code of Conduct**

### ***Trafficking***

The progress and improvements made on this front since 2002 and indicated in the new action plan for the fight against human trafficking 2007-2010 are greatly valued. However, there is still much room for improvement in regards to: the offered social, legal, health, psychological, and vocational assistance and support for voluntary repatriation to country of origin, whether the reflection period of up to 100 days is sufficient time to prepare return to the country of origin and to set up assistance for rehabilitation in the victims' own countries, the possibility for asylum where and when reasonable and warranted, and the extension of this work in transit countries for human trafficking as preventive and rehabilitating measures.

An NGO Women's Watch Alert Network for victims of trafficking, established in cooperation with Southern NGOs, which could ensure, for example, reliable background information and contacts regarding trafficked victims, quality checks of police reports, and link women and development NGOs in developing countries of origin and transit with the prepared assistance and rehabilitation work in Denmark, would greatly enhance this work and provide a valuable network for dialogue and strategic action. This networking activity and service is a contribution that KULU-Women and Development is well placed to provide due to its long-time cooperation and extensive network with Southern NGO partners and international contacts, if funds are available for this type of cooperation and NGO involvement.

K.U.L.U.-Women and Development

Janice Goodson Foerde  
chairperson

KULU - Women and Development (KULU), founded in 1976, is an umbrella organization for 24 women's and development organisations, a regional organization and individual membership. KULU's main objectives are to promote women's rights in development, enhance women's access to resources and influence in society, as well as strengthening their rights to full control over their own bodies and lives. This is done in close dialogue and cooperation with Southern partners through advocacy, information, development education, and project cooperation. KULU acts as advisor on gender in development issues in official delegations to UN conferences and the WTO and is the gender in development link between development, environmental and women's NGOs in Denmark.