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**Committee on the Elimination of Discrimination
against Women**

**Concluding observations on the ninth periodic report of
Denmark***

1. The Committee considered the ninth periodic report of Denmark (CEDAW/C/DNK/9) at its 1797th, 1798th and 1799th meetings (see CEDAW/C/SR.1797, 1798 and 1799) held online on 22, 23 and 24 February 2021. The Committee's list of issues and questions is contained in CEDAW/C/DNK/Q/9 and the responses of Denmark are contained in CEDAW/C/DNK/RQ/9.

A. Introduction

2. The Committee appreciates the submission by the State party of its ninth periodic report, as well as its follow-up report to the previous periodic report (CEDAW/C/DNK/CO/8/Add.1). It welcomes the oral presentations by the well-prepared delegations of Denmark as well as of the territories of Greenland and the Faroe Islands and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party for having agreed, on an exceptional basis in light of the coronavirus (COVID-19) pandemic and post crisis reconstruction in order to avoid a gap in the protection of women's rights in the State party to participate in the online dialogue with the Committee remotely from Copenhagen, Nuuk, and Thorshavn. It also commends the multi-sectoral delegation of the State party, which was headed by Ms. Mette Kaae Hansen, Department for Gender Equality, Ministry of Employment of Denmark, and included representatives of the Danish Ministry of Foreign Affairs, Ministry of Employment, Ministry of Justice, Ministry of Social Affairs and Senior Citizens, Ministry of Immigration and Integration, Ministry of Health, Ministry of Children and Education, Ministry of Higher Education and Science, Ministry of Defense, Ministry of the Interior and Housing, Ministry of Culture, Ministry of Industry, Business and Financial Affairs, and Ministry of Finance; of the Premier's Office, Ministry of Foreign Affairs, Ministry of Health and Gender Equality, Ministry of Social Affairs, Family and Justice, and Ministry of Education, Culture and Church of Greenland; of the Prime Minister's Office, Ministry of Foreign Affairs and Culture, Ministry of Social Affairs, Ministry of Health, Ministry of Finance, and Ministry of Environment, Industry and Trade of the Faroe Islands; and the Permanent Mission of Denmark to the United Nations Office and other international organizations in Geneva.

* Adopted by the Committee at its seventy-eighth session (15 to 25 February and 4 March 2021).



B. Positive Aspects

4. The Committee welcomes the leadership and commitment of the State party in the advancement of the women, peace and security agenda, including with respect to promoting the full spectrum of the Security Council's women and peace and security agenda, as reflected in Council resolutions [1820 \(2008\)](#), [1888 \(2009\)](#), [1889 \(2009\)](#), [1960 \(2010\)](#), [2106 \(2013\)](#), [2122 \(2013\)](#), [2242 \(2015\)](#), [2467 \(2019\)](#), and [2493 \(2019\)](#). The Committee also notes with appreciation that the State party is among the highest-ranked countries in terms of gender equality.

5. The Committee welcomes the progress achieved since the consideration in 2015 of the State party's eighth periodic report (CEDAW/C/DNK/8) in undertaking legislative reforms, in particular the adoption of:

(a) Law No. 2208 (2020), amending Section 216, paragraph 1, of the Criminal Code, in force since 1 January 2021, to base the definition of rape on lack of consent, and Law No. 635/2016), increasing the criminal penalty for rape;

(b) A specific provision on psychological violence in close relationships in the Criminal Code, in 2019 (see CEDAW/C/DNK/CO/8, para. 18 (c));

(c) A legislative ban on surgical construction of a hymen, in 2019;

(d) A new law on matrimonial property, which, in principle, divides all assets upon divorce equally between the spouses, and provides a spouse who has helped to preserve or increase the other spouse's wealth the possibility to be awarded compensation, in 2018 (Law No. 548/2018);

(e) Amendments to criminal law provisions to prevent and combat gender-based violence against women, including domestic violence, which, inter alia, increased the maximum penalty for repeated cases of domestic violence and for aggravated violence, in 2018 (Laws Nos. 358 and 718 (2018));

(f) The Law on Prohibition of Discrimination on the Grounds of Disability, in 2018 (Law No. 688 (2018));

(g) New legislation on online harassment, and on harassment in the workplace, in 2017 (Law No. 977 (2017));

(h) Amendments to the Restraining Order Law, introducing immediate, temporary restraining orders, in 2016 (Law No. 1724 (2016), and equivalent regulations introduced in Greenland and the Faroe Islands in 2017.

6. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or establishment of the following:

(a) The annual gender equality Action Plan 2021, on 25 February 2021;

(b) The maternity equalization scheme for maternity, paternity and parental leave for self-employed persons, to promote women's entrepreneurship, introduced in 2014 in Denmark (CEDAW/C/DNK/CO/8, para. 6 (b)), and the extension of the period of maternity leave during pregnancy from two to four weeks and of the shared parental leave quota by four weeks to 21 weeks, in Greenland, which both have come into effect on 1 January 2021;

(c) The Action Plan against violence "Sig Frál" in the Faroe Islands, in 2021;

(d) The Action Plan for the prevention of psychological and physical violence in intimate relationships, 2019-2022;

(e) The Action Plan against trafficking 2019-2021;

(f) An Office for the promotion of gender equality in the Faroe Islands, in 2019;

(g) The First Action Plan to promote the safety, well-being and equal opportunities of lesbian, gay, bisexual, transgender and intersex people, in 2018.

7. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified, or acceded to, or declared the applicability to the self-governing territories of, the following international treaties:

(a) The Discrimination (Employment and Occupation) Convention, 1958 (No. 111) of the International Labour Organization (ILO), on 27 August 2019, and the ILO Equal Remuneration Convention, 1951 (No. 100), on 10 December 2018, for Greenland;

(b) The Optional Protocol to the Convention on the Rights of the Child on a communications procedure, on 7 October 2015;

(c) The Protocol of 2014 to the ILO Forced Labour Convention, 1930, on 14 June 2017.

C. Sustainable Development Goals

8. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.**

D. Parliament

9. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see the statement by the Committee on its relationship with parliamentarians, annex VI to E/CN.6/2010/CRP.2). It invites the Folketing of Denmark, the Inatsisartut of Greenland, and the Løgting of the Faroe Islands, in line with their mandates, to take necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

E. Principal areas of concern and recommendations

General context

10. The Committee commends the State party for its advanced social model characterised by social redistribution, high unemployment benefits, and a large public sector, with, at the same time, a competitive economy, dependable welfare and low unemployment and poverty rates, which the Committee also considers a strong basis for gender-responsive COVID-19 responses and recovery strategies, including under the Next Generation EU recovery plan. However, the Committee is concerned about the prevalence of gender-based violence against women, including domestic violence, and feminization of poverty, disproportionately affecting women and girls belonging to disadvantaged and marginalized groups and facing multiple and intersecting forms of discrimination, across the entire territory of the State party.

11. **In line with its guidance note on the Convention on the Elimination of All Forms of Discrimination against Women and the coronavirus disease (COVID-19) issued on 22 April 2020, the Committee recommends that the State party:**

(a) **Consolidate the Danish social model in all parts of the State party as a driving force for sustainable change and use it as a catalyst for implementing measures in the context of the COVID-19 pandemic to redress long-standing inequalities between women and men by placing women and girls at the centre of recovery strategies in line with the 2030 Agenda for Sustainable Development, with particular attention to unemployed women and women living in poverty, women belonging to ethnic or national minorities, indigenous women, older women, women with disabilities, migrant,**

refugee and asylum-seeking women, and lesbian, bisexual, transgender women and intersex persons;

(b) **Take action to ensure that restrictions on freedom of movement, sanitary measures and post-crisis recovery plans do not relegate women and girls to discriminatory stereotyped gender roles;**

(c) **Review its strategies to ensure that all COVID-19 crisis response and recovery efforts, including the State party's emergency measures: (i) seek to effectively prevent gender-based violence against women and girls; (ii) guarantee that women and girls have equal access to participation in political and public life, decision-making on the recovery, economic empowerment and service delivery; and (iii) seek to ensure that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic;**

(d) **Ensure that measures taken to contain the pandemic do not limit access by women and girls, including those from disadvantaged and marginalized groups, to justice, protection from gender-based violence, education, employment and health care, including sexual and reproductive health services;**

(e) **Ensure a central and strategic role for the principles of equality and non-discrimination in the allocation of funds under the Next Generation EU recovery plan.**

Visibility of the Convention, the Optional Protocol and the Committee's general recommendations

12. The Committee welcomes that its previous concluding observations were translated into Danish and disseminated to all relevant ministries by the Ministry of Foreign Affairs with clear indications of responsibilities for follow-up and implementation of the Convention and the Committee's recommendations and that the Convention and its Optional Protocol have been published online in Danish, and that the Convention and the Committee's jurisprudence are regularly invoked and considered in cases before the Refugee Appeals Board. The Committee nevertheless notes with concern the lack of court cases where the Convention has been invoked and about the general lack of awareness of Government officials and women themselves in the State party, in particular in Greenland and the Faroe Islands, of the Convention, and the Committee's jurisprudence under the Optional Protocol, which may prevent them from claiming their rights under the Convention or from availing themselves of the communications or inquiry procedures under the Optional Protocol.

13. **Recalling its previous recommendation (CEDAW/C/DNK/CO/8, para. 10), the Committee recommends that the State party:**

(a) (i) **Disseminate and give more publicity to the Convention, the Optional Protocol thereto and the Committee's concluding observations and general recommendations, and its recommendations on individual communications and inquiries under the Optional Protocol; (ii) consider establishing a comprehensive implementation mechanism for the present concluding observations with the participation of the Governments of Denmark, Greenland and the Faroe Islands, while respecting the autonomy of the self-governing territories and the principle of subsidiarity, and involve the Danish Institute for Human Rights, the Human Rights Council of Greenland and a body equivalent to the Human Rights Council of Greenland in the Faroe Islands and non-governmental organizations promoting women's rights and gender equality in this mechanism, taking into account the four key capacities of engagement, coordination, consultation and information management of a national mechanism for reporting and follow-up;¹ and (iii) raise awareness among women of their rights under the Convention and of the legal remedies available to them to claim those rights, including in Greenland and the Faroe Islands;**

¹ https://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf

(b) Strengthen capacity-building programmes for judges, prosecutors, police officers and other law enforcement officials, as well as lawyers, in this regard.

Legislative framework, legal status of the Convention and harmonization of laws

14. The Committee welcomes that gender impact assessments of 120 draft laws were carried out since 2013. It notes the explanation provided by the State party that there are currently no plans of incorporating the Convention into its domestic legal order and that it does not consider gender-neutral legislation and policies to impede the fulfilment of its obligations under the Convention. However, reiterating its previous concerns (CEDAW/C/DNK/CO/8, paras. 11 and 38), the Committee notes with concern:

(a) That the lack of incorporation of the Convention into national law may have adverse effects for women and girls throughout the State party, including in Greenland and the Faroe Islands, and may prevent the State party from adopting temporary special measures in line with article 4, paragraph 1 of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, aimed at accelerating substantive equality of women and men, as Danish courts may consider such measures discriminatory;

(b) The absence of a comprehensive definition of discrimination against women, including direct and indirect discrimination in the public and private spheres as well as intersecting forms of discrimination;

(c) The increased use of gender-neutral language in the State's party's legislation, policies and programmes, which makes an evaluation of the situation of women, including women belonging to disadvantaged and marginalized groups, difficult and might lead to women's inadequate protection from direct and indirect discrimination and impede the achievement of substantive equality of women and men. In this regard, the Committee recalls its general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention (paras. 5 and 16).

15. Reiterating its previous recommendations (CEDAW/C/DNK/CO/8, paras. 12 and 40), the Committee recommends that the State party:

(a) Review its decision not to incorporate the Convention into its domestic legal order;

(b) Accelerate the harmonization of legislation, while respecting the autonomy of the self-governing territories and the principle of subsidiarity, and adopt a comprehensive definition of discrimination against women, including direct and indirect discrimination in the public and private spheres as well as intersecting forms of discrimination, and ensure its consistent implementation across the entire territory of the State party;

(c) Include gender-sensitive rather than gender-neutral language in its legislation, policies and programmes, in line with the Committee's general recommendation No. 28, and comprehensively assess the gender-neutral approach in legislation and policymaking, with an emphasis on the potential adverse effects of gender-neutral policies for public funding programmes for women.

National machinery for the advancement of women

16. The Committee welcomes the appointment of the Danish Institute for Human Rights as the National Equality Body in accordance with directives of the European Union on equal treatment of all persons without discrimination on the grounds of gender, race or ethnic origin, and that it functions as the national human rights institution of Denmark and of Greenland. It also welcomes the close cooperation of the Institute with the Human Rights Council of Greenland, a politically independent council established by law in November 2018, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles; General Assembly resolution 48/134, annex). The Committee, however, notes with concern:

- (a) The absence of a long-term strategy and action plan on promoting women's rights and gender equality;
- (b) The 2019 amendment to the Law on Gender Equality, which changed the periodicity of gender equality reporting from two to three years at the municipal level, which may have a negative impact on gender mainstreaming;
- (c) The lack of an overall integrated strategy for gender mainstreaming;
- (d) The lack of competence of the Danish Institute for Human Rights for the Faroe Islands and the absence of a body equivalent to the Human Rights Council of Greenland in the Faroe Islands;
- (e) The insufficient human, technical and financial resources for the Human Rights Council of Greenland, whose Council members work pro bono, to effectively carry out its mandate.

17. The Committee recommends that the State party:

- (a) **Adopt a long-term strategy and action plan aiming at gender parity between women and men in the public and private spheres by 2030, in addition to the annual gender equality action plans;**
- (b) **Revise the 2013 National Strategy for Future Work with Gender Mainstreaming Assessment in the Public Sector and introduce an integrated approach to gender mainstreaming to achieve equality between women and men, as well as effective monitoring and accountability mechanisms, including through the systematic continuation of gender impact assessments of legislation, ensuring that evaluation is measured on the basis of compliance with relevant targets and indicators and disaggregated data collection, including with regard to women and girls with disabilities;**
- (c) **Carry out a comprehensive study to evaluate the impact of the legislative amendment to change the periodicity of gender equality reporting at the municipal level from two to three years, and take remedial action, if necessary;**
- (d) **Adopt a gender mainstreaming strategy to achieve equality between women and men and extend the mandate of the Danish Institute for Human Rights to the Faroe Islands and establish a body equivalent to the Human Rights Council of Greenland in the Faroe Islands with sufficient human, technical and financial resources to effectively carry out its mandate to promote and protect women's rights;**
- (e) **Equip the Human Rights Council of Greenland with sufficient human, technical and financial resources to effectively carry out its mandate to promote and protect women's rights, in cooperation with the Danish Institute for Human Rights.**

Temporary special measures

18. The Committee notes the statement by the delegation of the State party that progress made in ensuring gender balance in the Boards of Directors of private companies has been insufficient and that it plans to extend the application of gender equality legislation to management positions. The Committee is nevertheless concerned that women are absent in the Boards of Directors of more than half of the 2,200 largest private Danish companies, that the formula for calculating women's representation in executive boards has been amended in 2016 so that a board with two women and five men would be considered equally gender-representative, and the general reluctance of the State party, including Parliament, to adopt temporary special measures as a means of advancing the achievement of substantive equality of women and men in all areas covered by the Convention and at all levels where women are underrepresented or disadvantaged, in particular in Greenland and the Faroe Islands.

19. **Reiterating its previous recommendations (CEDAW/C/DNK/CO/8, para. 16), the Committee recommends that the State party make use of temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, and provide incentives such as gender scorecards, strengthen targeted recruitment and set time-**

bound goals and quotas in all areas covered by the Convention and at all levels where women are underrepresented or disadvantaged in both the public and the private sectors, including private companies, to significantly increase the number of women members in Board of Directors and women in management positions. The Committee also recommends that the State party implement temporary special measures to accelerate de facto equality of women belonging to disadvantaged groups such as migrant women, older women, women with disabilities, indigenous women, lesbian, bisexual and transsexual women and refugee and asylum-seeking women.

Gender-based violence against women

20. The Committee commends the State party for placing lack of free consent at the centre of its new definition of rape; the adoption of a specific provision on psychological violence and abuse; the establishment of a hotline for victims of sexual violence and of new shelters for women victims of gender-based violence, including domestic and sexual violence; and the strengthening of free psycho-social counselling and assistance provided to women victims, including by increasing funds for non-governmental organizations providing ambulatory counselling services. The Committee appreciates the consideration by the State party of new forms of gender-based violence against women, particularly in the online sphere, and the priority action taken to prevent such violence from occurring to young women. The Committee notes the explanation given by the State party that, despite the use of gender-neutral language, its action plans to combat gender-based violence take into account that women are disproportionately affected by such violence. It nevertheless notes with concern:

(a) That the concept of consent is not defined in the new definition of rape, that awareness-raising and education on the new definition are reportedly insufficient, and that the new definition applies neither in Greenland nor in the Faroe Islands;

(b) That referring to gender-based violence against women as “violence in close relationships”, including in the new criminal provision on psychological violence in Section 243 in the Criminal Code, may result in a lack of gender-disaggregated data on violence and obscure the fact that women are overwhelmingly the victims of such violence as well as appropriate actions in addressing these challenges;

(c) The increase of gender-based violence against women and girls, including domestic violence, in particular during the COVID-19 pandemic, and the ratio of places in shelters available for women victims in the State party;

(d) The high incidence of sexual violence committed against women with disabilities, in particular intellectual or psychosocial disabilities;

(e) The reported high prevalence of sexual harassment in the workplace and the educational system despite the numerous initiatives of the State party to combat this phenomenon;

(f) The high level of gender-based violence against women and girls, including sexual and domestic violence, in Greenland, and the fact that the Greenlandic Strategy and Action Plan against Violence 2014-2017 has not been renewed;

(g) The overall lack of disaggregated data on gender-based violence against women and girls in Greenland and the Faroe Islands, in particular with respect to women belonging to ethnic or national minorities, women with disabilities, and migrant women;

(h) That the State party has declared upon ratification that the Council of Europe Convention on Preventing and Combatting Violence against Women and Domestic Violence (Istanbul Convention) does not apply to Greenland and the Faroe Islands.

21. Reiterating its previous recommendations (CEDAW/C/DNK/CO/8, para. 18), and recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:

(a) **Define consent in the new criminal provision on rape, strengthen awareness-raising and education on the new definition of rape, specifically targeting**

young women and men, and introduce the consent-based definition of rape in Greenland and the Faroe Islands;

(b) Strengthen its legislative and policy framework on domestic violence with a special focus on women victims of violence across the entire territory of the State party, and avoiding the use of gender-neutral terms, in line with the Istanbul Convention; and ensure the application of the new Section 243 in the Criminal Code on psychological violence and abuse to cases where women, in particular women belonging to certain ethnic and religious groups, are retained in a marriage against their will, while at the same time specifically criminalizing the retention of women against their will in a marriage as well as religious marriages of girls and boys;

(c) Provide sufficient numbers of shelters, which must be accessible, for women victims of gender-based violence, taking into account their specific needs, including the need to avoid their relocation in the event of full occupancy of the designated shelter;

(d) Take urgent measures to address the high rate of cases of sexual violence committed against women with disabilities, in particular intellectual or psychosocial disabilities;

(e) Ensure that victims of sexual harassment in the workplace and the educational system have access to effective remedies, take steps to provide for the liability of employers for sexual harassment in the workplace if they have taken insufficient measures to prevent such harassment, encourage employers to regularly review their company culture, and accelerate the creation of a whistleblower hotline for reporting unlawful behaviour, including sexual harassment;

(f) Evaluate the Greenlandic Strategy and Action Plan against Violence 2014-2017 and adopt a new strategy and action plan to combat gender-based violence, including sexual and domestic violence, against women and girls, including women and girls with disabilities, linking it to the prevention of suicide, substance abuse and the action plan on parental neglect, with clear goals and mechanisms for prevention, monitoring and follow-up, and continue implementing measures under the Alliaq programme, which targets perpetrators of domestic violence, and the expired strategy;

(g) Ensure the collection and analysis of data, disaggregated by sex, age, nationality and disability, on gender-based violence against women and girls in Greenland and the Faroe Islands;

(h) Extend the application of the Istanbul Convention to Greenland and the Faroe Islands.

Trafficking and exploitation of prostitution

22. The Committee welcomes the efforts by the State party to prevent and combat trafficking in persons, in particular women and girls, including through international cooperation, awareness-raising initiatives, and compensation awarded to victims of trafficking, including for the purpose of exploitation of prostitution, by the Criminal Injuries Compensation Board. The Committee is nevertheless concerned at:

(a) The lack of comprehensive information and comprehensible data about women and girls victims of trafficking, particularly in Greenland and the Faroe Islands;

(b) The low number of criminal investigations and prosecutions of reported cases of trafficking, which may partially result from the fact that women victims of trafficking risk deportation if they are undocumented or in an otherwise irregular situation, discouraging them from seeking victim assistance services;

(c) The fact that traffickers increasingly target victims through the Internet;

(d) The limited/insufficient human, technical and financial resources available to the anti-trafficking unit within the Department of Violent Crimes of the Copenhagen Police as some of the resources have been reallocated to combat other forms of serious crimes, while noting the plans of the State party to establish a new national investigation unit.

23. **Recalling its previous recommendations (CEDAW/C/DNK/CO/8, para. 20), and its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee recommends that the State party:**

(a) **Continue to raise awareness about trafficking in persons, in particular women and girls, and systematically collect comprehensive information and relevant statistical data about victims of trafficking, disaggregated by sex, age, nationality, employment and economic status, in particular in Greenland and the Faroe Islands, and report them to the Committee in its next periodic report;**

(b) **Adopt a human rights-based approach in its efforts to combat trafficking, emphasising the status of women as victims of trafficking rather than criminalization, prioritize the prevention of trafficking and re-trafficking, protection of victims and prosecution of perpetrators, and revise immigration policies to ensure that laws and policies on the deportation of migrant women are not applied in a discriminatory manner, do not deter migrants, refugees and asylum seekers from reporting crimes of trafficking and do not undermine efforts to prevent human trafficking, identify or protect victims or prosecute perpetrators;**

(c) **Raise awareness, including at schools and among families, about the risks of trafficking, including the recruitment of victims through the Internet;**

(d) **Reassign the necessary human, technical and financial resources to the anti-trafficking unit within the Department of Violent Crimes of the Copenhagen Police to enable it to carry out its mandate to detect and investigate crimes of trafficking in persons effectively.**

24. The Committee notes that the State party considers prostitution a social problem, the existence of exit programmes for women who want to leave prostitution established in the largest municipalities and funded by 55 million Danish Kroners for the period of 2020-2023, and additional public funding provided for programmes run by non-governmental organizations to prevent new forms of sexual exploitation such as prostitution-like relationships between young people. The Committee is, however, concerned at the lack of comprehensive information and disaggregated data on women and girls who are exploited in prostitution, including in Greenland and the Faroe Islands.

25. **The Committee recommends that the State party collect and analyse data on women and girls exploited in prostitution, in particular of non-nationals, including in Greenland and the Faroe Islands, and conduct research on the living conditions of women in prostitution, and report on the data and results of the study in the next periodic report.**

Equal participation in political and public life

26. The Committee welcomes that 39 per cent of Members of Parliament, the Danish Prime Minister, seven of the 14 Danish members of the European Parliament, 39 per cent of members of the Greenlandic Parliament (Inatsisartut), three out of five mayors in Greenland, the Head of the Greenlandic Representation in Copenhagen, and 46.6 per cent of members of executive boards in Greenlandic public companies are women. The Committee, however, notes with concern:

(a) That only seven out of 20 ministers and 13 per cent of mayors in Denmark are women, and that women's political representation is stagnating; that only three out of nine members of the Greenlandic Government (Naalakkersuisut) are women, and that not all political parties in the Faroe Islands followed the recommendation by Demokratia, an independent committee to encourage more women to participate in political life, to include an equal numbers of women and men in their electoral lists for the Faroese Parliament and municipal councils;

(b) Sexism and misogyny in public and political life, causing women to abstain from participating in political and public life, including in public online debates, and cases of sexual harassment reported by women politicians and political party members resulting in a 60-day sentence for the perpetrator in January 2021.

27. **Reiterating its previous recommendations (CEDAW/C/DNK/CO/8, para. 24, and recalling its general recommendation No. 23 (1997) on women in political and public life, the Committee recommends that the State party:**

(a) **Adopt an action plan, including temporary special measures such as statutory quotas or incentives for political parties to include an equal number of women and men in their electoral lists, especially at the municipal level, and in Greenland and the Faroe Islands, to accelerate women's equal representation in political and public life and strengthen gender-equal and inclusive governance with the goal of achieving gender parity between women and men by 2030;**

(b) **Adopt prevention strategies and programmes to address violence women experience online and offline in public debate, ensure effective law enforcement measures in relation to the liability of social media companies for unlawful user-generated content, and strengthen preventive measures against sexual harassment in Greenland, including by requiring all political parties to develop policies to promote gender equality and fight sexual harassment.**

Nationality

28. The Committee welcomes the measures taken by the State party, including legislative amendments, to prevent and reduce statelessness, including of women and girls. It is, however, concerned about:

(a) Children, including girls, born stateless in the State party, having to apply for citizenship before reaching adulthood;

(b) Limited channels for obtaining Danish citizenship for women and girls who are second and third generation migrants.

29. **Reiterating its previous recommendation (CEDAW/C/DNK/CO/8, para. 26), and recalling its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, the Committee recommends that the State party:**

(a) **Ensure by law that children, including girls, automatically obtain Danish citizenship at birth if they would otherwise be stateless;**

(b) **Provide for facilitated procedures for the acquisition of Danish citizenship for women and girls who are second and third generation migrants.**

Education

30. The Committee welcomes the efforts of the State party to eliminate discrimination against women and gender-stereotyping in the education system and the progress achieved so far, including through substantial public funding of programmes such as the talent programme "Inge Lehmann" and campaigns such as the "Girls' Day in Science"; awareness-raising campaigns targeting young people, including girls and young women, on online harassment and digital literacy, as well as campaigns to educate migrant, refugee and ethnic minority women and school girls about women's rights and gender equality; and that girls and women are exceeding in upper secondary and tertiary education in Greenland. The Committee, however, is concerned about:

(a) Persisting gender segregation in the education sector at all levels, including the low number of women and girls choosing non-traditional fields of study and career paths;

(b) The low number of women in high-level academic posts;

(c) The lack of systematic training on sexual and reproductive health and rights for teachers at the upper secondary school level;

(d) The comparatively low number of children with disabilities, including girls, completing school and vocational or university education, higher drop-out rates owing to insufficient efforts to improve their inclusion, and the overall lack of data, disaggregated by sex and type of disability, in this regard.

31. **Reiterating its previous recommendations (CEDAW/C/DNK/CO/8, paras. 28 and 32), and recalling its general recommendation No. 36 on the right of girls and women to education, the Committee recommends that the State party raise awareness of the importance of girls' education at all levels as a basis for their empowerment, and:**

(a) **Continue to promote women's and girls' participation in non-traditional fields of study and career paths, in particular in science, technology, engineering and mathematics (STEM) and information and communication technology (ICT);**

(b) **Consider introducing temporary special measures, such as a mandatory statutory quota, to ensure the equal representation of women in high-level academic posts;**

(c) **Swiftly conclude the process of updating teaching guidelines to ensure that gender-sensitive, age-appropriate and accessible education on sexual and reproductive health is included in school curricula to foster responsible sexual behaviour, prevention of early pregnancies and sexually transmitted diseases, including through systematic training for teachers on sexual and reproductive health and rights at all levels of the education system and across the entire territory of the State party;**

(d) **Strengthen its measures to improve the inclusion of girls with disabilities in the mainstream education system, and include in its next periodic report information and statistical data, disaggregated by sex and type of disability on school attendance and drop-out rates and access to vocational and university education for children with disabilities.**

Employment

32. The Committee welcomes the entry into force of the maternity equalization scheme for self-employed persons and the extension of maternity leave periods and shared parental leave quotas in Greenland; that women participate on an almost equal footing with men in the labour market in Denmark and that women's participation is at 83 per cent in the Faroe Islands; and the results achieved with programmes and policies to integrate migrant women into the labour market and society as a whole. The Committee is, however, concerned at:

(a) The stagnation of the adjusted gender wage gap in a vertically and horizontally segregated labour market and academia; the lack of transparency of the methodology for the determination of "work of equal value" due to the lack of a legal definition; limited access to relevant data enabling women to examine whether their right to equal pay for work of equal value has been violated; and the fact that only companies with at least 35 employees and at least ten women and ten men employees must submit gender equality reports, including on their wage statistics;

(b) Mothers take more parental leave than fathers and women, on average, perform one hour more of housework per day compared to men;

(c) The risk of algorithmic gender-based discrimination in advertisement and hiring practices in the labour market, in particular against women belonging to disadvantaged and marginalized groups;

(d) The persistently low participation of migrant women in the labour market, and lack of data on labour market participation of women with disabilities, which was reported to stand at 50.2 per cent in 2016 according to the latest available data based on surveys that are cross-checked with public health system and social services registers.

33. **With reference to its previous recommendations (CEDAW/C/DNK/CO/8, paras. 30 and 51), the Committee recommends that the State party:**

(a) **In order to narrow and eventually close the gender wage gap, (i) revise the Equal Pay Law by defining the concept of "equal work of equal value" in conformity with the ILO Equal Remuneration Convention, 1951 (No. 100); (ii) ensure that women employees and their union representatives have full access to wage information and statistics enabling women to examine whether their right to equal pay for equal work of equal value has been violated; and (iii) improve gender wage gap statistics by ensuring that more employers and companies are covered by reporting obligations;**

- (b) **Implement measures to ensure equal participation of both parents in family responsibilities, including with respect to shared parental leave quotas;**
- (c) **Implement measures to prevent unwanted gender-based discrimination in the design of algorithms under the 2019 National Strategy for Artificial Intelligence;**
- (d) **Collect comprehensive data on the participation of migrant women and of women with disabilities in the labour market and provide such information in the next periodic report;**
- (e) **Ratify the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization.**

Health

34. The Committee welcomes the frequent use of e-medicine, benefitting women and girls especially during the pandemic, and legislation and the 2020 action plan on mental health providing for free psychological counselling, including for women and girls, in the Faroe Islands. It notes the sharp decline in premature births during the pandemic. The Committee is nevertheless concerned about:

- (a) The State party reportedly having the highest incidence rates of all types of cancer combined in Europe, and a very low percentage of women with disabilities, in particular in special needs residences, taking part in free national cervical or breast cancer screening;
- (b) The high prevalence of suicides and suicide attempts, including among girls, in Greenland;
- (c) The high abortion rate, and the high prevalence of sexually transmitted diseases among women and girls in Greenland;
- (d) The possibility of criminalisation of women in the Faroe Islands seeking abortion and not enjoying the same access to sexual and reproductive health services, including safe abortion and post-abortion services, as women in Denmark and Greenland, causing some Faroese women to travel to Denmark for an abortion or to pretend to be severely mentally ill so as to be unable to care for a child.

35. **Recalling its previous recommendations (CEDAW/C/DNK/CO/8, para. 32), the Committee recommends that the State party:**

- (a) **Continue to collect and analyse information and data on the causes of the high rate of cancer in women and report on them in the next periodic report, and set specific targets to increase the participation of women with disabilities in free national cancer screening;**
- (b) **Collect comprehensive data on the causes of the high prevalence of suicide, including among girls, in Greenland, and report on the causes of the high suicide rate and the measures taken to address it in its next periodic report;**
- (c) **Collect comprehensive data on the causes of the high abortion rate in Greenland, ensure that education on sexual and reproductive health and rights at all levels of education is gender-sensitive, age-appropriate, accessible and fosters responsible sexual behaviour, with a view to preventing early pregnancy and sexually transmitted diseases; ensure access for all girls and young women to sexual and reproductive health services and to modern contraceptives, in particular in rural areas; and provide appropriate health-care services to Greenlandic women during pregnancy, birth and the postnatal period and to their children;**
- (d) **Remove punitive measures for women seeking abortion and consider amending the abortion law in the Faroe Islands, which dates back to 1956, and passing an abortion law that provides equal access to safe legal abortion and post-abortion services for Faroese women as in Denmark and Greenland, especially in cases of complications resulting from unsafe abortions.**

Economic empowerment of women

36. The Committee commends the State party for its efforts undertaken to increase the share of women entrepreneurs, including in most innovative sectors such as artificial intelligence and other areas of technological advancements and for its international cooperation programmes. The Committee takes note of the existing rules and regulations on the requirements for exploration and mining operations. It notes with concern, however, that:

(a) The structural disparity between men and women in the digital economy and artificial intelligence impedes the empowerment of women and constitutes a new source of structural discrimination;

(b) The continuing and expanding extraction of carbon and mineral resources, as well as large infrastructure projects in Greenland, may displace women from their lands and deprive them of their livelihoods;

(c) Only five per cent of farmland is owned by women.

37. **The Committee recommends that the State party:**

(a) **Ensure that the 2019 National Strategy for Artificial Intelligence rebalances gender equality between women and men in the digital economy and prevents discrimination for the benefit of women and sustainable change;**

(b) **Review its energy and mining policies, especially its policy on the extraction of carbon and mineral resources in Greenland, to ensure that they do not disproportionately adversely affect women, and ensure the participation of women, on an equal basis with men, in decision-making processes on such policies, including in environmental and social impact assessments;**

(c) **Review practices that may impede rural women's access to land ownership, and adopt legislation to protect their right to land ownership.**

Climate change and disaster risk reduction

38. The Committee commends the State party on the measures taken to address the climate crisis. It is, however, concerned about the lack of data and research on the gender-specific impact of the climate crisis potentially affecting the indigenous population, including women, in Greenland.

39. **Recalling its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the Committee recommends that the State party provide the necessary resources to the Danish National Human Rights Institute to finalize its examination of Denmark's international human rights obligations to prevent the negative impact of climate change and that the State party conduct a study on the gender-specific impact of climate change on women in Greenland, in particular women dependent on traditional Inuit livelihoods, and report on the results of the study in its next periodic report. It also recommends that the State party take measures to ensure the participation of women, on an equal basis with men, in decision-making processes related to the climate crisis and consider participating in the Adaptation Fund, established under the Kyoto Protocol of the United Nations Framework Convention on Climate Change, including through financial contributions, with the aim of mainstreaming gender in climate finance.**

Marriage and family relations

40. The Committee welcomes recent amendments to the Law on the Formation and Dissolution of Marriage prohibiting child marriage. It is, however, concerned about:

(a) Recent legislative amendments requiring women with temporary protection status to wait for three years for family reunification, unless exceptional circumstances are present;

(b) Women with residence status obtained on the basis of a family reunification procedure may – based on an individual assessment – lose this status upon divorce.

41. Recalling its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women and general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, the Committee recommends that the State party:

(a) Reverse legislative and administrative barriers to family reunification for women who are beneficiaries of international protection;

(b) Apply the legal provisions concerning residence status on the basis of family reunification to all migrant and refugee women regardless of marital status.

Dissemination

42. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional, local), in particular to the Government, the Folketing of Denmark, the Inatsisartut of Greenland, and the Løgting of the Faroe Islands, and the judiciary, in Denmark and in the self-governing territories of Greenland and the Faroe Islands, to enable their full implementation.

Ratification of other treaties

43. The Committee notes that the adherence of the State party to the nine major international human rights instruments² would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which it is not yet a party. It also recommends that it extend the territorial application of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, acceded to on 7 October 2015, to Greenland and the Faroe Islands.

Follow-up to concluding observations

44. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 11 (a), 15 (b), 21 (a) and 35 (b) above.

Preparation of the next report

45. The Committee requests the State party to submit its tenth periodic report, which is due in March 2025. The report should be submitted on time and cover the entire period up to the time of its submission.

46. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see [HRI/GEN/2/Rev.6](#), chap. I).

² The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.