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**Denmark**

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## I. Introduction

1. The Kingdom of Denmark assigns the highest priority to fulfilling its human rights obligations and its responsibility to protect its population. Denmark cooperates with international monitoring mechanisms and special procedures of the Human Rights Council have a standing invitation. The Universal Periodic Review (UPR) provides a good basis for constructive dialogue on the implementation of human rights.
2. The Ministry of Foreign Affairs of the Kingdom of Denmark has coordinated the preparation of this report with relevant ministries through the inter-ministerial Human Rights Committee<sup>1</sup> as well as with the Governments of Greenland and the Faroe Islands. A draft report was subject to a public consultation process. In addition, five public meetings were arranged in preparation of the report, and dedicated e-mail addresses were established to allow for further inputs.
3. The report gives an account of follow-up on the recommendations Denmark accepted after the previous review in January 2016 and on other developments in the human rights field, including issues raised by the Danish Institute for Human Rights<sup>2</sup>, civil society organisations and citizens. The recommendations from the previous review are referred to in endnotes<sup>3</sup>.
4. Reference is made to the June 2018 Midterm Report<sup>4</sup> and to the Annex, which supplement the information in this report.

## II. Follow up on recommendations and developments in Denmark

### Legal framework

#### Acceptance of international human rights instruments

5. The normative and institutional framework for the protection of human rights in Denmark stands upon an unchanged solid foundation. Detailed information in this regard is included in Denmark's first national UPR reports submitted in 2011 and 2015, respectively, and in the Common Core Document as updated in 2018.
6. Denmark is a party to seven of the nine core human rights conventions (ICCPR<sup>5</sup>, ICESCR<sup>6</sup>, ICERD<sup>7</sup>, CEDAW<sup>8</sup>, CAT<sup>9</sup>, CRC<sup>10</sup>, and CRPD<sup>11</sup>). Denmark has signed the ICPPED<sup>12</sup>, and recently Parliament adopted the necessary legislative amendments in order to ratify the ICPPED<sup>13</sup>. As explained in more detail in the Annex, Denmark has decided not to sign ICRMW.<sup>14, 15</sup>
7. Denmark has acceded to the Optional Protocols establishing access to the individual complaints procedures in respect of the conventions, to which it is party, with the exception of ICESCR.<sup>16</sup>
8. Denmark has ratified all ILO<sup>17</sup> core conventions. In 2017, Denmark ratified the ILO Forced Labour Protocol.<sup>18</sup>

#### Human rights in Danish legislation

9. The European Convention of Human Rights was incorporated into Danish law in 1992, while other human rights conventions – in accordance with the dualistic legal tradition – have been implemented through noting “harmony of norms” or transforming the contents of the specific convention into Danish legislation. In 2014, a committee of experts in the human rights field delivered its report on *inter alia* the possibility of incorporating further human rights instruments. Against the background of the report and subsequent public consultations, the Government decided not to incorporate further human rights instruments into Danish law. Ratified but non-incorporated human rights instruments remain relevant sources of law and are invoked before, and applied by, the courts and other authorities.<sup>19</sup>

10. In order to ensure that Danish legislation is in accordance with human rights obligations, the procedures for drafting new legislation include systematic and mandatory screening of all legislative proposals regarding their conformity with international legal obligations, including human rights obligations.

### **Equality and non-discrimination<sup>20</sup>**

11. Discrimination of any kind is unacceptable and Denmark is determined to ensure equal treatment, equal opportunities and equal rights for all citizens and groups. According to Danish administrative law, all citizens are equal before the law and public authorities cannot discriminate citizens on any ground.

12. Danish legislation includes a number of acts confirming this principle, inter alia the Act on Gender Equality and the Act on Equal Treatment of Men and Women as regards Access to Employment, etc.

13. The Act on Prohibition against Discrimination on the Labour Market prohibits direct and indirect discrimination on the labour market on grounds of race, colour or ethnic origin, religion or belief, sexual orientation, national or social origin, political opinion, age and disability.<sup>21</sup>

14. The Act on Ethnic Equal Treatment prohibits direct and indirect discrimination outside the labour market on grounds of race or ethnic origin. The prohibition applies outside the labour market to all public and private enterprises in relation to social protection and to membership of, and participation in, organisations whose members work in certain areas of business and to the advantages, which these organisations provide for their members.

15. In addition, the Act on Prohibition against Discrimination on Grounds of Race, Colour, National or Ethnic Origin, Belief or Sexual Orientation criminalizes discrimination on the mentioned grounds.

16. In 2018, Parliament passed the Act on Prohibition against Discrimination on Grounds of Disability, which prohibits discrimination outside the labour market on grounds of disability.<sup>22</sup> The Act was amended in 2020, see below in the section on persons with disabilities (paragraphs 29 and 30).

17. The Danish Board of Equal Treatment considers complaints of discrimination on a number of grounds. The Board may award compensation and invalidate dismissals.

### **Gender equality**

18. Gender equality is a fundamental and inevitable principle in all spheres of the Danish society. Denmark continuously works to secure de jure and de facto gender equality and to eliminate all forms of discrimination against women.

19. The Danish welfare system is designed to promote and ensure gender equality. The social security net is comprehensive, and generous welfare services have contributed to achieving a high level of equality in Denmark.

20. Denmark will continue to issue an annual report and action plan on how gender equality will be secured across the Government's work. Furthermore, Denmark will continue gender mainstreaming assessments in the public sector. Thus, all legislative proposals must be assessed in order to determine the relevance of conducting a gender mainstreaming assessment. In April 2019, the Parliament passed an act simplifying and focusing the gender equality reporting mechanism on data, objectives and best practices.<sup>23</sup>

21. Denmark exchanges best practices with Greenland and the Faroe Islands concerning legislative measures on promoting women's rights and equality through regular meetings, including through the Nordic Council of Ministers.<sup>24</sup>

### **Sexual harassment**

22. The Equal Treatment Act was amended in 2019 to clarify the scope of sexual harassment, including that a toxic workplace environment cannot be excused by referring to

the culture at the workplace. In addition, the level of compensation for victims has been raised to DKK 33,000. Moreover, several campaigns have been launched with the aim of fostering respectful workplace environments.

23. On 26 February 2019, following the amendment of the Executive Order, the Working Environment Authority – in close cooperation with the Danish Social Partners – amended the Guidelines on Offensive Acts, including Harassment and Sexual Harassment. The Guidelines are aimed at employers and employees and offer general advice and guidance on how to prevent and handle harassment and sexual harassment in the workplace.

#### **Equal pay<sup>25</sup>**

24. Equality between and equal opportunities for men and women are key objectives in Denmark. The regulation regarding gender equality is based on international commitments, in particular EU legislation. The regulation is laid out in legislation, but within the labour market, the collective agreements play a significant role. Danish initiatives promoting equal pay are described in the Midterm Report<sup>26</sup>. In addition, the Government has commissioned two studies on the gender pay gap. The first showed a decrease in the unadjusted gender pay gap of 25% from 2007–2016, while the adjusted gender pay gap remained at 7%. The second study, published in October 2020, analyses the root causes behind the adjusted gender pay gap. The report shows that the gender-segregated labour market plays an even bigger part in explaining the persisting gender pay gap. The report also shows that the higher the number of women in a job function, the lower the level of pay both in the private and the public sector.

#### **Sexual orientation, gender identity and gender expression**

25. Since 2012, Denmark has allowed same-sex marriage. In relation to family law, both members of a female couple can be parents from the birth of the child. Same sex couples have the same rights in relation to adoption as heterosexual couples.

26. In 2014, Denmark introduced a simple administrative procedure allowing legal gender recognition for transgender persons. Furthermore, Denmark developed a neutral code ending the use of the transgender diagnosis code “Gender identity disorders”. New guidelines on gender reassignment treatments were issued to abolish the previously mandatory psychiatric evaluation. The current legislation on gender reassignment contains relevant safeguards.<sup>27</sup>

27. Since 2016, it has been possible for children and adolescents to receive medical counselling on gender identity issues and to be considered for hormone-treatment, initially to postpone puberty, and subsequently possibly cross-sex hormone therapy. No age restriction is imposed. However, the first stages of puberty should be entered before starting hormone treatment.<sup>28</sup>

28. A Governmental Action Plan was launched in 2018 comprising a number of initiatives aimed at strengthening the security, health, well-being and equal opportunities for LGBTI<sup>29</sup> persons, including a general legislative review.<sup>30</sup> Based on the review, the Government presented several initiatives focusing on discrimination, hate speech and hate crime, family law as well as legal gender recognition in 2020.<sup>31</sup>

#### **Persons with disabilities**

29. In 2020, Parliament has passed an amendment to the Act on the Prohibition against Discrimination on Grounds of Disability providing reasonable accommodation in public and private schools and day cares. The Danish Board of Equal Treatment will now have the competence to consider complaints on lack of reasonable accommodation and to award compensation.

30. In 2018, the Government set out to increase the number of persons with disabilities in employment by 13,000 by 2025. This ambitious target will be achieved through a number of initiatives aimed at reducing red tape, disseminating information about disabilities and how to overcome obstacles in a job, improving educational and training opportunities and launching an information campaign countering prejudices against persons with disabilities.<sup>32</sup>

## Hate speech and hate crimes

31. In line with Denmark's obligations under the ICERD<sup>33</sup> and the implementation of the principle of responsibility to protect, Denmark attaches great importance to preventing and combatting hate speech and hate crimes. The Criminal Code prohibits public threatening, humiliating or degrading statements based on race, colour, national or ethnic origin, religious faith or sexuality.<sup>34</sup> In relation to other criminal offences, it will be regarded as an aggravating circumstance, if the offence is based on the ethnic origin, religious faith or sexuality of others or similar issues.<sup>35</sup> Associations undertaking acts with the purpose of promoting racial discrimination or hate speech, can be punished in accordance with the Criminal Code. If an association has been dissolved in accordance with the Danish Constitutional Act, the continuation of the association is banned.<sup>36</sup>

32. The National Police has a strong focus on combatting hate crimes. The law enforcement training include mandatory training on how to identify, register, investigate and handle hate crimes. Since 2016, the National Police has implemented several initiatives to strengthen the effort. These initiatives include a supplementary additional hate crime-training course, various outreach activities aimed at raising public awareness and encouraging victims to report hate crimes. The National Police furthermore has an ongoing dialogue with a number of relevant stakeholders such as the Jewish Community and LGBT Denmark. The purpose of the dialogue is to establish a closer and ongoing collaboration with the stakeholders in order to obtain input for future police efforts concerning hate crimes. In 2015, the National Police launched a monitoring programme on hate crimes on a national scale and now releases an annual report<sup>37</sup> on hate crimes.<sup>38</sup>

33. Other initiatives aimed at preventing hate speech and fighting intolerance have been initiated as part of the comprehensive effort to prevent extremism and radicalization. This approach is rooted in several comprehensive general crime prevention systems. Since 2009, so-called *Info-house networks* have been established in all 12 Danish police districts to encompass a network of local resource persons from the crime prevention systems. The purpose of the Info-house networks is to facilitate cooperation and information sharing between different authorities and simultaneously to protect society from crime and to protect individuals from engaging in crime.

34. The Government has also initiated work on a national action plan against antisemitism. The action plan will, among other things, focus on informing about Jewish life and educating about the Holocaust in order to counteract prejudices against Jews. The action plan is expected to be launched in 2021. The Government is also addressing tolerance with respect to other groups in the Danish society, please refer to the section Promoting tolerance/Protection of minority groups for further information (see paragraphs 121 to 126).

## Integration of immigrants

35. The main focus of the Government is to strengthen the integration process for newly arrived foreigners, as well as for foreigners who - despite having lived in Denmark for a long time - are still not participating in the labour market and self-supported. The Danish integration policy aims at reducing tendencies towards societal segregation by increasing active participation on the labour market and society in general. The legal framework for the integration effort is found in the Integration Act, which specifies the rights and duties that newly arrived foreigners are entitled to and must observe.

36. Under the Integration Act, the responsible municipality offers a self-support and return program or introduction program to newly arrived foreigners, which includes Danish language courses and 'offers of active involvement' such as guidance and upgrading, job training and internship as well as employment supported by a wage subsidy. The scope and content of the program for the individual foreigner is formulated in a contract concluded by the municipality and the foreigner concerned, and is subject to regular follow-up dialogue.

37. The Government is working on concrete initiatives to promote and strengthen the integration effort.<sup>39</sup> Particular emphasis is placed on increasing the employment rate among refugee and immigrant women, for example by offering mentorship programs to assist them

in becoming active citizens in the Danish society ; providing special support to women going through divorce; and by increasing their understanding of Danish society and norms including freedom of speech, equal rights and other civil liberties.

38. As part of the Government's efforts to prevent negative social control, the Ministry of Immigration and Integration has established a dialogue team comprising young people and parents who have been subjected to negative social control, forced marriage or similar honour-related conflicts. The dialogue team initiates and facilitates dialogue on topics related to social control and honour-related issues among other young people and adults. The team helps to promote changes in attitudes in relation to equality, individual rights, etc. through a peer-to-peer dialogue.

## **Elections**

39. The Constitutional Act stipulates that a person deprived of their legal capacity cannot vote at national parliamentary elections. In 2019, the Parliament amended the Guardianship Act, introducing the possibility that a person can be partially deprived of their legal capacity to act. The primary purpose of the amendment of the Act was to allow more people the right to vote at parliamentary elections since a partial deprivation of legal capacity does not entail the loss of the right to vote. Since 2016, persons deprived of their legal capacity are eligible to vote and to stand as candidates in municipal and regional elections as well as in elections for the European Parliament.<sup>40</sup>

## **Domestic violence and sexual abuse**

40. In 2014, Denmark ratified the Istanbul Convention on preventing and combating violence against women and domestic violence.

### **Domestic violence**

41. Denmark is currently implementing the fifth national action plan on domestic violence.<sup>41</sup>

42. In 2017, a national unit for the prevention of domestic violence was established.<sup>42</sup> For more information on the unit and other related initiatives, see the Midterm Report<sup>43</sup>.

43. In 2018, the maximum penalty for violence in close relations was increased from three to six years. In 2019, an act on psychological violence in close relations was adopted, criminalizing grossly degrading, abusive or offensive behaviour suitable for unduly controlling another person. The National Police has published guidelines for the police districts to handle psychological violence cases.<sup>44</sup>

44. The Consolidation Act on Social Services ensures that all women exposed to domestic violence can receive help at a women's shelter. As of July 2020, the Danish municipalities are obliged to offer free psychological treatment to women who come to stay in a women's shelter. The capacity of the shelters will be increased. Women can be accompanied by their children. When a child is staying at a women's shelter the Danish municipalities are obliged to offer psychological treatment.

45. Children's Houses have been established with a particular focus on child victims of abuse. These Houses ensure that all child victims of abuse can receive coordinated and professional help from social services, police, therapeutic services and health services in a child friendly environment. A national analysis on child abuse is published yearly by the National Board of Social Services based on data from the Children's Houses.<sup>45</sup>

### **Sexual abuse and rape**

46. In 2020, an awareness raising campaign about online harassment including the penalties for non-consensual sharing of sexual images was launched. The campaign targeted young people in secondary education and focused on online crimes, such as image sharing,

online threats, hacking, pornographic image manipulation, fake dating profiles and digital nudity.<sup>46</sup>

47. In 2017, the Government launched a comprehensive plan against online sexual abuse, which among other actions contained prevention measures in schools. The Danish National Police has developed education materials for schools on how to avoid and prevent internet related abuse and illegal online sharing of intimate photos or videos.

48. In 2016, the Government launched a number of initiatives to improve the efforts against rape, including guidelines for the police on handling rape cases. The national police has set up an expert group of investigators and prosecutors to follow up on the guidelines and an advisory forum for dialogue with organizations supporting victims of rape. In December 2020, Parliament passed an amendment to the provision on rape in the Danish Criminal Code, emphasizing, that any sexual act must be based on mutual consent from all involved parties. In January 2021, the Government has launched an awareness raising campaign to prevent rape and inform the public about the new consent based rape legislation.<sup>47</sup>

49. According to the Consolidation Act on Social Services all persons exercising public service or public office shall notify the social services if they suspect that a child under 18 requires social support, e.g. due to abuse. Police officers notify social services when they come across children and youth for whom they are concerned. In 2020, the Danish National Police has published new guidelines on notifying social services.

50. Furthermore, the Danish National Police has developed an IT-tool for identifying cases where children under 18 may require social support, based on an individual assessment of the contact between parents and the police. Identifying children and youth who may be in need of social support helps prevent cases of abuse, sexual abuse, child neglect, and domestic violence towards children.

51. The Danish National Police and Statistics Denmark intend to collect administrative data to document the extent of violence in intimate relations. In 2020, the Danish National Police has launched new GPS alarms for victims at risk of violence. In 2018, the Danish National Police published guidelines on the prevention of digital stalking.

52. With regard to honour related issues, a number of public authorities in Denmark have worked together throughout 2019 to establish a specialized unit handling cases in which young people are sent abroad for re-education, forced marriage or exposed to female genital mutilation.

53. The Danish National Police intend to draft new and revised guidelines for the handling of cases of honour related crime and violence to be distributed to all police districts in 2021. Throughout the country, a network of police officers deal with honour related criminal cases in close cooperation with the National Prevention Centre in the Danish National Police.

## **Asylum and immigration**

54. The Government pursues a restrictive, responsible and realistic immigration policy that is in full conformity with Denmark's international obligations.<sup>48</sup>

55. As a result of the increasing number of asylum seekers in 2015, the Danish Government decided to make several amendments to the Aliens Act, including an amendment making it possible for the police to confiscate valuable belongings to cover for the refugee's expenses. The amendments were implemented within the framework of Denmark's international obligations.<sup>49</sup>

56. All asylum applications are considered on an individual basis by the Danish Immigration Service and the Refugee Appeals Board. The best interest of the child is always taken into account in asylum cases.<sup>50</sup>

57. The Danish Immigration Service is responsible for providing for asylum seekers, including accommodation, necessary social measures, access to necessary medical treatment, etc.<sup>51</sup> Asylum seeking children receive education corresponding to the education offered to bilingual children enrolled in the Danish school system.<sup>52</sup>

58. Unaccompanied minors are accommodated in special children's centres staffed 24 hours a day by professional personnel. Public authorities are notified and in contact with relevant organisations if any unaccompanied minor disappears from a centre. Reference to the use of detention of minors in special cases is made in the Midterm Report under 120.179.<sup>53</sup>

59. Foreign nationals, who are entitled to protection, including against return (non-refoulement) will be granted protection, but only as long as the need for protection exists. However, if the person cannot be returned due to Denmark's international obligations, the residence permit will be prolonged.<sup>54</sup>

60. Foreign nationals, who are residing in Denmark illegally, are obligated to leave Denmark. If they do not leave voluntarily, the police will assist in a forced return. This is necessary to uphold the effectiveness and legitimacy of the decisions made by the Danish authorities. Administrative detention is a last resort in the efforts to facilitate the return of foreign nationals. It is thus acknowledged that persons detained under the Aliens Act must be offered reasonable conditions appropriate to their legal situation.

61. As a result of the 2020 CPT Report<sup>55</sup> on the conditions for persons deprived of their liberty in Denmark, including administratively detained foreigners in the Ellebæk Centre for Foreigners, representatives of the management of the Prison and Probation Service have inspected the Centre. In that connection, the management agreed to launch the renovation and refurbishment plan for the accommodation units with a view to improve the current standard of maintenance in stages instead of, as initially planned, renovating all at once. It was also agreed to outline a plan for regular maintenance in the future. The renovation has now been completed.

### **Family reunification**

62. For a child to be eligible for family reunification with a parent in Denmark, it is normally required that the child is under 15 years of age at the time of application. For a child between 15 and 18 years at the time of application, family reunification may be granted if exceptional reasons make it appropriate, including the regard for family unity and the regard for the best interest of the child.<sup>56</sup>

63. From January 2020, the requirement on successful integration has been abolished in cases regarding family reunification with children. Instead, the application from a child must be submitted no later than 3 months from the date on which the parent in Denmark was granted a residence permit. The new 3-month time limit normally applies to all children under the age of 15, who are staying in their home country with one of the parents or a permanent caregiver.

64. From July 2018, new rules on family reunification with a spouse entered into force. The aim of the amendment was to tighten the rules on family reunification with a spouse and at the same time ensure that the rules focus on integration. Exemptions from the requirements can be made if required for exceptional reasons, including the regard for family unity.

65. In 2016, the Parliament amended the Aliens Act to the effect that beneficiaries of temporary subsidiary protection status in Denmark do not have access to family reunification before having had a residence permit for more than the last three years. This applies unless international obligations state otherwise. A specific case concerning this rule is currently pending before the European Court of Human Rights. Please also refer to the Midterm Report under 120.190.<sup>57</sup>

### **Trafficking in human beings**

66. The Government currently implements the Action Plan against Human Trafficking for 2019-2021.<sup>58</sup> The action plan focuses on flexibility and how to ensure that efforts are tailored to the specific needs of each victim of human trafficking with a particular focus on vulnerable groups, such as child victims.<sup>59</sup> The relevant stakeholders and front staff must be ready to meet new developments and exploitation forms, and those who already have contact with the target group must be able to identify signs of human trafficking and thus contribute to preventing trafficking through engaging in the outreach work.



67. The Danish National police have recently updated the guidelines for handling cases regarding trafficking. Police officers are trained in handling trafficking cases, including cases involving children, at the National Police Academy. A National Operation Plan on combatting trafficking has also been developed within the National Police with a view to strengthen the efforts in this regard.<sup>60</sup>

68. In order to eradicate the re-victimisation in cases of trafficking, victims are offered aid and assistance, including a period of 30 days for reflection and recovery, which can be extended up to 120 days, if the victim collaborates on the prepared return. In the reflection and recovery period, the victim is offered education, vocational training or other activities. As part of the prepared return, the victim is offered assistance for 6 months after the return, e.g. for housing and business start-up.<sup>61</sup>

69. In January 2019, a ban on sham marriages for immigration purposes entered into force. The ban protects foreign women from being forced into marriages and from human trafficking.

## **Anti-terror**

70. Substantial counter-terrorism initiatives have been launched in the last couple of years, since the 2015 terror attacks in Copenhagen. Recent initiatives have focused on the areas of foreign fighters and countering terrorism financing. Currently, a review is conducted on the legislation regarding the Danish Security and Intelligence Service with the involvement of independent experts and relevant NGOs.<sup>62</sup>

## **Citizenship**

71. The political agreement on the conditions for acquiring Danish citizenship by naturalization contains a chapter dedicated to stateless applicants born in Denmark, who are covered by the UN Convention on the Reduction of Statelessness and the ICRC<sup>63</sup>. The Nationality Act was amended in 2014 and 2015 providing children born in Denmark access to citizenship by birth and allowing dual citizenship.<sup>64</sup>

72. The Nationality Act was amended in 2020 stating that children born in areas covered by an entry and stay prohibition according to the Criminal Code<sup>65</sup> will not automatically acquire Danish nationality at birth, if their Danish parent, from whom they would normally acquire nationality, has entered the zone in violation of the prohibition. This does not apply, if the child thereby becomes stateless. The reason for this amendment is that the Government does not want children to automatically acquire Danish citizenship, if they are born in areas where a terror organization is part of an armed conflict. The intention is to make people refrain from entering into areas covered by an entry and stay prohibition.

## **Deprivation of liberty**

### **Detention and prison for young persons**

73. As a main rule, minors under the age of 18 are not placed in prisons or detention facilities.

74. If minors are placed in an institution under the management of the Danish Prison and Probation Service, they are normally placed in one of three special wards; a ward for minors in an open prison, a ward primarily for minors in a closed prison or a section for underage remand prisoners in a larger remand prison.

75. Minors may also be placed in ordinary wards together with adult inmates, but it must be in a ward where community with the other inmates is considered to be in accordance with the minor's interests and with consideration of protecting the minor against harmful influence.

76. In order to remand a suspect, the person in question must be older than the minimum age of criminal responsibility, which is 15 years. Minors younger than the age of 15 cannot be remanded in custody, but can be withheld by the police provided that the general

requirements for remand are fulfilled and that the purpose of the remand cannot be met by less intrusive measures.

77. Denmark has alternative measures to a pre-trial detention for minors younger than 18 years as the Danish Administration of Justice Act contains alternative measures to pre-trial detention, which also apply to pre-trial detention of minors.<sup>66</sup>

78. The conditions for the use of solitary confinement of persons under the age of 18 are very strict and the possibility of such confinement is only used in exceptional cases. Persons under the age of 18 are only placed outside juvenile departments if it is assessed to be for the benefit of the individual.<sup>67</sup>

79. There are currently four state prisons that accommodate female inmates in Denmark. In three of the state prisons, if conditions allow, women can choose to serve their sentence separated from male inmates. Furthermore, one prison has been designated as a future women's prison and the Prison and Probation Service is currently adapting the prison to this purpose.

### **Freedom of speech, assembly, religion or belief**

80. Freedom of religion or belief, freedom of speech, freedom of assembly and freedom of association are protected in the Danish Constitutional Act, as well as through Denmark's international obligations, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the European Convention on Human Rights.<sup>68</sup> Scientific freedom is an important part of the freedom of speech.<sup>69</sup>

81. In 2017, the Danish Parliament adopted the Act on Religious Communities that unifies and codifies previous rules and practices on religious communities into one single Act. The Act promotes tolerance towards and respect for religious diversity in the Danish society by clarifying the rights and obligations imposed when a religious community is recognised according to the Act. For instance, recognised religious communities can apply for permission to perform legally accepted marriages and for certain benefits in regards to Danish tax laws.<sup>70</sup>

82. The Danish Parliament abolished criminalization of defamation of religion and religious symbols (blasphemy) in 2017.<sup>71</sup> However, it remains a criminal act publicly, or with intent to disseminate to a wide group of people, to issue a statement or other communication threatening, humiliating or degrading persons of a particular group because of their race, colour, national or ethnic origin, religious faith or sexuality (defamation). However, only aggravated examples of defamation are under public prosecution. Lesser acts of defamation are a private cause of act.

### **Ban on facial covering**

83. An amendment of the Danish Penal Act, which came into force as of 1 August 2018, bans garments that cover the face in public. The ban has been introduced in order to protect the respect for the community, values and cohesion of the Danish society and is intended to promote social interaction and co-existence in Denmark.

84. According to the ban, garments must allow for visual recognition of facial expressions. The ban applies to all persons and garments regardless of religious or political affiliation. Persons having a justified reason for covering the face, such as extreme weather conditions, health reasons or particular social occasions such as carnivals can be exempted from the ban. Infringement is punishable by fine.

### **Health**

85. Denmark has a public tax-financed healthcare system. Most services are free of charge for the patient. Life expectancy in Denmark is high – currently 79.0 years for men and 82.9 for women.

86. All residents in Denmark have access to public healthcare services. Migrants with a Danish residence permit are entitled to the same healthcare as Danish nationals. Non-residents have access to acute hospital treatment. Asylum seekers and aliens with no right to stay in Denmark have access to necessary healthcare as well as acute hospital treatment.<sup>72</sup>

87. Regarding the issue of circumcision, reference is made to the Midterm Report under 120.143.<sup>73</sup>

88. The Danish health legislation does not allow surgery on minors with variations in gender sex characteristics, unless there is a medical indication. Surgery on persons with variations in sex characteristics is a highly specialized area within the Danish healthcare system and is performed exclusively at Aarhus University Hospital and the National Hospital (Rigshospitalet) after thorough evaluation in a multidisciplinary setup.

### **Mental health**

89. Mental health is a high priority for the government and a 10-year plan for the further development of psychiatric care in Denmark is under preparation. The objective will be to increase life expectancy for citizens with mental illnesses through prevention and continuity of care. The Government has set aside DKK 600 million annually to increase capacity and staff.

90. Reducing the use of coercion in psychiatric care is a high priority. Recent reports indicate that although there have been a decrease in the use of restraints with belts, other forms of coercion such as forced medication or fixation have increased. The Government has decided to continue the effort to reduce coercive measures and implement a new political goal for the reduction of coercion from 2020 onwards.

### **COVID-19**

91. Denmark has been severely affected by COVID-19. While protecting the public health, especially for the elderly and other vulnerable groups, a number of measures introduced have had an impact on human rights. Measures to curb the pandemic include a ban on gathering in groups of a specific number of people – the actual number has been adjusted according to the developments. Political or opinion-shaping gatherings, however, are not included in the ban. Other measures include restricting access to certain venues as well as the introduction of provisions allowing for compulsory isolation, hospitalization as well as harsher penalties for COVID-19-related crimes.

92. These COVID-19-related measures are based on law, necessary to protect the public health and temporary in nature. The Government is continuously monitoring the developments in the pandemic with a view to ensuring that these criteria are met.

93. In order to stem the negative social effects of the pandemic, the Government has introduced several support packages. Extensive economic support for businesses has assisted in reducing lay-offs. Other support initiatives include supporting marginalized persons, including children, women victims of violence as well as persons with disabilities and homeless people in this crisis.

### **Education**

94. Education is free for all in primary and lower secondary schools. Compulsory education is 10 years. This right and corresponding duty applies to all children with residence. Free primary and lower secondary education is provided in accordance with the Folkeskole Act (Act on public primary and lower secondary education), unless the child's education is regulated elsewhere. According to the Aliens Act, asylum seekers at the age of instruction (age 6–17) must participate in specially organised education corresponding to the age and competence based education offered to bilingual children enrolled in the Danish school system. If an asylum seeker under the age of 18 wishes to be admitted to a public school, this is possible if certain criteria are met.<sup>74</sup> Furthermore, the Administration of Justice Act was amended in December 2018. Following the amendment, children at the age of instruction,

who are remanded in custody, must participate in specially organised education that, to the extent possible, measures up to the educational requirements of the Folkeskole Act.

95. According to the objective of the Folkeskole Act, the primary and lower secondary schools must prepare students for participation, co-responsibility, rights and duties in a society of freedom and democracy. The approach of the school must therefore be characterized by freedom of mind, equality and democracy – values that derive from human rights.<sup>75</sup> Private Schools are also required to prepare students for participation in a society of freedom and democracy. Ensuring ethnic diversity in schools is a focus of current government policy, as a better distribution of pupils with different backgrounds will increase trust and improve the integration in the society.<sup>76</sup>

96. The curricular framework in Health, Sexual and Family Education includes teaching on children's rights and will be updated as of spring 2021 to include teaching on consent.<sup>77</sup> Furthermore, the mandatory part of the curricular framework for Political and Social Studies includes teaching on the political system, rule of law and rights and the mandatory part of the curricular framework for History includes, e.g., the Universal Declaration of Human Rights.

97. In April 2017, the Act on Pupils and Students Educational Environment was amended. The changes included requirements regarding a mandatory strategy for anti-bullying, a mandatory action plan regarding problems in the psychological educational environment and the establishment of an agency for complaints and supervision regarding the educational environment, including bullying.<sup>78</sup>

### **Children and families<sup>79</sup>**

98. Early Childhood Education and Care (ECEC) is a high priority for the Government. In 2020, additional funding was set aside to improve the child-staff ratios in ECEC as well as the training of staff as part of an ambitious investment plan for children and ECEC. This plan is supplemented by initiatives focusing on children in vulnerable situations within the programme "A thousand days – a better start to life".

99. By April 2019, the Family Law System in Denmark was reformed with a view to improving cross-sectorial cooperation between the family law authorities and the Social Services and assisting the authorities in cooperating on finding the best solution for the child.

100. The new system consists of the Agency of Family Law and the family courts. The Agency is the main entrance for handling all disputes and matters relating to family law, including cases on parental responsibility, with a focus on conflict resolution, while all major decisions are taken by the family courts.<sup>80</sup> The Agency was granted additional resources in order to reduce the case processing time.

101. A Child Unit was set up within the Agency to protect the child, including providing the child with a contact person throughout the proceedings.

102. The reform also strengthens the focus on the best interest of the child, including protecting the child from violence or other treatment that exposes the child to harm or danger.

103. In 2012, Denmark established a Special Office for Children within the Danish Ombudsman. The office has a strong mandate to provide advisory and legal assistance in a wide range of cases regarding children. The office also deals with complaints and reinforces the Code of Good Administrative Behaviour. From 2016, the Special Office for Children has received additional funding.<sup>81</sup>

104. Improving the quality of the child-protection system is politically a continuous focus of attention.

105. Children placed in alternative care due to their parents being unable to care for them need continuity and stability during their upbringing<sup>82</sup>. In order to ensure the possibility of this for a greater number of children, the tight conditions for adopting a child without parental consent were loosened in 2015. Such decisions are always based on a concrete assessment of the best interest of the child.

106. In 2016, initiatives were launched to improve the standard and the quality of care and treatment in foster homes. Please also refer to the Midterm Report under 120.112.

107. In 2021, the Government will present a political reform proposal providing that more children suffering neglect are placed in care earlier. The proposed reform will strengthen the quality of case handling and care, including children's right to be involved in the handling of their case in the child-protection system.

108. In order to protect children, the minimum marriage age was increased from 15 years to 18 years in 2017.

109. In 2019, Denmark carried out a reform on combatting youth crime that entails earlier and more determined interventions towards children and young people who risk ending up in a criminal environment. The age of criminal responsibility is in line with international standards.<sup>83</sup>

110. With the reform, a new independent youth delinquency board entered into operation. The board is handling cases regarding juveniles between 10–17 years old that are suspected or sentenced of committing perilous crime or other serious crimes. The board hearings do not constitute nor replace a criminal process, and the board (which is not a court) cannot impose sanctions. The board determines social precautions to prevent the juvenile from following a criminal path. The members of the board are judges, police officers and employees of the municipal government.

### **Social security and an adequate standard of living**

111. Denmark has an extensive tax-financed social protection system. A wide range of specific social benefits in case of unemployment, sickness, low income, reduced capacity to work and other socially relevant factors are available to those in need. This is supported by an active labour market policy that supports people with special needs in finding work.

112. The Government has a number of social programmes aimed at supporting and strengthening the abilities of vulnerable persons. As a recent example, in 2018 a programme for developing effective social practices for socially marginalized adults was launched with permanent funding.<sup>84</sup>

113. A temporary child benefit scheme has been introduced in order to combat poverty and child poverty. It will apply until a new social benefit system based on the Commission for Social Benefits (Ydelseskommisionen) is in place. In addition, the Government plans to introduce a national poverty threshold as an active part of its social policy.

### **Action plan to counteract parallel societies**

114. The social housing sector in Denmark provides universal access to adequate housing with a reasonable rent. Social housing is built and operated by housing organizations on a non-profit basis. The sector is subject to detailed public regulation and rent is kept relatively low due to public subsidy. It is the responsibility of each municipality to provide the necessary social housing, which currently fills 20 per cent of the total Danish housing stock. To ensure social housing for all vulnerable citizens, municipalities have a right to make use of 25 per cent of vacant social family dwellings in the municipality.

115. Some of the social housing areas are caught in a downward cycle of social problems and a high rate of unemployment, etc. A social, ethnic and geographical division of some parts of the housing market has emerged – referred to as parallel societies. One of the main problems in these vulnerable areas is a monotonous building style and a uniform composition of the residents. Since 2010, a list of “parallel societies” (by law termed vulnerable housing areas, ghettos or hard ghettos) has been released each year. The term “parallel society” is applied to social housing areas with more than 1,000 residents, meeting criteria regarding levels of unemployment, education levels, average gross income, share of persons convicted of criminal offences and share of immigrants from non-Western countries and their descendants.

116. In 2018, parliament adopted an *action plan on housing initiatives to counteract parallel societies*. The overall objective of the action plan is to create open, non-isolated residential areas with mixed income housing that reflects the surrounding community and offer better environment for a positive social development. In line with the action plan, a number of initiatives have been initiated to develop these areas, including improving the physical environment and reducing the proportion of social family dwellings to 40 per cent of the area. All residents affected by demolition or sale are being rehoused. The action plan only affects 2 per cent of the social housing stock. Individuals rejected from tenancies based on the criteria can apply to social housing outside the areas subject to measures of differentiation in allocation. The action plan has been criticized for discriminating based on ethnicity. The intention of the plan is to ensure that all persons in Denmark, regardless of background and birthplace, will grow up with the same opportunities in life.

### **Homeless people and beggars**

117. A comprehensive action plan to fight homelessness was launched in 2018 and will be followed by further measures, including emphasizing the Housing First evidence based practice.

118. In 2018, a development and investment programme for developing effective social practices for socially marginalized adults was launched.

119. During 2016 and 2017, Denmark saw a rise in foreign travelers who established camps, begging and sleeping in public parks and streets. The behavior of certain persons in these camps led to anxiety in the public. Therefore, the Administrative Order of Public Order was amended in 2017, criminalizing the establishment of and staying within camps that are qualified to disturb the public order. Furthermore, the Criminal Code was amended to criminalise begging that disturbs the public order in certain public places without a warning from the police. The changes are thus not in the form of general prohibitions against begging or sleeping in public places.

### **Climate change**

120. Climate change impacts on human rights in different ways. To mitigate the consequences, Denmark works actively to increase global ambitions for climate action. In 2020, Parliament passed a climate law containing targets to reduce greenhouse gas emission by 70 pct. by 2030 and for climate neutrality by 2050 at the latest. The Government also launched a long-term strategy on global climate action working for a socially just, green transition creating green skilled jobs and avoiding increasing inequality.

### **Promoting tolerance/protecting minority groups**

121. Individuals belonging to minority groups and non-citizens legally residing in Denmark enjoy equal access to, inter alia, employment, education, housing, health services as well as to justice.<sup>85</sup>

122. Denmark will continuously focus on developing new and existing measures to prevent discrimination, intolerance and racism, and to preserve freedom of belief and to promote intercultural dialogue. In different contexts measures involve education materials, dialogue teams, online campaigns and skills upgrading with a focus on strengthening democracy and citizenship and critical thinking, preventing discrimination, racism and intolerance, challenging stereotypes and prejudice.<sup>86</sup>

123. The Ministry of Children and Education as an example provides course materials and training on how to educate students on issues of discrimination and stigmatization of particular groups in society. The Government has furthermore launched a 3-year effort to build resilience for children and young persons against radicalization, extremism and social control.<sup>87</sup>

124. The Ministry of Children and Education has also established a website with educational material on the Holocaust and other atrocity crimes. The website contains material on antisemitism and other forms of racism and persecution of groups.<sup>88</sup>

125. The Ministry of Immigration and Integration has carried out various initiatives aimed at providing children and young people with democratic skills, honing critical thinking and social competences as part of the comprehensive effort to prevent the development of risk behaviour that can lead to radicalisation or crime:

- In 2017-2018 a program to prevent hate crimes in schools was carried out in a public school, using different tools to strengthen democratic skills such as tolerance, critical thinking, dialogue, reflection, in order to prevent polarization, prejudices, violent behaviour and hate crimes.
- Several projects directed at mobilising young voices in the prevention of online radicalisation and hate speech have received funding in 2017-2019 as part of the National Action Plan for Preventing and Countering Extremism and Radicalisation.
- A team of young people has been trained with the aim to facilitate peer-to-peer dialogue meetings in schools, educational institutions, youth clubs, etc. The aim is to promote a constructive dialogue and mutual respect by teaching young people to argue objectively and reflect on their own and others' attitudes, values and prejudices.
- Professionals from the municipalities dealing with young people and prevention of extremism can receive training by the Danish Centre for Prevention of Extremism in knowledge on online extremism and preventive efforts in this field.
- To support dialogue on online behaviour an online teaching material has been provided to teachers at primary and secondary schools and youth clubs. The teaching material focuses on critical thinking, fake news, propaganda, and conspiracy techniques.
- In addition several hackathon events with young people to build resilience to hateful content and extremism online have been facilitated. Municipalities and civil society can be provided with course materials and training on how to facilitate hackathon events.

126. There has been considerable criticism of the quality of interpretation in the court system. In order to achieve a higher quality of interpretation in the public sector, the Government has decided to set up a committee with participation of relevant authorities to consider ways to improve interpretation skills through certification and education of interpreters. In the 2020 budget, the Government allocated DKK five million for the implementation of the committee's recommendations.<sup>89</sup>

## **Human rights in Danish development policy**

127. Since 1978, Denmark has committed at least 0.7% of Gross National Income to development assistance in line with the UN target. The Danish development cooperation contributes to realising the global ambition of the Sustainable Development Goals for the world's development towards 2030. The development and humanitarian strategy "The World 2030" underlines Denmark's ambitions in this regard.<sup>90</sup>

128. Strengthening of human rights and the promotion of democracy, good governance and the rule of law as well as gender equality and the rights of women and girls remain prioritized areas within Danish development cooperation. The development cooperation is based on the Human Rights Based Approach (HRBA).

## **Human rights and the business sector**

129. Corporate social responsibility and good corporate behaviour are Danish priorities. The Mediation and Grievance Mechanism for Responsible Business Conduct is an institution, which addresses such issues established on the basis of the UN Guiding principles

on Business and Human Rights and the OECD<sup>91</sup> guidelines for Multinational Enterprises. According to its national and international obligations, Denmark continuously implements the recommendation through policies and regulation. In 2018, a guidance note on responsible investment was published.<sup>92</sup>

### **III. Follow up on recommendations and developments in Greenland**

#### **Developments since the second UPR**

130. Since 2016, Greenland has worked diligently in implementing the five recommendations accepted<sup>93</sup>. These efforts are described in the Midterm Report and below.

#### **Human Rights Council of Greenland**

131. A revised legislation on the Greenland Council for Human Rights, which entered into force on 1 January 2019<sup>94</sup>) secures the independence of the Council in line with the Paris Principles on National Human Rights Institutions.

132. The Council is tasked with the promotion and protection of human rights, addresses human rights challenges and proposes activities to the Danish Institute for Human Rights (DIHR)<sup>95</sup>. The Children's Spokesperson, the Spokesperson for Persons with Disabilities and the Chairperson of the Equal Status Council occupy permanent seats. The Parliament of Greenland (PoG) appoints the remaining 10 members nominated by civil society.

#### **Reconciliation Commission**

133. The independent Greenland Reconciliation Commission (GRC) published its final report in December 2017 with recommendations on how to further the reconciliation. During its mandate period and over the course of 4 years, the GRC engaged in extensive and a wide range of activities, inter alia, by fostering public debates to uncover the cultural and societal challenges rooted in the colonial past.

#### **The “legally fatherless”**

134. Following the new law of 2014 granting the legally fatherless (LF)<sup>96</sup> equal rights to paternity and inheritance, the Danish Ministry of Children and Social Affairs (DMCS) published, in collaboration with the Greenland Ministry of Social Affairs, Family, Gender Equality and Justice, a report on the consequences of being LF in 2017. In 2019, as a follow up to the report, the above-mentioned Danish and Greenlandic ministries entered into a cooperation agreement for the years 2019–2023. The purpose of the agreement, which is associated with annual financial allocations, is the launching and implementation of actions benefitting LF. Thus, widely publicised offers of psychological therapy and legal advice became available in 2019.

#### **Children and youth**

135. The well-being of children and young people is a long-standing and high priority for the Government of Greenland (GoG). However, according to a report by the Children's Spokesperson following visits undertaken from 2015-2018 to 35 towns and hamlets to assess and debate children's social conditions and enjoyment of rights, Greenland struggles in complying with up to 19 articles of the UN Convention on the Rights of the Child (UNCRC).<sup>97</sup>



136. On 1 July 2017 new legislation on child support measures<sup>98</sup> was adopted, ensuring that children who are socially disadvantaged or have special needs enjoy equal opportunities for their development, well-being and health.

137. Three major initiatives are on-going: “The national action plan against parental neglect of children 2020-2030”, “Inuuneritta III-The National Strategy on Cooperation for the Good Child Life 2020-2030” and the Greenlandic-Danish cross-sectoral cooperation on strengthened efforts for vulnerable children and youth.

138. In 2020, the GoG signed the prolongation of the cooperation agreement NAKUUSA with UNICEF-Denmark for another 5 years. NAKUUSA aims at disseminating knowledge on the UNCRC, including particular focus on article 12. This has resulted in annual Child Summits, establishment of 7 Child Councils at municipal level and Child Rights Councils in 46 out of 81 public schools. Five Greenland wide campaigns have enhanced the public attention to issues such as parental responsibilities, schooling and the combatting of child sexual abuse.

139. The Strategy for the Greenland Police 2019-2022 has a special focus on the prevention and investigation of sexual abuse of children entailing child friendly interview facilities and techniques, training of professionals and awareness raising campaigns. Work on resocialization of sex-offenders within the Prison and Probation Service is also on-going.<sup>99</sup>

## **Older persons**

140. In 2019, Greenland passed a law on the Spokesperson for older persons<sup>100</sup>. The Spokesperson is politically independent and is tasked with promoting the interests of older persons and the knowledge about their situation in society and in informing politicians, authorities, civil society and the wider public thereon.

141. A broad range of stakeholders such as municipalities, labour market parties and the Spokesperson for older persons are involved in the current work of the GoG for a national strategy that will set long-term and ambitious goals for the well-being of older persons.

## **Persons with disabilities**

142. The Act of the Spokesperson for Persons with Disabilities of 2017<sup>101</sup> stipulates the Spokesperson must be consulted regarding legislative initiatives and other initiatives that affect the conditions and rights of persons with disabilities. In 2018, the first Spokesperson was appointed and the Spokespersons institution “Tilioq” was established.

143. In 2018, the nationwide disability centre (Pissassarfik) opened offering professional counselling and training for citizens with disabilities, their relatives and professionals.

144. To enhance the accessibility by the visually impaired to the digital solutions of the public sector, a text reader programme has been developed transforming text to audio.

145. In 2019, Greenland passed an Act<sup>102</sup> on support for persons with disabilities based on the principles of the UN Convention on the Rights of Persons with Disabilities.

## **Illiteracy**

146. There is no illiteracy in Greenland, as all children of school age receive education. It is estimated, however, that about 2–5% of the population have reading difficulties, including dyslexia. All children aged 3 and 5 undergo mandatory language screening with the view to undertake, if necessary, appropriate speech development therapy to prevent learning difficulties.

## **Gender equality and gender-related discrimination**

147. Equal representation of men and women in public office is actively promoted. The Act on equality of men and women stipulates<sup>103</sup>, on the prohibition of direct and indirect discrimination on the ground of sex. It further provides that the membership of public expert committees, councils, commissions, etc., that are set up and appointed by the GOG, must be composed so there is at the most one member more of one sex than of the other.

148. Currently 3 of 10 cabinet ministers of the GoG are women. While 13 of 31 members of the PoG are women. 3 of Greenland's 5 municipal mayors are women.

149. In 2015, following the approval of the Parliament of Greenland, the scope of the Danish legislation on same sex marriages was extended to Greenland.

150. In 2018, Greenland ratified the ILO Fundamental Convention C100 on Equal Remuneration Convention and submitted its first report in 2019.

## **The combatting of violence**

151. In 2015, a nationwide crisis and treatment centre "Illernit" opened. The centre offers professional treatment, guidance and support to abused women and their children. Illernit is also focused on the child's well-being and development. Therefore, the centre prepares and offers a holistic treatment plan for both mother and child.

152. In 2016 the GoG launched "Alliaq", which offers psychological counselling to persons who have used violence against a partner.

## **Courts/Prisons**

153. Efforts to enhance the capacity of the courts have resulted in 10 out of the 12 positions as district judge being filled with educated district judges. As regard the Court of Greenland, the Administration of Justice Act was amended in 2019 to allow for the appointment of an additional judge.<sup>104</sup>

154. In June 2019, a new prison opened in Nuuk allowing for the consensual transfer of Greenlanders currently placed in safe custody in a prison in Copenhagen.

# **IV. Follow up on recommendations and developments in the Faroe Islands**

## **Introduction**

155. The Faroe Islands are subject to seven of the nine human rights treaties and have actively engaged in submitting contributions to reports from the Kingdom of Denmark to UN treaty bodies since 2004.

156. The Foreign Service at the Ministry of Foreign Affairs and Culture has coordinated the preparation of this report with relevant ministries. Due to COVID-19 the public hearing process was in writing through a dedicated e-mail address to allow for inputs from NGOs, civil society organisations and citizens.

157. The Faroe Islands<sup>105</sup> are a close-knit community with strong local democracy and social cohesion. Although a National Human Rights Institution is yet to be established there are several systems in place protecting the rights of the citizens.

158. Over the past 10 years the population has increased by 8.2 per cent and is now 52,854<sup>106</sup>. Latest estimates indicate that around 1763 newcomers from countries other than the Nordic countries reside in Faroe Islands, of these around 897 from countries outside Europe.<sup>107</sup>

## Developments since the second UPR review in 2015

159. For developments related to the recommendations from the UPR review in 2015 please see Annex.<sup>108</sup>

160. The translation of the Criminal Code from Danish to Faroese as well as amendments to bring the Faroese Criminal Code up to date started in 2016 and is expected to be complete in late 2021. Subsequently a process will commence to determine which amendments should be introduced to bring the Criminal Code more in line with Faroese society, as a law should reflect the society in which it is working.

161. The following laws and regulations have entered into force since the last UPR:

- The new law on social benefits and services.<sup>109</sup> The main purpose of the new law is to move away from the concept of institutionalization. The new law is based on the basic principles of disability policy on compensation, equal treatment, sectoral responsibility and solidarity, the purpose of which is to ensure the right of disabled people to self-determination and rehabilitation.
- The law on coercive intervention in social services<sup>110</sup> stipulating in detail when and under what circumstances coercive intervention can be used.
- The law providing up to 12 free psychiatric consultations for everyone from the age of 15-35.<sup>111</sup>
- The law on providing free treatment on drug addiction in treatment centers.<sup>112</sup>
- The regulation providing free HPV-vaccines to boys from 12-17 years of age.<sup>113</sup>

162. In 2020, the parliamentary act on municipal elections was amended so that persons who are under guardianship and who have been deprived of their legal authority according to the act on guardianship are now eligible to vote and run for municipal elections.

163. In 2019, the Government established a coordination board within government according to Article 33 in CPRD. The main objective is to ensure coherence in the Government's disability policy plan and combat obstacles between different sectors and at different levels.

164. In 2019, a Gender Equality Office was established to strengthen focus and measures to promote gender equality.<sup>114</sup>

165. The National Action Plan to Combat Violence in Permanent and Close Relationships was extended with a Program Concerning Sexual Abuse in 2016.<sup>115</sup> The effort to prevent and end domestic and sexual violence is ongoing and new initiatives are launched regularly.

166. Since the establishment of the Faroese Housing Association (Bústaðir) in 2011 the association has provided 343 public housing units across the Faroe Islands. With the completion of ongoing and upcoming projects (for which funding is provided) the number will increase to 500.

167. By the end of 2020 the Minister for Housing presented a bill to the parliament which authorizes the public housing association to finance further housing projects for DKK 450 million. The number of public housing units will thus continue to increase in the upcoming years.<sup>116</sup>

168. Efforts to improve and increase the number of sheltered housing options for people with disabilities and other vulnerable people continue. Housing policy distinguishes between residential care homes, assisted living, and shared housing. All political parties agree that it is necessary to build more sheltered homes designed especially for the needs of the residents and according to the provision of CPRD. Three new homes will be built in the metropolitan area in 2021/2022 improving the living conditions of the residents significantly.

169. The Government continues to enhance the range of educational programmes designed especially for pupils with special needs, as well as increasing the level and quality of Faroese language teaching for pupils of a non-Faroese background. The educational programmes are also available to mature students.

170. Over the past years the period of paid parental leave has been extended by 14 weeks and now amounts to 52 weeks. The Parental Leave Grant Scheme fully compensates the parent's income with up to 25.000 DKK per month. Of the 52 weeks, 34 weeks are shared, 4 weeks are assigned to the father and 14 weeks assigned to the mother.<sup>117</sup>

171. In 2021, a new wage statistical program will be launched that will provide more insight into wage, payment pr. hour, segregated by sex, age, sector and geography.

172. There is widespread dissatisfaction with the conditions of Faroese prisoners in Danish prisons as well as in the Faroese jail and these criticisms have also been echoed in the public hearing.

173. Prison facilities and proceedings for enforcement and implementation of sentences are the competence of the Danish authorities. The Prime Minister and the Faroese Parliament have therefore called upon Denmark to address this and propose that a joint committee with representatives from both Danish and Faroese authorities is established in order to determine the need for a Faroese prison, the necessary capacity, as well as the conditions and circumstances that determine when a sentence should be served in the Faroes or in Denmark.

## **COVID-19**

174. Albeit having had great success with a strong track and trace and quarantine strategy, the COVID-19 pandemic has also had negative effects on the Faroese society. In order to stem the negative social effects of the pandemic, several support packages have been introduced; economic support for businesses has assisted in reducing lay-offs while other measures have helped people, cultural and sporting associations who have had a loss of income due to lockdown. Support was also made available to the Crisis Centre in Tórshavn if needed; as in many other countries, lockdown resulted in an increased number of women seeking assistance from the Crisis Centre.

*Notes*

- <sup>1</sup> See Annex under 120.46.
- <sup>2</sup> The Danish Institute for Human Rights is the National Human Rights Institution (NHRI).
- <sup>3</sup> Recommendations from the previous review are referred to in this report as [120.xx], see the Report of the Working Group on the Universal Periodic Review, Denmark (A/HRC/32/10/Add.1). Our Midterm Report refers to the recommendations as [121.xx]. All recommendations referred to in this report stem from the second cycle.
- <sup>4</sup> Denmark's 2<sup>nd</sup> Mid-term Report, June 2018, see [https://lib.ohchr.org/HRBodies/UPR/Documents/Session24/DK/Denmark\\_Mid-TermReport2018.pdf](https://lib.ohchr.org/HRBodies/UPR/Documents/Session24/DK/Denmark_Mid-TermReport2018.pdf).
- <sup>5</sup> International Covenant on Civil and Political Rights (ICCPR).
- <sup>6</sup> International Covenant on Economic, Social and Cultural Rights (ICESCR).
- <sup>7</sup> International Convention on the Elimination on All Forms of Racial Discrimination (ICERD).
- <sup>8</sup> Committee on the Elimination of Discrimination against Women (CEDAW).
- <sup>9</sup> Committee Against Torture (CAT).
- <sup>10</sup> Committee on the Rights of the Child (CRC).
- <sup>11</sup> Convention on the Rights of Persons with Disabilities (CRPD).
- <sup>12</sup> International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED).
- <sup>13</sup> 120.11, 120.12, 120.13, 120.14.
- <sup>14</sup> International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW).
- <sup>15</sup> See Annex under 120.5.
- <sup>16</sup> See Annex under 120.1.
- <sup>17</sup> International Labour Organization (ILO).
- <sup>18</sup> 120.115.
- <sup>19</sup> 120.15, 120.20, 120.21, 120.22.
- <sup>20</sup> 120.25, 120.36, 120.37, 120.65, 120.66, 120.67, 120.68, 120.70, 120.74, 120.76, 120.81, 120.82, 120.83, 120.92, 120.95, 120.96, 120.145 120.148.
- <sup>21</sup> 120.173.
- <sup>22</sup> 120.26, 120.64.
- <sup>23</sup> 120.69, 120.71.
- <sup>24</sup> 120.73.
- <sup>25</sup> 120.154.
- <sup>26</sup> See 120.154.
- <sup>27</sup> 120.101.
- <sup>28</sup> 120.101.
- <sup>29</sup> Lesbian, Gay, Bisexual, Transgender, Intersex (LGBTI).
- <sup>30</sup> 120.100, 120.101.
- <sup>31</sup> 120.100, 120.101.
- <sup>32</sup> 120.155.
- <sup>33</sup> International Convention on the Elimination on All Forms of Racial Discrimination (ICERD).
- <sup>34</sup> 120.23, 120.24, 120.29, 120.82, 120.148, 120.167.
- <sup>35</sup> 120.127.
- <sup>36</sup> 120.30, 120.97, 120.148, 120.152.
- <sup>37</sup> For the 2019 report, see <https://politi.dk/-/media/mediefiler/landsdaekkende-dokumenter/statistikker/hadforbrydelser/hadforbrydelser-019.pdf?la=da&hash=86E26E960D6896CD33EBBB8ECE8487499BF986D3>.
- <sup>38</sup> 120.52, 120.61, 120.103, 120.146, 120.150, 120.151, 120.153.
- <sup>39</sup> 120.164, 120.172.
- <sup>40</sup> 120.27, 120.28.
- <sup>41</sup> 120.71, 120.72, 120.106, 120.107, 120.108, 120.110, 120.114.
- <sup>42</sup> 120.110.
- <sup>43</sup> See Midterm Report under 120.71.
- <sup>44</sup> 120.109.
- <sup>45</sup> 120.114.
- <sup>46</sup> 120.109.
- <sup>47</sup> 120.105.
- <sup>48</sup> 120.168, 120.169, 120.171, 120.176, 120.178, 120.182.
- <sup>49</sup> 120.178, 120.182.
- <sup>50</sup> 120.177, 120.183, 120.184.
- <sup>51</sup> 120.169, 120.171, 120.182.
- <sup>52</sup> 120.158, 120.179, 120.180.
- <sup>53</sup> 120.179.
- <sup>54</sup> 120.39.
- <sup>55</sup> The Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading

- Treatment or Punishment (CPT) report on its April 2019 periodic visit to Denmark, see <https://www.coe.int/en/web/cpt/denmark>
- 56 120.189.
- 57 120.186, 120.190.
- 58 120.119, 120.120, 120.121, 120.122, 120.123.
- 59 For more information, including statistics on trafficking of Human Beings, reference is made to the 2019 annual report of the Danish Centre Against trafficking in Human beings, see [www.cmm.dk/statistik/arsrapport2019](http://www.cmm.dk/statistik/arsrapport2019).
- 60 120.115, 120.116.
- 61 120.124.
- 62 120.40, 120.197.
- 63 International Committee on the Red Cross (ICRC).
- 64 120.193–196.
- 65 The Criminal Code, Section 114j.
- 66 120.131, 120.132.
- 67 120.129, 120.133, 120.136.
- 68 120.48.
- 69 Notably in the context of the General Comment No. 25 issued by the Committee of Economic, Social and Cultural Rights in April 2020.
- 70 120.48.
- 71 120.144.
- 72 120.156, 120.173.
- 73 120.143.
- 74 120.173.
- 75 120.62.
- 76 120.99.
- 77 120.62, 120.63.
- 78 120.117.
- 79 120.137, 120.138, 120.139.
- 80 120.140.
- 81 120.42–45.
- 82 120.157.
- 83 120.128.
- 84 120.155.
- 85 120.145, 120.172.
- 86 120.48, 120.49, 120.50, 120.51, 120.52, 120.53, 120.56, 120.57, 120.58, 120.59, 120.74, 120.75, 120.77, 120.79, 120.81, 120.82, 120.84, 120.86, 120.87, 120.88, 120.89, 120.90, 120.91, 120.92, 120.93, 120.94, 120.95, 120.96, 120.147, 120.163.
- 87 120.80.
- 88 120.63.
- 89 120.161.
- 90 120.198, 120.199.
- 91 Organisation for Economic Co-operation and Development (OECD).
- 92 120.55.
- 93 120.3, 120.4, 120.111, 120.118, 120.159 and 120.162.
- 94 Inatsisartut Act No. 20 of 27 November 2018.
- 95 Due to the legal situation within the Danish realm, DIHR's mandate covers the entire Kingdom.
- 96 Persons born outside of wedlock before 1963 (West Greenland) and 1974 (East and North Greenland) and for whom paternity could not be established at birth. Approximately 4600 persons are affected and are living today in Greenland and Denmark.
- 97 As regards recommendation 120.3 and 120.4 on the UNCRC Optional Protocol on the sale of children, prostitution and pornography, please refer to the Annex.
- 98 Inatsisartut Act No. 20 of 26 June 2017.
- 99 Based on submission by the Danish Ministry of Justice.
- 100 Inatsisartut Act no. 37 of 28 November 2019.
- 101 Inatsisartut Act No. 1 of 29 May 2017.
- 102 Inatsisartut Act No. 13 of 12 June 2019.
- 103 Inatsisartut Act No. 3 of 29 November 2013.
- 104 Based on a submission by the Danish Ministry of Justice.
- 105 For a description of the Faroe Islands and the Faroese Home Rule arrangement, please see CEDAW/C/DEN/7, pp. 108 concerning the Faroe Islands, A/HRC/WG.6/24/DNK/1 p. 18. In 2005, the Government of the Kingdom of Denmark and the Government of the Faroes agreed to modernise the legislation concerning Faroese Home Rule, see CCPR/C/DNK/5, pp. 6 concerning the Faroe Islands.

- <sup>106</sup> Primo November 2020, [www.hagstova.fo](http://www.hagstova.fo).
- <sup>107</sup> February 2020, [www.utlendingastovan.fo](http://www.utlendingastovan.fo).
- <sup>108</sup> 120.3, 120.31, 120.32, 120.33, 120.41, 120.54, 120.142, 120.159.
- <sup>109</sup> The new law from 1 January 2021 replaces the Public Welfare Act of 1967, which was no longer up to date in relation to the Faroese society.
- <sup>110</sup> 1 January 2020.
- <sup>111</sup> 1 December 2020. The survey of health status of the Faroese population conducted by the Faroese Board of National Health in 2019 showed that an increased number of young people struggle with anxiety and depression.
- <sup>112</sup> 7 May 2019.
- <sup>113</sup> 19 July 2019.
- <sup>114</sup> For further information on the Gender Equality Policy and action plan please see CEDAW/C/DNK/9 pp. 40–41.
- <sup>115</sup> For further information on the action plan please see CEDAW/C/DNK/9 p. 46.
- <sup>116</sup> Social service authorities have the right to assign tenants to one in five of Bústaðir's housing units and the rent is generally at an affordable level to all.
- <sup>117</sup> For further information on improvements to the Parental Leave Grant Scheme please see CEDAW/C/DNK/9 p. 45.
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