



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### **Sixth periodic report submitted by Denmark under articles 16 and 17 of the Covenant, due in 2018\* \*\***

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\* The present document is being issued without formal editing.  
\*\* The annex to the present report is available from the web page of the Committee.

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## Part I

### A. Introduction

1. The present sixth report to be submitted under Articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) has been compiled by the Danish Ministry of Foreign Affairs on the basis of contributions from relevant departments and ministries of the Government of Denmark as well as Greenland and the Faroe Islands.

2. The report is based on and structured in accordance with the guidelines on treaty-specific documents (E/C.12/2008/2) and covers the period since the latest periodic examination in 2013. In addition, specific reports on Greenland and the Faroe Islands are set out in Part II and III respectively.

#### Concluding observations, para 26

3. The concluding observations by the Committee received in 2013 were published on the official website of the Ministry of Foreign Affairs. The recommendations were translated by the Danish Institute for Human Rights (DIHR) and published in a public report. The concluding observations are explicitly addressed in the present sixth report. Reference is made to the relevant paragraph in the concluding observations when a specific recommendation is addressed. Civil society has been included during the drafting of the present report through the Danish Institute for Human Rights (DIHR) and by public hearing on the official website of the Ministry of Foreign Affairs ([www.um.dk](http://www.um.dk)) as well as separate public hearings in Greenland and the Faroe Islands.

### B. General recommendations by the Committee

#### Concluding observations, para 4

##### *Application of the Covenant in domestic legislation*

4. In 2012, a Committee of Experts in human rights was established with a view to proposing a comprehensive approach to ensure that Denmark fully adheres to its international human rights obligations. As part of this work, the Committee considered whether Denmark should take steps to incorporate international treaties into Danish law. The Committee delivered its report in 2014. The report is available on the official website of the Ministry of Justice.<sup>1</sup> The Committee did not recommend that Denmark incorporates the Covenant into domestic legislation. Some of the members of the Committee concluded that incorporation of the Covenant might entail a risk of shifting the legislative powers conferred upon the Parliament to the courts. The majority of the Committee found it important to maintain the elected representatives' responsibility for compliance with our international obligations. The Government shares the views of the Committee and has therefore decided not to incorporate the International Covenant on Economic, Social and Cultural Rights into Danish law. In this respect, it should be noted that although the Covenant is not incorporated into Danish law, it is indeed a relevant source of law in Denmark and it can be and is invoked before and applied by the Danish courts and other national authorities.

5. Denmark also finds that the Supreme Court Judgment of 5 December 2005, to which the concluding observation, para 4 refers, should be interpreted differently. The Supreme Court found that there had been no violation of two ILO-conventions. The Supreme Court stated, in an obiter dictum, that the ILO-conventions are not directly applicable in Danish law in the sense that the application of the conventions cannot set aside a clear provision of Danish law. Danish Courts have not set aside an international human rights convention when interpreting Danish legislation, and case law shows that Danish courts are willing to

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<sup>1</sup> [http://justitsministeriet.dk/sites/default/files/media/Pressemeddelelser/pdf/2014/Betaenkning\\_1546.pdf](http://justitsministeriet.dk/sites/default/files/media/Pressemeddelelser/pdf/2014/Betaenkning_1546.pdf).

go a long way — if necessary — in order to interpret Danish legislation in conformity with Denmark’s international obligations. The decision of the Supreme Court does not depart from this consistent line in the case law of the Danish courts. Thus, the Government maintains that the application of the Covenant and other international human rights treaties in Danish courts is in compliance with the recommendations of the Committee in General Comment No. 9.

6. For information about training programmes for the judiciary, reference is made to Denmark’s sixth periodic report to the Human Rights Committee, para 210 (CCPR/C/DNK/6).

#### **Concluding observations, para 24**

7. The Committee of Experts in human rights (see above) also considered whether Denmark should accede to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. The Committee did not recommend acceding to the Protocol. A majority of the members of the Committee expressed concerns in this respect, including that the Covenant contains a number of very broad provisions on rights, the scope of which remains unclear. Denmark finds that many social and economic rights entail important overall macro-economic decisions, which should be decided upon by the legislative — rather than by an expert committee in the specific context of an individual complaint. This is why Denmark does not intend to accede to the Protocol.

#### **Concluding observations, para 25**

8. Denmark has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and is currently not in the process of ratifying the Convention. Denmark has however, ratified all ILO core conventions on workers’ rights. In addition, the Government finds that the term “migrant worker” used in the Convention lacks differentiation, as it also includes persons who are in unauthorised residence and in unauthorised employment. The position of illegally resident migrant workers is hence protected in a manner, which goes beyond the undisputed obligation to grant them basic rights. These regulations may therefore increase the incentive to take up employment in Denmark without having the requisite residence permit and risk undermining the welfare state.

9. Denmark acceded to the Optional Protocol to the Convention on the Rights of Persons with Disabilities on 23 September 2014.

10. Denmark has considered and decided not to ratify the Convention No. 117 on Social Policy (Basic Aims and Standards). Denmark has not received a request in this regard from the Danish Permanent ILO Committee established in accordance with the ILO Convention no. 144 (concerning Tripartite Consultations to Promote the Implementation of International Labour Standards), which is always consulted in matters of ILO.

11. Ratification of ILO Convention No. 174 on the Prevention of Major Industrial Accidents has been considered within the Danish Permanent ILO Committee (see above). A joint recommendation regarding accession from the Social Partners has not been made. The Government finds that Denmark meets the requirements in the Convention — but will not consider acceding without the joint support from the Social Partners.

## **Part II**

### **A. General provisions of the Covenant**

#### **Article 1 Right of peoples to self-determination**

12. Reference is made to Denmark’s fifth periodic report paras 6–7 (E/C.12/DNK/5).

## Article 2

### Non-discrimination

#### *International economic and technical assistance and cooperation*

13. Denmark has met the UN target of providing 0.7 percent of GNI in Official Development Assistance every year for 40 years. The development assistance is based on the Strategy for development policy and humanitarian action, “The World 2030”, and on the Danish International Development Cooperation Act (*Lov om internationalt udviklingssamarbejde*), which states that the objective of Denmark’s development cooperation is to combat poverty and promote human rights, democracy, sustainable development, peace and stability in conformity with the United Nations Charter, the Universal Declaration of Human Rights, and United Nations conventions on human rights and the UNs 2030 Agenda for Sustainable Development and the Sustainable Development Goals. Denmark has adopted a human rights based approach to development, which entails continuously working to promote all human rights — economic, social and cultural as well as civil and political. Through its development assistance, Denmark supports the development of sustainable societies, based on the democratic rule of law, human rights and gender equality that do not discriminate based on gender identity or sexual orientation and which observe the internationally agreed rules.

#### *Non-discrimination in the exercise of rights*

#### **Concluding observations, para 7**

14. Denmark attaches great importance to combatting discrimination. This is also reflected in Danish law. Thus, according to administrative law, all citizens are equal before the law and public authorities may not discriminate citizens on any ground. Danish law also contains a number of acts on gender equality, including the Act on Gender Equality (*Ligestillingsloven*) and the Act on Equal Treatment of Men and Women as regards Access to Employment, etc. (*Ligebehandlingsloven*). Moreover, the Act on Prohibition against Discrimination on the Labour Market (*Forskelsbehandlingsloven*) 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. Furthermore, the Act on Ethnic Equal Treatment (*Lov om etnisk ligebehandling*) 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. In addition, the Act on Prohibition against Discrimination on Grounds of Race, Colour, National or Ethnic Origin, Belief or Sexual Orientation (*Lov om forbud mod forskelsbehandling på grund af race m.v.*) criminalizes discrimination on the mentioned grounds. A violation of the Act is punishable by a fine or imprisonment for a term not exceeding 6 months. The Government has recently drawn up a bill on cross-sectoral prohibition of discrimination of all persons with disabilities. Finally, the Danish Board of Equal Treatment considers complaints of discrimination on a number of grounds. The Board may award compensation and invalidate dismissals. It is the view of the Government that relying on specific acts for the protection against discrimination in different areas is appropriate, since the determination of which criteria could justify objective discrimination in each area should be the role of the legislator and not the courts.

#### *Measures undertaken to address discrimination and polarisation*

15. In general, Danish society and Danish law aim to ensure equal treatment, equal opportunities and equal rights for all inhabitants and groups. Notwithstanding these efforts, surveys show that there are individuals and groups in Denmark that feel discriminated against.

16. To measure the development in equal treatment the Ministry of Immigration and Integration conducts an annual nationwide survey (the National Integration Barometer)

since 2012. The National Barometer in 2012 showed that 45 per cent of immigrants and descendants of non-Western origin have experienced discrimination due to their ethnicity. The proportion of immigrants and descendants who have experienced discrimination because of their ethnic background had decreased to 43 per cent in 2016.

17. The Government holds the strong belief that the elimination of racism in society, including in the public discourse, is fundamental to the lives, integrity and dignity of all human beings. Elimination of racism constitutes a key Government policy. Therefore, Denmark has supported several initiatives carried out by authorities as well as NGO's and civil-society with the aim of combatting racism, ethnic discrimination and xenophobia.

18. In 2010, the Government published the Action Plan on Ethnic Equal Treatment and Respect for the Individual. The action plan consisted of a number of initiatives and campaigns, some of which were implemented with financial support from a public fund promoting "citizenship and ethnic equal treatment". The Fund contributed DKK 5 million annually from 2010–2013. Furthermore, DKK 20 million were allocated in 2012–2015 for initiatives aimed at combatting discrimination and strengthening ethnic equal treatment in society, including in the public discourse. From these funds and other relevant sources a variety of projects aimed at prevention of discrimination, tolerance and ethnic equal treatment have been supported, including projects specifically targeting children and youth.

#### *Action plan on preventing and countering extremism and radicalisation*

19. In October 2016, the Government released the national action plan on preventing and countering extremism and radicalisation. The action plan presents a catalogue of 41 new initiatives with a view to strengthening the Danish approach within nine policy areas. The action plan covers the period 2017–2020 and approx. DKK 150 million (approx. EUR 20 million) have been allocated to the efforts.

20. As part of the comprehensive effort to prevent extremism and radicalisation, particular attention is given to children and young people. These efforts are intended to strengthen the welfare, development and active citizenship of our children and young people, as well as to prevent the development of risk behaviour that can lead to radicalisation or criminal activities. The interventions aim at providing children and young people democratic skills, honing critical thinking and social competences. Initiatives for example include an initiative targeting schools for prevention of hate speech and crimes, initiatives in primary and secondary schools to strengthen democratic skills and citizenship, and mobilisation of young people i.e. through a nationwide youth dialogue team.

#### *Action Plan on Prevention of Honour Related Conflicts*

21. In 2016, the Government released its latest strategy in the area, the National Action Plan for Preventing Honour Related Conflicts covering the period 2017–2020.

22. The action plan includes initiatives that focus on improved support for victims, counselling and education of municipalities, creating awareness about i.e. individual rights, gender equality, gender roles, self-determination and negative social control, mobilisation of resilience against negative social control, research and mapping of measures and best practices.

#### *LGBTI Action Plan*

23. Denmark has launched a new initiative on a national action plan for the promotion of security, well-being and equal opportunities for LGBTI-persons (lesbians, gays, bisexuals, transgender and intersex). This action plan will inter alia fight prejudice, provide support services, raise awareness on transgender and intersex issues and promote openness around sexual orientation and gender identity in the labour market, in sports and associations. The new plan will also focus on bullying and violence in the education system.

### Article 3

#### Equality between men and women

##### *General measures*

24. Equality between men and women is a key objective for the Government. The Danish regulation regarding gender equality is shaped by international commitments and in particular EU legislation. The Danish regulation is laid out in legislation, but within the labour market the collective agreements play a significant role.

25. The Minister for Equal Opportunities presents an annual Perspective and Action Plan to the Parliament describing the governmental framework and initiatives on promoting gender equality in Denmark and internationally.

26. In addition, all public authorities are obliged to report to the Minister on their efforts on gender equality and gender mainstreaming every second year. The reports show that both the municipal and state institutions work with gender and gender equality within a number of areas such as education, retirement, health and employment.

27. Furthermore, action plans have been launched on specific issues, such as on violence in intimate relations, human trafficking, honour related conflicts and negative social control in some ethnic minority groups.

28. The Act on Gender Equality (*Ligestillingsloven*) concerns gender equality outside the labour market. The aim of the Act is to promote equality between men and women, including equal integration, equal influence and equal opportunities. Furthermore, the aim of the Act is to address direct and indirect discrimination as well as harassment and sexual harassment. The Act is applicable to acts and services provided by public authorities as well access to and delivery of goods and services within the private sector. The Act obliges public authorities to mainstream gender issues, which means that they shall aim for gender equality within their area of work and incorporate issues of gender equality in all planning and decision-making. The Act also provides possibility for affirmative action.

29. On the labour market, gender discrimination has been prohibited since 1978. Both direct and indirect discrimination is prohibited. This includes especially discrimination during pregnancy and maternity leave (see also below under article 7). Harassment and sexual harassment are considered discrimination on the grounds of gender. The Equal Pay Act provides protection against discrimination with regards to pay, and the courts of law, the Board of Equal Treatment and industrial arbitration deal with such cases.

##### *Legislation and measures undertaken to overcome traditional cultural stereotypes*

30. The Government aims at creating equal access for men and women to corporate management. An act from 2013 obliges both private and public-sector companies to set a target figure for the proportion of the underrepresented gender in the supreme management body (board of directors or the like) and the largest companies must have a policy for increasing the proportion of the underrepresented gender at the management levels of the companies in general. Companies must report on the status of fulfilment of the target set out in the annual report, including, if relevant, why the company failed to achieve the target set. Moreover, companies must present the policy in the annual report, how the policy is implemented and what has been achieved.

31. In 2013, the Government published a new strategy on gender equality assessment in the public sector. Among the priorities was a special emphasis on gender equality assessment in legislation, which has been strengthened and systematised.

32. There is still a clear difference between men and women's representation when it comes to the field of work in Denmark where women predominate the public sector and men in the private sector. There are ongoing initiatives to break down the gender segregated labour market, i.a. a campaign aimed at getting more men to choose careers such as educators to provide children with role models of both sexes. Projections show that Danish companies will face a shortfall of thousands of IT specialists. Therefore, it is a special focus to attract more girls to the Science, Technology, Engineering and Mathematics (STEM)

subjects and there is a dialogue with the educational institutions and companies to work together on this.

33. A nationwide campaign to promote the use of parental leave by fathers has been set up. The campaign is developed in dialogue with a number of companies, organisations etc., as well as trade unions. The campaign should help to promote the use of parental leave by fathers through debate, education, inspirational material for companies and role models. A study of the effects on the use of parental leave by fathers is also being prepared. Furthermore, an amendment to the rules for maternity leave has recently been adopted, which means that the father or co-mother is given the same right as the mother to 14 weeks' absence in maternity leave in connection with a child's death within 32 weeks after birth.

#### **Concluding observations, para 9**

34. In 2018, the Government will launch a campaign to promote gender equality and prevent negative social control among ethnic minorities. The campaign will inform men and women about gender equality and the rights of women and girls with regards to economy, employment, education, divorce, violence, sexuality and sexual orientation. A basic course, a number of thematic modules and new teaching resources will be developed. Courses will be free of charge and will be available across the country in schools and residential areas with many minority residents.

## **B. Individual rights guaranteed by the Covenant**

### **Article 6**

#### **Right to work**

35. Developments on the labour market regarding employment are shown in the tables 1 and 2 as set out in the Annex.

36. Generally, employment has been increasing since 1993. As a result of the global economic crisis of 2007–2008 employment dropped to 2.114.000 persons in the first quarter of 2010. Due to significant employment reforms and the general improvement of the global economy, employment has increased 5% over the last seven years. The main challenge on the Danish labour market over the past few years has consequently been a risk of a shortage of manpower. Several initiatives and labour market reforms have been implemented in order to increase the labour force.

37. In 2008, the unemployment rate hit a 34-year low at 1.8 per cent. Since 2010, where unemployment was at its highest following the global economic crisis, the Danish unemployment rate has been following the pattern of most countries in the Western world. The decrease in unemployment has benefited all age groups. As regards men and women, the fall in unemployment has benefited men the most. However, the employment rate among women is still one of the highest among the EU-countries.

38. The Government has undertaken several initiatives towards vulnerable persons under 30, including the project "Building Bridge to Education" (2013–14). This project almost doubled the share of young people commencing a basic ordinary program at a vocational school after enrolment in the project and doubled the probability of young people completing the first part of a vocational education. Two further initiatives drawing on the results of the project have been implemented in 2016; 1) supporting local public employment systems in developing and using the programs of the project and 2) Randomized Controlled Trial, which draws on experience from the project and includes mentor support, practical work training etc.

#### **Concluding observations, paras 10 and 11**

39. Following the reduction of the unemployment benefit period in 2010, a number of temporary benefits were introduced for people whose periods of entitlement were about to expire. About 20% of these received the temporary benefits in 2013 and 2014.

40. The Government introduced a series of adjustments to the unemployment benefit system in 2015, which for example ensured a more flexible regaining of the entitlement to unemployment benefits. This ensured that fewer people experienced an expiration of the entitlement period.

41. The number of people who exhausted the period of entitlement to unemployment benefits has decreased from 24.000 in 2013 to 12.500 in 2016.

42. Concerning immigrants, the Government and Social Partners reached a tripartite-agreement in 2016, which includes a new “Integration Training Programme” (IGU — Integrationsgrunduddannelsen), which runs for three years. The programme combines paid work and education for the participants.

43. Concerning persons with disabilities, a little more than half were employed in Denmark in 2016 compared to 8 out of 10 among people without disabilities.<sup>2</sup> Therefore, inclusive measures are being undertaken aimed at increasing the employment rate among people with disabilities. Furthermore, the Act on Equal Treatment (*Ligebehandlingsloven*) was amended in December 2004 (Act no. 1417 of 22 December 2004) to include a provision 2a on the employers’ obligation to provide for reasonable accommodation in relation to persons with disabilities.

#### *Legal safeguards in place to protect workers from unfair dismissal*

44. The Social Partners are key stakeholders in the regulation of the Danish labour market. Thus, the autonomy of the Social Partners in the regulation of pay, working time and other working conditions via collective agreements is a cornerstone in the Danish Labour Market model.

#### *Collective agreements*

45. The collective agreements include provisions protecting workers from unfair dismissals. A permanent industrial arbitration tribunal, The Board of Dismissals, has e.g. been set up in accordance with the General Agreement between the Employers’ Confederation and the Federation of Trade Unions for the purpose of deciding cases involving non-objective dismissals.

#### *Legislation*

46. The primary provision protecting workers from unfair dismissal is section 2b of the Act on the Legal Relationship between Employers and Salaried Employees (*Funktionærloven*) The act applies to approx. 50 pct. of the workforce. In addition, approx. 20 pct. of the workforce is covered by this act through contractual agreement.

47. Other legislation protects workers from unfair dismissal in specific situations. Thus, the Act on Equal Treatment of Men and Women in relation to Employment (*Ligebehandlingsloven*) protects against dismissal due to pregnancy and/or maternity, paternity or parental leave. In these cases, there is a reversed burden of proof. If a person is dismissed due to pregnancy and/or maternity, paternity or parental leave, the standard compensation is the equivalent of 9 months’ pay.

48. In addition to the general legislation, workers in the public sector are protected from unfair dismissal by public law.

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<sup>2</sup> SFI — National Research Centre for Welfare (*Det Nationale Forskningscenter for Velfærd*), Publication: Handicap, Employment and Education in 2016 (*Handicap, Beskæftigelse og Uddannelse i 2016*), Copenhagen 2017.

## **Article 7**

### **Right to just and favourable conditions of work**

#### **Concluding observations, para 12**

49. As stated in previous reports there is no statutory minimum wage in Denmark. The setting of minimum wages is regulated in the collective agreements. This is a cornerstone in the Danish Labour Market model. Employers can be subject to industrial action by trade unions in order to obtain a collective agreement to ensure that they pay the minimum wages enshrined therein. See further response to concluding observations, para 5 below.

#### *Working conditions for all workers*

50. Working time and other conditions of work are regulated in the collective agreements. With regard to working time and other conditions of work, workers who are not covered by a collective agreement will be covered by legislation laying down minimum rights, as for example included in the Work Environment Act (*Arbejds miljøloven*).

51. Concerning paid and unpaid leave mothers have the right to 4 weeks' maternity leave before birth and 14 weeks after birth with state benefits at sick pay level. Fathers have the right to 2 weeks paternity leave to be held within 14 weeks after the birth with the same benefits as mothers. Furthermore, each parent has the right to 32 weeks' parental leave. During parental leave, the parents have a shared right of 32 weeks of parental leave benefits, which they can divide between them according to their wishes and needs.

52. The right to pay from the employer during leave is determined by collective agreements, individual contracts or workplace agreements. If the employee receives pay during leave periods, the employer will receive the leave benefit as a refund, which reduces the expenses to payments during leave.

53. The reconciliation of work and family life is mainly regulated by the Social Partners. To this end, most collective agreements include a right to pay for one or two days if the employee is absent due to a child's illness. And in the public sector, all parents also have a right to two "care days" a year with pay per child until the child is 8 years old.

#### *The principle of equal pay for work of equal value*

#### **Concluding observations, para 8**

54. As stated, the level of pay in Denmark is regulated by the Social Partners in collective agreements or through individual contracts.

55. The Act on Equal Pay (*Ligelønsloven*) prohibits gender-based discrimination in relation to pay. The Act also sets an obligation for employers with at least 35 employees and 10 men and 10 women in the same work function to provide gender-segregated pay statistics. This obligation has existed since 2007. As a service to employers, Statistics Denmark and employers' organisations provide employers with pay statistics free of charge. Pay statistics increase pay transparency and serve as a basis for the employer and employees to discuss the pay structures within the company.

56. Furthermore, the Act of Equal Treatment on Men and Women in relation to Employment (*Ligebehandlingsloven*) obliges employers to treat men and women equally in relation to recruitment, transfers and promotions.

#### *Legislation and monitoring mechanisms on sexual harassment*

#### *The Act on Equal Treatment of Men and Women in relation to Employment*

57. Sexual harassment in the workplace is considered discrimination based on gender and is prohibited by law under the Act on Equal Treatment. Complaints of sexual harassment in the workplace can be brought before the Board of Equal Treatment free of charge. Cases may also be brought before the civil courts. In 2018, the Government is

planning to change the Act on Equal Treatment in order to increase the level of compensation to victims of sexual harassment.

#### *The Working Environment Act*

58. Denmark has issued an Executive Order on Performance of Work. It criminalizes failure to ensure that employees are not exposed to sexual harassment when working. The subjects of this obligation are employers as well as employees and the collaborators of the company. The order states that it must be ensured that the work does not present a risk of physical or mental health impairment as a consequence of bullying, including sexual harassment". Upcoming regulatory changes will also make it possible for the Danish Working Environment Authority (WEA) to react to sexual harassment incidents not only when the harassment can be characterized as a form of bullying (repetitive harassment).

59. Through inspections, the WEA oversees the observation of the rules in the Executive Order on Performance of Work (when sexual harassment is a form of bullying) and when sexual harassment is exercised by external parties. Since sexual harassment cannot be detected by observation only, the WEA will normally gain knowledge during interviews with employees or by anonymous complaints. In these cases, the WEA can inspect the particular company.

60. Since 2014, approx. 400 reactions (improvement notices or guidelines) concerning bullying, including sexual harassment, have been issued by the WEA. The types of sanctions that can be imposed on the violator of the above-mentioned order are fines or imprisonment up to two years. Until now, these sanctions have not been used.

61. Victims of sexual harassment in the workplace may be entitled to compensation after the Danish Workers' Compensation Act (*Arbejdsskadesikringsloven*) if the harassment has led to illness.

#### *Safety and healthy conditions at the workplace*

62. The WEA undertakes risk based inspection, where the subjects (enterprises) are selected from an index model, containing a number of parameters characterizing the enterprises (e.g. number of accidents) and sectors (e.g. work related diseases). A number of randomly selected enterprises are added to the list. The risk based inspections target all kinds of work environment issues.

#### **Concluding observations, para 5**

63. Since there is no statutory minimum wage in Denmark, issues relating to pay or remuneration are generally not subject to legislation. These issues are addressed in the collective agreements concluded between workers (trade unions) and employers.

64. Workers who are not covered by a collective agreement may resort to industrial action against their employer in order to obtain a collective agreement regulating pay or remuneration as well as other conditions of work.

65. In Denmark it is the workers themselves and not the legislator who ensure that minimum rights regarding pay or remuneration are observed. This empowerment of the Social Partners has been in place in Denmark for more than 100 years and is an essential aspect of the "Danish Labour Market Model".

66. Employees who are paid monthly will receive the same pay regardless of the amount of public holidays in any given month. Workers who are paid by the hour are paid for the hours, which they work and are not, in principle, remunerated for public holidays where they do not work.

67. For workers who are paid by the hour many collective agreements set forth that a percentage of their pay is saved in a special account (*S/H-betaling*) in order to cover payment for public holidays where they do not work. Workers covered by such collective agreements get remuneration for public holidays.

68. Workers not covered by such collective agreements may either resort to industrial action to obtain such a collective agreement — in accordance with the Danish labour

market model — or they may seek to obtain a higher hourly pay through their individual contract with the employer thereby achieving monetary compensation.

69. Accordingly, the reason why Denmark has a reservation regarding article 7(d), and no intention of withdrawing it, is that legislation regarding pay or remuneration is not in line with the Danish labour market model.

## **Article 8**

### **Right to take part in trade union activities**

70. The formation of associations and the right to organise is protected in section 78 of the Danish Constitution on the right to form associations without previous permission. On the possibility of the State to prevent or regulate the formation of associations, the Government's obligation is assumed to include first and foremost a duty to refrain from interfering with the free formation of associations. The substantial protection of freedom of association on the labour market as well as on the individual level follows the rules on prohibition of organisational persecution and the Act on Protection against Dismissal related to Trade Union Membership (*Foreningsfrihedsloven*).

71. No prohibitions or restrictions exist regarding the establishment of organizations by certain categories of workers in Denmark. This also applies for the formation of associations by public employees. The armed forces and the police enjoy the same protection against interference from the public authorities.

72. In Denmark the Social Partners regulate pay and working conditions by collective agreements both in the private and in the public sector. The public sector consists of the state, regions and municipalities. The collective agreements in the public sector are typically in effect for an agreed 2 or 3-year period. The bargaining mechanisms in the private and the public sector are based on voluntarism and free bargaining between the two sides. The legislation does not regulate how the Social Partners conduct their negotiation.

73. In order to underpin the collective machinery for voluntary negotiations between the employers and the workers the Parliament has adopted the Act on Conciliation in Industrial Disputes (*Lov om mægling i Arbejdsstridigheder*), which aims at conciliating the parties, especially in connection with the renewal of collective agreements.

74. The right to take industrial action is based on many years of practice by the Danish Labour Court. There is a far-reaching right to take industrial action. The lawfulness of industrial action depends on whether the action concerns work that normally falls within the trade union's fields of activity.

75. The legislature does not intervene in the negotiations on the labour market and in pending industrial disputes as long as there is a chance that the Social Partners will come to a negotiated solution. However, in quite extraordinary cases, the legislature has intervened in industrial disputes in situations where there was no prospect of a negotiated solution and the dispute affected essential services, i.e. in sectors where industrial disputes could lead to danger to life, personal security or health for the entire population or special groups.

## **Article 9**

### **Right to social security**

#### *The Danish pension system*

76. Reference is made to the fourth report (E/C.12/4Add.12).

#### *Changes in the age of retirement*

77. The formal retirement age will be raised from 65 to 67 from 2019 to 2022 — and to 68 from 2030.

*Changes in requirements to public old-age pension and disability pension*

78. A political agreement on retirement (*Aftale om flere år på arbejdsmarkedet*) was reached on 20 June 2017. It is not yet passed as legislation. According to the agreement, people reaching the age of retirement on 1 July 2025 and after are required to have 9/10 years of residency from the age of 15 until the age of retirement in order to be granted full basic pension. For disability pension this means 9/10 years of residency from the age of 15 to the time of the granting of the disability pension.

*Change in income adjustment*

79. The entitlement to the basic amount of pension and pension supplement is calculated on the basis of all taxable income, including pension. However, as a new development, the first DKK 60,000 (approx. EUR 8000) of earned income by old age pensioners shall not be taken into consideration in the calculation of personal allowances.

*Changes in the payout of deferred pension*

80. The number of compulsory working hours for persons who meet the requirements for deferred social pension was reduced 1 January 2014 to 750 hours per year. This was agreed in order to favour a more flexible transition from working life to retirement.

81. As part of the above-mentioned political agreement from 20 June 2017, it has been agreed that from July 1 2018 it is possible to choose between three options concerning the payment of deferred pension: (1) the already existing option which is a lifelong benefit, (2) a ten-year benefit or (3) a onetime amount and the rest as a ten-year benefit.

*Reform of the disability pension*

82. In 2013, the disability pension was reformed with a view to reducing the number of people receiving disability pension and instead to focus on rehabilitation. With the implementation of the reform, disability pension is in principle abolished for persons under the age of 40, unless it is evident that they will never be able to work again. Instead of disability pension people with much reduced work capacity will be offered individually tailored rehabilitation and support programs of up to 5 years' duration. These rehabilitation programs could consist of labour market support activities, treatment in the health care sector and social support.

83. The rehabilitation model will involve close cooperation between the health sector, the relevant labour market institutions, social services and the education sector. An interdisciplinary rehabilitation team will be established in every municipality in order to ensure that this integrated approach will work in practice. A key element in the rehabilitation programs is to involve the client in the planning.

84. From January 2013, granting disability pension requires as a starting point that the person has participated in at least one rehabilitation program, unless it is evident that they will never be able to work again.

85. See the Annex for rates of social (old age) pension (Table 3), disability benefit-rates (Table 4) and family allowances and child benefits (Table 5).

**Concluding observations, para 13**

86. There are two types of social assistance to persons under the age of 30 depending on whether the person has an education or not. However, the focus will be on persons under the age of 25, since it is the key focus of the concern of the Committee.

87. The rates of social assistance to people under the age of 25 without education correspond to the level of the benefit people receive under education (SU — Statens uddannelsesstøtte). If the situation of the person makes an education perspective is irrelevant, the person may be eligible for a supplement to the social assistance. Maternity leave will also give rise to a supplement.

88. The rates of social assistance to people under the age of 25 with education are at a higher level than the rates of social assistance to people under the age of 25 without education.

89. For both types of social assistance the rates are higher if the person is the provider of a child. A person who provides for a child receives a monthly supplement corresponding to the level of child allowance.

90. In certain situations young people can receive support for specific expenses or expenses to medicine, dental treatment or similar covered. It requires an assessment of the person's economic situation. It is also possible to be granted housing benefits.

91. Furthermore, in 2016 1,622 people under the age of 40 were granted disability pension.

## **Article 10**

### **Right of families, mothers, children and young people to protection and assistance**

#### *Marriage*

92. Reference is made to the fifth periodic report article 10, paras 154–155 (E/C.12/DNK/5).

#### *Day care*

93. Under the Act on Day Care, (*Dagtilbudsloven*), the municipalities are required to offer full-time day care for all children from the age of 26 weeks until compulsory school age.

94. The payment of day care depends on the operating costs. According to the Act on Day Care there is a municipal funding of a minimum of 75% of the operating costs. Furthermore, parents can receive an additional support, for example if they have low incomes, in which case the payment can be reduced gradually to 0% of the operating costs. Parents can receive a financial subsidy for taking care of their own children at home or for arranging a private childminder as an alternative to a place in a day care facility.

#### *Home care services*

95. The access to home care services is equal for all persons who are unable to carry out home care services due to temporary or permanent impairment of physical or mental function or special social problems. Home care services are always offered on the basis of an assessment of individual needs and with the specific aim of restoring, maintaining and improving mental and physical functionality.

96. Prior to assessing the need for home care services the municipal council shall assess whether a brief and time-limited rehabilitation programme will improve the functional capacity of the individual person and thus reduce the need for home care services. The assessment shall be individual and specific and be based on the recipient's resources and needs.

97. The municipal council shall offer at least a yearly preventive home visit to all residents of the municipality, when the residents turn 80, and one preventive home visit to all residents of the municipality at the age of 75. The purpose of the home visit is to discuss the current life situation and assess the potential need of further assistance. Preventive home visits are also offered according to need to residents between the age of 65–79, who have a significant risk of physical or mental function impairments or special social problems.

*Persons with disabilities*

98. Regarding social services that enable persons with disabilities to remain in their normal living environment for as long as possible, please see the fifth periodic report article 10, paras 143–145.

*Maternity protection*

99. Regardless of their employment status, parents have the right to maternity leave, paternity leave and parental leave. If a parent is unemployed and receiving cash benefits, the parent will continue to receive cash benefits during the leave. Pre-natal care and other health services are free of charge. See also above under article 7.

*Maternity and infant care services*

100. Maternity medical care and health services are a part of the national health and hospital schemes. In connection with pregnancy all women have a right to up to 5 health promotion and prophylactic consultations incl. medical check-ups performed by her family doctor. One of these consultations takes place after the childbirth. In addition, the Danish Health Authority recommends 7–9 (according to need) health promotion and prophylactic consultations performed by a midwife, where the health of the mother and child are observed and promoted. The national health authority is currently in the process of revising the guidelines regarding maternity medical care.

101. 98% of all deliveries take place at a hospital. The hospital clinics and maternity wards give care and treatment to pregnant women, women in labour, mothers who have given birth and new-borns. It is laid down by law, that women have a right to give birth at home. The regions, which are responsible for all public hospital services, must provide midwife assistance in cases of home confinement. The regions are also responsible for providing antenatal services.

102. Typical antenatal services include midwife consultations, antenatal and parent preparation classes, and smoking cessation programmes, diagnostic screening such as nuchal fold scan and blood sample — assessment of risk of Down's syndrome and a scan to determine any specific congenital anomalies. During labour the woman is attended to by a midwife and — in case of complications — a doctor. There are various possibilities for pain relief during labour offered at the clinics.

103. Maternity medical care and health services are a part of the general health care system and free of charge. When a woman visits the family doctor for the first time in connection with her pregnancy, she is informed of the maternal medical benefits in the general health service. Almost all women make use of the general maternity health services. An out-reach effort is set in place in cases of e.g. socially vulnerable pregnant women or pregnant women with a substance abuse problem or the like, who fail to appear at the health promotion and prophylactic consultations.

*Children in employment*

104. The Act No. 239 of 6 April 2005 on the protection of young people at work (*Bekendtgørelse om unges arbejde*) has been amended three times since the fifth periodic report.

105. There have been major changes to appendix 4 that lists substances and materials prohibited for children under the age of 18 to work with or otherwise are exposed to during work.

106. The amendments added the alterations set forth in Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, as well as amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006.

107. There has also been an alteration to appendix 7, which allows children between the ages of 13 to 15 to work with lighter assignments in various types of enterprises and not only small stores.

108. Children between 13 and 15 years of age remain prohibited from working in restaurants, while alcohol is served as set out in Act No. 135 of 18 January 2010 on restaurant and alcohol permits etc. (*Restaurationsloven*).

109. There has also been an amendment of the Work Environment Act (*Arbejdsmiljøloven*), Act no. 1072 of 7 September 2010, on 29 December 2015. It is hereby considered a particularly aggravating circumstance, if there has been a work-related accident for a child below the age of 18, which has resulted in severe personal injury or death or risk of personal injury or health. These circumstances are taken into consideration when determining the severity of the penalty.

110. The Danish Working Environment Authority carries out on-going control of businesses i.e. through on-site visits in order to check whether they are violating national regulations, including the regulations regarding child labour. Available data collected during the on-going control shows only a limited amount of violations concerning the protection of children — 16 cases in 2015, 11 in 2016 and 20 in 2017. Based on the limited number of violations concerning child labour, there have been no specific initiatives in this area.

#### *Social services for older persons*

111. Social services for elderly citizens are provided mainly by the 98 municipalities that are fully responsible for public governance, provision, financing and delivery of elderly care in Denmark. The framework for the services provided by municipalities and their obligations within the entire area of social services is found in The Act on Social Services, Act No. 102 of 29 January 2018. The extended self-rule principle for local government in Denmark means that the municipalities decide on the specific methods and service levels to be provided. The municipal council is obligated to offer persons who are unable to carry out home care services due to temporary or permanent impairment of a physical or mental function or special social problems the services they need.

112. The municipal council must adopt a dignity policy for municipal elderly care, which is granted under the Act on Social Services to persons above the retirement age. The dignity policy must contain the main indicators and principles for a dignified care for the elderly in each municipality based on personal assistance and care etc. In the dignity policy, the municipal council must as a minimum describe how the municipality's elderly care can support the following areas in relation to the care of the individual elderly: (1) Quality of life, (2) Self-determination, (3) Quality, including coherence of care, (4) Food and nutrition, (5) A worthy death, and (6) Relatives.

113. In order to promote user influence, all municipalities must establish Senior Citizens' Councils. These councils are elected for four-year terms, and all citizens over 60 have the right to vote or run for the council. The municipality must consult the Senior Citizens' Council in any issue relevant to the elderly population in the municipality.

#### *Economic and social rights of asylum seekers and their families*

114. Asylum seekers and undocumented migrants will have the economic expenses for their maintenance covered by the Danish Immigration Service in accordance with the Danish Aliens Act, Act no. 1117 of 2 October 2017 (*Udlandingsloven*). If asylum seekers and undocumented migrants are in need of special support covered by the Act on Social Services, Act No. 988 of 17 August 2017 (*Service-loven*), it can be granted with reference to the Act on Social Services or its principles. The Immigration Service is responsible for providing the necessary support measures for any person who is not staying lawfully in Denmark.

#### *Conditions for family reunification*

115. Family reunification can be granted to spouses/partners, children under 15 years of age and in special circumstances to other family members. Several of the requirements listed below can be suspended if particular reasons apply, usually when Denmark's international obligations require a suspension. This could e.g. be the case if the family

member in Denmark has been recognised as a refugee or acquired subsidiary protection status.

116. If a person has been granted temporary protection status due to a general unstable situation in the home country at such a level of intensity that anyone would be in real risk of being subjected to inhuman or degrading treatment in case of return, according to the Aliens Act 7,3, there is a suspension period of three years before the refugee person can apply for family reunification with his/her spouse or minor children, unless particular reasons — including respecting Denmark's international obligations — apply.

#### *Spouse reunification*

117. In order to qualify for family reunification with a spouse or partner in Denmark, the marriage must be legal under Danish law or the relationship must be of a permanent and lasting nature. The marriage or partnership must be entered into voluntarily and must not be deemed pro forma. The applicant and the spouse or partner must be at least 24 years old, and the couple's attachment to Denmark needs to be stronger than their attachment to any other country. Furthermore, the couple must be willing to actively participate in the applicant's efforts to learn Danish and to integrate into Danish society. The applicant has to pass a Danish language test. The spouse or partner in Denmark must have an independent and reasonably sized residence, be self-supporting and provide a financial guarantee. The spouse or partner must not have been convicted for assault or domestic violence within the past 10 years. The spouse or partner must be legally residing in Denmark.

#### *Family reunification with a child*

118. Children under the age of 15, who have a parent living in Denmark, may qualify for a residence permit under the rules on family reunification. In special situations, children between the age of 15 and 18 may qualify. The child's parent in Denmark must have full or partial custody of the child. A child cannot qualify for family reunification if the child has started his or her own family, e.g. by marriage, or if family reunification is manifestly contrary to the best interest of the child. If the child is more than 8 years old and one of the parents still lives in the country of origin (or another country), the child must be deemed to have the potential for successful integration into the Danish society. The parent or the parent's spouse or partner in Denmark may not have been convicted of child abuse within the past 10 years. In special cases, the parent must have an independent and reasonably sized residence at his or her disposal and be self-supporting. The parent must be legally residing in Denmark.

#### *Family reunification with other family members*

119. In very special situations, other family members — e.g. children between 15 and 18 — can be granted family reunification, if Denmark's international obligations require so.

#### *Domestic violence*

120. Acts of domestic violence, including domestic violence against women and children, are not specifically criminalized in the Danish Criminal Code, Act No. 977 of 9 August 2017 (*Straffeloven*). However, violence is generally criminalized in Sections 244 (violence), 245 (aggravated violence) and 246 (particularly aggravated violence) of the Criminal Code. These provisions cover acts of violence irrespective of the gender or age of the victim, the setting of the crime or the relationship between victim and perpetrator. Furthermore, rape and other types of sexual abuse are criminalized in Sections 216–234 of the Criminal Code.

121. There are no specific statistics regarding cases on acts of domestic violence, as the data in police and public prosecution do not specify whether acts of violence were domestic or not.

122. Victims of domestic violence have access to an extensive nationwide support system and health care services. Every municipal council has a legal obligation to provide temporary accommodation for women who have experienced violence, threats of violence or any similar crisis in relation to family or marital status. Women may be accompanied by children and receive care and support during their stay. Women staying at women's shelters

receive introductory and coordinated counselling, and the municipal council must offer psychological treatment to children accompanying their mother at the shelter. The psychological treatment must have a minimum extent of 4 hours and can be extended to up to 10 hours.

*National action plan and other initiatives*

123. The fourth action plan on combatting violence in the family and in intimate relations was adopted in 2014 and covered the period 2014–2017 (*Vold i familien og nære relationer*). The action plans are a supplement to the extensive nationwide support system.

124. The action plan focuses on strengthening measures and knowledge about domestic violence, including dating violence, stalking, male victims and promoting public debate about these issues. The action plan was based on 14 initiatives and DKK 36 million (approx. EUR 4.8. million) was allocated over the four years.

125. An inter-ministerial working group is currently working on mapping the needs for new initiatives to follow up on the action plan.

126. In addition to the national action plan against domestic violence, the Parliament has agreed to launch the initiative “Collective effort to end violence in intimate relations” (*Samlet indsats mod vold i nære relationer*).

127. The initiative has three main focus areas:

(a) Funding for counselling and treatment programmes run by the NGO, Mothers’ Aid (*Mødrehjælpen*), for women and children who are victims of domestic violence;

(b) Funding for the NGO Dialogue against Violence’s (*Dialog mod Vold*) treatment programmes for perpetrators of domestic violence;

(c) The establishment in 2017 of a national unit against violence in intimate relations. The unit shall ensure a collective and inclusive approach to different kinds of violence in intimate relations, including both psychological and physical violence, sexual assaults, economic control, destruction of material, honour-related violence, stalking and dating violence. The national unit will focus its efforts on victims of both sexes. Furthermore, the national unit will focus on programmes for the perpetrator.

*Public awareness-raising and training*

128. Referring to the fifth periodic report paras 42–50 it should be noted that the Government attaches great importance to ensuring that victims of crime, including victims of domestic violence, are treated with dignity and respect and that they receive the help and support that is necessary, relevant and efficient under the specific circumstances. As a result, the Government has continuously taken new initiatives in this area.

129. According to the “Overall strategy of the Police” (2007), all police districts shall cooperate with relevant authorities, organizations and associations carrying out tasks in the field of combatting violence in close relationships. This includes informing female victims and victims of domestic violence about civil society organizations and associations, which carry out tasks in the field of preventing violence in close relationships. The police districts operate according to the “Overall strategy for strengthened action against homicide due to jealousy and other serious crimes in cohabitant relations” (2007) regarding e.g. the establishment of specialized police units, further development of the cooperation between police, social services and health services and efficient use of the rules on emergency barring orders and restraining orders.

130. The Director of Public Prosecutions has issued guidelines containing detailed rules for initiating investigations, guidance in relation to victims of crime, decisions regarding prosecution etc. In addition, the Danish National Police issued guidelines in December 2016 on the police’s use of the risk assessment tools describing the practical application of the tools step-by-step. Furthermore, new guidelines were published in January 2017 on the handling of cases regarding harassment, persecution and stalking.

131. In addition, the Danish Police has undertaken several measures. During training at the Danish Police Academy, all police students are taught how to prevent and detect violence, including domestic violence. As a part of their education, all students also pay a visit to a crisis centre. Furthermore, the Danish National Police provides continuous training in the use of the evidence-based risk assessment tools, which were implemented in the police districts in 2015 and are used to assess the risk of violence including the risk of repetitive and/or deadly violence in cases regarding stalking, cohabitant-related violence and honour-related violence. At the courses, police investigators and caseworkers are also taught the importance of respectful and appreciative response in dealing with victims of domestic violence. Since 2015, a total of 116 police investigators and case managers have attended a training course on the use of the risk assessment tools. Another 3 training courses will be completed in 2018.

132. Cooperation between psychiatry, social services and police (PSP cooperation) can be initiated, if for example the perpetrator or victim suffers from mental illness. The cooperation is adapted to fit local circumstances by decision within the respective police districts.

133. In December 2017, the Government launched an awareness raising campaign on intimate partner violence using films and expert interviews on social media. The campaign had young people as its primary target group and focused specifically on psychological violence.

134. The new national unit on violence in intimate relations is tasked with communicating knowledge on violence in intimate relations to the public and in particular to practitioners working to prevent violence and support victims.

#### *Human trafficking*

135. The Danish Parliament recently agreed on allocating EUR 8.5 million to a new National Action Plan against Human Trafficking for 2019–2021. This new action plan builds on previous action plans and efforts in this area and ensures that Denmark continues to live up to international obligations. The new action plan also focuses on flexibility and that the assistances and services provided to victims of human trafficking are tailored to the needs of each victim of human trafficking.

136. In addition to national action plans, the Government has since 2016 allocated extra funding to projects that aim to further prevent and combat human trafficking. Specific projects have been selected to strengthen the efforts by identifying more victims of trafficking in the Danish context within emerging fields where trafficking have occurred or in sectors where victims historically have been difficult to reach. Special attention is paid to unaccompanied minors.

#### **Concluding observations, para 15**

##### *Children placed in alternative care*

137. Several initiatives have been put in place to reduce the number of vulnerable children being placed in alternative care. Pursuant to the Act No. 988 of 17 August 2017 on Social Services (*ServiceLOVEN*), support must be provided to a child at an early stage to ensure, if possible, that the needs of the child can be met in the home. If it is, however, assessed to be in the best interest of the child to be placed in alternative care, efforts are made to protect the child's right to maintain relations with family and network. The scope and exercise of access and contact with family and network must always be based on an assessment of the best interest of the child, including the health and safety of the child. Furthermore, municipalities are legally obliged to consider placement in a foster family to ensure that as many children as possible grow up in a family-like environment. The share of children placed in foster homes has increased from 55% of the total number of children taken into alternative care in 2011 to 64% in 2016.

## Article 11

### Right to an adequate standard of living

#### *Continuous improvement of living conditions*

138. The new Job Reform 1 from 2016 is aimed at making more persons economically independent from state welfare programs. The aim is to secure the balance between a reasonable level of income and an increased incentive to seek employment.

139. Social assistance is meant to be a temporary source of income for a person until he or she again finds employment. Persons with a permanently reduced working capacity are not supposed to be part of the social assistance scheme, but should be granted a flexible job or a disability pension and thereby receive a higher level of social assistance.

140. As part of the job reform, a new set of rules was introduced aimed at strengthening the incentives for social assistance recipients to seek employment. One of these rules is the 225 hour requirement, which requires the recipients of social assistance to work at least 225 hours a year in order to receive full social assistance after a year as a recipient. This will also benefit integration as being at a workplace is likely to strengthen integration overall.

141. The Government is convinced that giving parents a strong incentive to be in employment will benefit their children. When parents have a job, their economic and social standing improve thus giving better opportunities for themselves and their children. The children themselves will follow the lead of their parents and aspire to get an education and a job.

142. Since the reform fewer people are receiving social benefits and more people have supplementary employment. The number of fulltime recipients has decreased by approx. 17,700 from April 2016, where the reform came into force, to October 2017. At the same time, the number of social assistance recipients with some level of employment in addition to their social assistance increased from 7,800 in April 2016 to 9,800 in April 2017.

143. A single parent with two children who does not meet the requirements of the 225 hour requirement — will still have a disposable income of approx. EUR 1,350 a month after tax and after rent has been paid. Similarly, a married couple with two children who do not meet the requirements of the 225 hour requirement, will still have a disposable income of approx. EUR 1,300 per month after tax and after rent has been paid.

#### *Other social benefits for families*

144. Parents receiving social assistance are entitled to or can apply for a range of other social benefits such as:

- (a) Family allowance (*børne — og ungeydelse*): A tax free allowance for children under the age of 18. It is disbursed to the parents, and the amount decreases with the age of the children and depends on the income of the parents;
- (b) Child benefits for single parents (*børnetilskud*);
- (c) Housing benefits (*boligstøtte*);
- (d) Emergency social assistance of reasonable expenses, e.g. for medicine, medical treatment, temporary rental expenses or relocation (*enkeltvedelser/hjælp i særlige tilfælde*).

#### *Exceptions for recipients who are either sick or have a temporarily reduced working capacity*

145. A person who is unable to work 225 hours a year in a normal job due to illness or other personal circumstances is exempted from the requirement. Thus, such a person will still receive full social assistance after a year as a recipient, until he or she will be able to work again and will be able to fulfil the 225 hour requirement.

146. Therefore, no persons including children of parents, who are unable to work, are at risk of experiencing the economic consequences of the 225 hour requirement. People who

are able to work will have a greater incentive to work and become part of the working community.

*Focus on better conditions for disabled individuals in the labour market*

147. Besides the initiatives in Job Reform 1, the Government is very concerned with improving the conditions for people with disabilities in terms of getting an education and/or being included in the labour market. There is on-going work to develop concrete actions that can support people with disabilities to gain access to the labour market.

*The right to adequate housing*

148. In Denmark, social housing consists of 611,000 units, which is approx. 20% of the total number of dwellings.

149. "Social housing" is a collective designation for three different types of housing: Social family dwellings, social dwellings for older persons and social dwellings for young persons. The majority of social housing consists of family dwellings.

150. As a principal rule, social family dwellings are let to tenants through seniority-based waiting lists. At the non-profit housing organizations everyone is entitled to have their name on the waiting lists. Thus, family dwellings are open to the entire population regardless of income or access to economic resources.

151. In order to ensure social housing for vulnerable citizens, the local municipalities have 25% of all vacant family dwellings and dwellings for young persons in social housing at their disposal for the purpose of solving social housing problems. Thus, the local municipalities can place any person or family who needs a place to live in vacant social housing dwellings within the municipality.

152. Furthermore, the local municipalities are responsible for evaluating each case regarding individuals with special housing needs, such as older persons, and persons with disabilities. It is therefore the responsibility of each municipality to provide the necessary social housing and accommodate the needs of these individuals, in accordance with the Act No. 1116 of 2 October 2017, the Danish Act on Social Housing (*Almenboligloven*).

153. Act No. 1178 of 23 September 2016, the Building Act and the Building Regulation (*Byggeloven*) regulate building accessibility to all new building constructions, refurbishing and essential changes to the use of existing buildings, including access to housing. The rules of level free access do not apply to single-family houses. Generally, regarding housing, the Building Regulation requires level free access, a minimum width of doors, and installation of a lift, if the building has more than three stories, etc.

*Regarding the challenge with different vulnerable groups in society*

154. In May 2018, a political agreement was made with initiatives designed to disintegrate and prevent parallel societies while strengthening the integration of different groups in society.

155. With the political agreement the Government will strengthen and change the approach to the socially deprived areas, including major physical transformations and a mix of different housing forms, including owner-occupied dwellings, co-operative dwelling and private rented housing.

156. The political agreement contains various policy initiatives that will address the challenges faced regarding rehousing.

*Regarding challenges with affordable housing for different vulnerable groups*

157. In 2017, the Government established a network of free municipalities regarding affordable housing and flexible housing solutions with a view to collecting the experiences and best practices of the municipalities in providing affordable housing for homeless persons, socially vulnerable citizens. An evaluation of the trials will be conducted in 2020.

*Housing for refugees*

158. The municipalities have requested affordable social housing options to solve pressing social housing challenges, including housing of refugees. Various policy initiatives aim to accommodate the need for more affordable dwellings.

159. As a result of the unusual high number of refugees arriving in 2015 and 2016, state funding amounting to DKK 640 million was allocated as a special case of state funding for affordable, small family dwellings, which could be reserved for refugees. The municipalities have assessed the need and issued grants for around 3,250 new dwellings.

**Concluding observations, para 16***National poverty line*

160. The Government has not defined an official poverty line because the Government believes that poverty is a far more complex and broad concept than what may be captured in a single monetary indicator. Poverty is a multidimensional issue that has to do with a complex mix of social problems, health related issues, housing conditions, cultural deprivation, social network, and in some cases mental issues — and economic resources. Thus, a single indicator (measuring only economic resources) risks neglecting the most important challenge, which is to solve the underlying social or health related issues draining families of their resources.

161. Therefore, the Government believes that systematic and effective social policies are the best way to fight social exclusion. To this end, the Government has launched “10 targets on social mobility” and publishes an annual report on children and adults receiving social measures to follow up on these targets.

**Concluding observations, para 17***National survey on homelessness*

162. Since 2007 VIVE — the Danish Centre of Applied Social Science — has conducted surveys on homelessness in Denmark on behalf of the Ministry of Children and Social Affairs. The survey is conducted every other year, with the latest survey done in 2017.

163. The survey gives an overview of the scope and development of homelessness and of the geographical distribution according to urban area, region and municipality. The survey also identifies the demographic and social profile of the homeless in relation to gender, age, ethnic background and health.

164. The survey reveals that homelessness in Denmark continuously has increased from 2009 to 2015. In 2017 the number of homeless was 6,635; an increase of 8% compared to 2015. Furthermore, there has been an increase in the number of homeless youth. The number of persons under 30 years of age living as homeless has roughly doubled since 2009 and accounted for around one third of the entire homeless population in Denmark in 2017. Finally, the 2017 survey reveals an increase in the share of women among homeless in Denmark, with an increase from 22% in 2015 to 25% in 2017. For initiatives on homelessness, see below under concluding observations, para 17.

*Action plan against Homelessness*

165. As part of the negotiations concerning the distribution of the National Social Fund, political parties representing a large majority in the Danish Parliament agreed on the allocation of DKK 154 million (approx. EUR 21 million) for an Action plan against Homelessness for the period 2018–2021.

166. The main objectives of the action plan are as follows:

(a) To disseminate effective social methods to more municipalities, so a larger number of persons living in homelessness will receive adequate social support;

(b) To strengthen the prevention of homelessness, and stop the flow of young persons to homelessness;

(c) Helping a larger number of elderly homeless, who have lived long and hard lives on the streets and in homeless shelters, towards a more secure and worthy existence.

167. The Action Plan against Homelessness includes fourteen individual policy initiatives focused on the need for further dissemination of empirically based social methods, the need for improving the prevention of homelessness, especially among youth, as well as a general improvement of the social efforts towards persons living in homelessness. The initiatives are mostly aimed at improving the efforts of the municipalities, who are responsible for carrying out most social policies, and are as previous policy initiatives based on the Housing First approach. Through this approach, efforts are focused on providing a permanent housing solution first, and supporting the individual in tackling other social challenges as a second step. Initiatives include the establishment of social investment funds and the development of national guidelines, targeting efforts to end homelessness. Furthermore, they include the development of a comprehensive Housing First for Youth approach, better support for user groups as well as financing a study on women living in homelessness.

#### *The right to adequate food*

168. Reference is also made to the fifth periodic report article 11 B, para 222. In Denmark, updated, scientifically validated dietary guidelines are distributed to the public. This is done in close collaboration with organizations that use dietary guidelines as the basis for their further work to promote healthy eating habits in the population. The wording of the Dietary guidelines is tested in focus groups to ensure that they are easy to understand for the general population. The latest dietary recommendations were launched in September 2013.

169. Dietary guidelines are used as a basis for teaching healthy eating habits and nutrition in schools, by dietitians and others, as well as in all communications from authorities, NGOs and other organizations to their respective target groups. In Danish schools there are no mandatory school meals. Most children bring a packed lunch from home. Denmark has issued recommendations for healthier school meals when schools choose to sell food. In the spring of 2017, new school recommendations have been implemented. These are voluntary guidelines and they include a labelling system for schools that follow the recommendations.

#### *The right to water*

170. In Denmark, consumers can drink water straight from the tap and all households have access to sufficient and safe water. Drinking water must comply with strict quality standards, which are regulated by national law based on standards and criteria established in the European Union Drinking Water Directive. Municipalities are the responsible authorities for water supply and for making sure that waterworks live up to quality standards and have sufficient control measures in place. There are rules, administered by the Danish Environmental Protection Agency, on the maximum amount Danish water utilities can demand from consumers.

## **Article 12**

### **Right to health**

171. The Danish health care system is based on the principle of easy and equal access for all residents and the vast majority of health services in Denmark are free of charge for residents, e.g. hospital services, and services provided by general practitioners. The system is characterized by a high level of decentralization, which supports geographical spread of health services. Health care facilities such as GPs, health care clinics and hospitals must aim to be accessible to people with reduced mobility. In the case of new construction or major refurbishment of healthcare facilities, it is a general requirement that the building code is respected regarding accessibility for persons with disabilities etc.

172. For information on the measures taken to ensure that the costs of health care services and health insurance, whether privately or publicly provided, are affordable for everyone,

including for socially disadvantaged groups reference is made to paras 249, 254 and 255 of the fifth periodic report.

#### *Drugs*

173. Medicines may only be sold and distributed in Denmark, if they are approved by the Danish Medicines Agency or the European Commission, cf. section 7 (1) of the Medicines Act (*Lægemiddelloven*). A drug is only approved, if it is documented that the risk-benefit balance of the drug is favorable, cf. section 8 (1) of the Medicines Act. In assessing the relationship between benefits and risks, the therapeutic effect, quality, safety, including adverse effects of the medicinal product, and the risk of undesirable effects on the environment are assessed, cf. Section 8 (2) of the Medicines Act.

#### *Medical equipment*

174. Before medical devices are placed on the European market they must be CE marked, thereby indicating that the device meets the legal requirements, current EU legislation and national requirements, for medical devices. To place a CE mark on a medical device the manufacturer, and a notified body for medical devices belonging to higher risk classes, must document the product's quality, safety and performance.

175. The manufacturer is required to have the technical documentation and a declaration of conformity available at any time to the Danish Medicines Agency for at least five years after discontinuation of the manufacture of the product for non-implantable devices and in vitro diagnostic devices, and at least 15 years for implantable medical devices.

176. The Danish Medicines Agency monitors the safety of medical devices, for example by receiving incident reports concerning medical devices.

#### *Training of health personnel, including on health and human rights*

177. Basic education of health professionals is managed by institutions within the Ministry of Education and the Ministry of Higher Education and Science, while institutions within the Ministry of Health have the overall responsibility for supplementary education of certain groups of health professionals. The Danish Health Authority is thus responsible for planning the distribution of medical specialities among hospitals and for handling the administration and quality development of specialist training and educational programmes for medical doctors and other health care professionals. The centralized planning of distribution of medical specialties ensures nationwide access to high-quality care.

178. Both in relation to basic education and supplementary education, there is a close dialogue with regions, municipalities etc. regarding the needs of the health care system.

#### *Child and maternal health*

179. The principles from the Replies of Denmark to the list of issues from 2013 still apply, paras 154–157 (E/C.12/DNK/Q/5/Add.1). See also above Article 10 under maternity and infant care services.

180. The principles of the right to abortion have not been amended since the fifth periodic report.

181. In relation to reproductive health services, assisted reproduction treatment with donor sperm cells and donor egg cells combined is from 1 January 2018 available to a new patient group of couples or single women with no functional egg cells and sperm cells. The treatment is only available on medical grounds, and the sperm cell or the egg cell must come from a non-anonymous donor. The treatment is provided free of charge within the existing regulation.

#### *Immunization programmes and disease control*

182. A childhood immunization programme covers ten diseases such as measles, mumps and rubella. A system for reminding parents about the recommended vaccinations has been

implemented in 2014. The vaccinations are free of charge and thereby easily accessible. Health authorities have made guidelines concerning control of specific infectious diseases.

*The prevention of substance abuse*

183. In 2016, the Parliament passed a new national law on tobacco products including larger warnings on tobacco packages and a ban on flavours in cigarettes. The main purpose was to prevent children and adolescents from smoking, which can help prevent chronic diseases. Same year a new national law on electronic cigarettes was adopted for the purpose of protecting children and adolescents from exposure to electronic cigarettes. Furthermore, national information campaigns have been conducted to prevent alcohol and tobacco use among children adolescents.

184. In Denmark, prevention of the use of illicit drugs is usually addressed together with prevention of the use of alcohol and tobacco. However, the Danish Health Authority has developed a specific “Prevention Package on Illicit drugs” to support the municipalities in carrying out prevention activities at local level. In recent years, particular focus has been given to prevention activities in high school and for young people with mental issues. With regard to measures taken to ensure adequate treatment and rehabilitation, the Health Act (*Sundhedsloven*) has been amended so that treatment-seeking drug users now have the right to be examined by a medical doctor, a right to opioid substitution treatment within 14 days and a right to choose the location of opioid substitution treatment. In addition, the Danish Health Authority has revised its guidelines on opioid substitution treatment in order to ensure the quality.

*Efforts to prevent HIV/AIDS and other sexually transmitted diseases*

185. The municipalities in Denmark are responsible for citizen-based prevention activities in relation to sexual health. The municipal preventive efforts focus on encouraging consistent use of condoms by new partner, encourage testing and treatment as well as encourage contact tracking and vaccination. The Danish Health Authority prepares national recommendations on sexual health and provides advice for the municipal preventive efforts on sexual health. The Danish Health Authority carries out an annual information campaign, develops educational material and prepares guidelines for health professionals. In addition, the Ministry of Health provides support to the two most important Danish NGOs working with sexual health: The Danish Family Planning Association (DFPA) and The Danish AIDS Foundation. DFPA works with sexual and reproductive health both nationally and internationally, including sex education for children and young people, rights, family planning and prevention of sexually transmitted diseases. The Danish AIDS Foundation works with HIV and AIDS, including prevention and treatment, both nationally and internationally. The foundation focuses on Men who have Sex with Men (MSM) and ethnic minorities with high incidence of HIV; offers HIV and syphilis tests to citizens and undertakes outreach activities.

*Measures taken to ensure affordable access to essential drugs*

186. One of the main purposes of the Danish medicine subsidy system in the primary sector (pharmacies) is to ensure that no patients refrain from a necessary treatment with medicines for economic reasons. The subsidy system is “need dependent”, which for citizens means that the greater the consumption, the greater the proportion of subsidies, until a limit of 100% in subsidies. There are different types of subsidies, both general and individual, which together mean that it is possible for the individual patient to receive subsidies for rational drug treatment. Drugs and medicines prescribed in the secondary sector (hospitals) are free of charge.

*Treatment and care in psychiatric facilities for mental health patients and effective judicial control of confinement*

187. All patients referred to a hospital have the right to diagnostic assessment (if this is not possible, to get a plan within a month for how a diagnosis will be achieved) or to have treatment within a month. Furthermore, all patients have the right to undergo treatment at private hospitals or clinics, if the local region cannot offer a given treatment within 30 days.

These patient rights are meant to ensure access to timely diagnostic assessment and treatment.

188. Confinement and coercive measures may not be used until every effort has been made to secure the patient's voluntary cooperation. The overall principle in the Psychiatric Act (*Psykiatriloven*) is that if less coercive measures are sufficient, these must be used. All confinements and coercive measures can be appealed. Twice a year the Danish Health Authority publishes a report on the use of confinement and coercive measures for mental health patients.

#### **Concluding observations, para 18**

189. In relation to access to basic health care, the Ministry of Health would like to refer to the Replies of Denmark to the list of issues 2013, paras 153–157 (E/C.12/DNK/Q/5/Add.1).

190. Migrants with a Danish residence permit are entitled to the same healthcare as Danish nationals. Quota refugees are guaranteed a medical screening in order to detect severe health problems at an early stage.

191. Asylum seekers and undocumented migrants have access to necessary health care as well as acute health care. Minor asylum seekers and minor undocumented migrants are entitled to the same health care as Danish children.

192. However, in a situation where an undocumented migrant chooses not to inform the authorities about his/her whereabouts, he/she cannot receive the above mentioned level of healthcare.

193. On the homepage of the Danish Health Authority there are several information leaflets in different languages, which cover different health issues. The leaflet on healthy habits before, during and after pregnancy is translated into eight different languages. There are no formal guidelines for when the authority translates publications into other languages. This is decided based on an assessment of the target group of each publication.

### **Article 13**

#### **Right to education**

##### **Concluding observations, paras 19 and 20**

194. Since the fifth periodic report, the Danish Public School (*Folkeskole*) has been reformed through "The Agreement on an Improvement of Standards in the Danish Public School" (primary and lower secondary education). The reform was implemented with effect from August 2014.

195. The reform has three main goals for the Public School: (1) all students must be challenged to reach their full potential (2) the significance of social background on academic results must be reduced and (3) Trust in the school and student well-being must be enhanced through respect for professional knowledge and practice.

196. To improve the quality of teaching and help all students reach their full potential, the reform has introduced a longer and more varied school day with more and improved teaching and learning, including 45 minutes of exercise and physical activity.

197. As part of the reform, it has become mandatory for schools to offer homework assistance and time for in-depth studies to benefit both the academically gifted as well as the academically weak students in an effort to lower the effect of social background on academic results. Furthermore, the Government has allocated DKK 500 million (approx. EUR 67 million) to about 120 schools countrywide, which have the highest share of students showing low academic results. Schools will receive a grant, if they manage to raise the results of the weakest students to a set target in Danish and mathematics.

198. In an effort to enhance student well-being, the reform of the Danish public school has introduced new and improved opportunities for involving pedagogical staff to support and supplement the teachers adding relevant qualifications during the school day.

199. In response to a number of surveys and reviews regarding absenteeism in the Danish Public School system, the Ministry of Education is currently examining how and to what extent schools and local municipalities are ensuring alternative forms of teaching for children who are absent from school as a result of illness. The goal is to make sure that schools are fulfilling the requirement to provide teaching in cases of prolonged absence.

200. Since the fifth periodic report, the Government has taken a range of initiatives to improve the quality of the Danish Vocational Education and Training (VET) as well as the adult education and continuing training.

201. In 2015, a reform of the Danish VET-programs was effectuated with the purpose of creating more targeted programs and admission rules, which ensure better qualified students in order to reduce the drop out. In the so-called tripartite negotiations between the Government and the Social Partners in 2016, it was agreed to improve the secondary education in order to provide education that better suited the individual needs of the students.

202. VET is based on a dual base alternating between theoretical and practical learning. The students have the opportunity to get the practical education by apprenticeship or intern school-based practical education. Both possibilities equally concern the student's educational outcome and the possibility to get a job. In order to increase the number of apprenticeships, the Government and the Social Partners have agreed on establishing benefit VET-programs, which oblige the companies to offer apprenticeship to pupils in these programs.

203. As part of the Government's agreement on "Better paths to education and jobs", it has been decided to strengthen the education services for persons below 25 years of age in difficult education and employment situations. From August 2019 six existing education services will be merged into a single Preparatory Basic Education (FGU) which offers an inclusive learning environment, a combination of theoretical and practical learning as well as support for students with dyslexia, physical disabilities and other special needs. Completion of an FGU-program will give the student the necessary vocational qualifications and academic skills to continue in upper secondary education — primarily VET — or permanent employment.

204. The municipal youth initiatives will be integrated into one common initiative. From August 2019 persons below the age of 25, who are in need of educational and career guidance and/or need to receive jobseekers allowances, will only have one, comprehensive plan for education and other efforts and interventions and one dedicated caseworker covering all areas. This will make it easier for young people to find their way to receive support and counselling.

205. According to the Aliens Act asylum seekers at the age of instruction (approx. 6–17 years old) receive education corresponding to education mandatory for bilingual children residing legally in Denmark.

206. It is for the accommodation operators to provide minor asylum seekers with an age and competence-based education.

207. Children who possess adequate language and academic skills may be enrolled in regular public or private schools.

208. When a child has been granted refugee status or other residence permit, the municipalities will be responsible for offering education in primary and lower secondary schools.

209. Since 2011 changing governments and municipalities have been working on increasing the proportion of students in general education instead of sending students to special education in special schools and special classes.

210. In order to support this objective of inclusion, the municipalities have been granted greater flexibility in organizing teaching for pupils with limited support needs. This was done by introducing a clear demarcation between special education to be applied in special schools and special classes on the one hand and support in the general class for at least 9 weekly hours on the other hand.

211. In order to support the development and learning of students as much as possible in mainstream school classes, differentiation of teaching, team formation and supplementary education can be used.

212. Depending on the decision of the municipality, teaching assistants may be used, which can help both the individual student and the class as a whole. In addition, depending on the municipality's decision, personal assistance may be provided to the student in order to help the student overcome practical difficulties in schooling, for example in the form of assistance to pupils with physical disabilities, where the student needs a personal assistant in various practical situations.

213. In 2015–2016, the Government oversaw an inspection of inclusion in the Danish public school. Based on the recommendations of the external group, the Public Schools Act (*Folkeskoleloven*) was amended to strengthen inclusive learning environments by emphasizing that primary and lower secondary schools must be places where all pupils develop professionally, achieve versatility and thrive in the school's academic and social community. In order to support the creation of academic and social communities and thus an inclusive learning environment in schools, the school board is required to develop principles for the school's work on pupils' development in the school's academic and social communities.

214. An agreement has been reached with the municipalities that the effort to create inclusive learning environments must be based on the individual child. The goal is to strengthen the general community of the primary and lower secondary schools and strengthen teaching for all children.

215. Concerning upper secondary education, students with disabilities have the same rights and possibilities to receive education as students without disabilities. A student in general upper secondary education can be exempt from subjects/classes, if the student is deemed incapable of participating actively in these subjects (i.e. physical education).

216. Furthermore, a student can be exempt from examination and receiving grades in subjects, if the school leader assesses — on the basis of medical documentation — that the student is unable to achieve the goals in that particular subject.

#### *Teacher training programme*

217. Inclusion of children with special needs is a key element in the teacher education programme, which aims to ensure that the teachers have the necessary pedagogical and teaching tools.

218. The latest reform of the Danish Teacher Education program took place in 2013, and the first cohort of students has just completed the program in 2017. The Danish Ministry of Higher Education and Science has initiated an evaluation of the reformed program. The evaluation is expected to be completed in 2018.

## **Article 14 Compulsory primary education**

219. There have been no changes since the fifth periodic report.

## **Article 15 Right to participate in cultural life and enjoy the benefits of scientific progress**

220. The institutional infrastructure in the field of culture, including the efforts to promote general participation in — and access to — cultural life is described in detail in Denmark's previous reports; including the fifth periodic report, paras 300–302 and the Replies of Denmark to the list of issues 2013, paras 211–213 (E/C.12/DNK/Q/5/Add.1). The right to equal access to and participation in culture remains a fundamental principle within Danish cultural policy carried out at national and local level through e.g. national

and local cultural institutions and in cooperation with the publicly funded voluntary sector. General measures continue to be decentralization, free entrance or discounts on tickets, ICT and digitization, copyright and collective licenses, and audience development.

*Access to cultural activities*

221. Among other things, following the Danish Act on Performing Arts (*Lov om scenekunst*), a state-subsidized refund of 50% of costs to performances of children's theatre bought by municipalities is given to promote children's access to theatre. Furthermore, the film streaming services *Filmstriben* and *Filmcentralen* carried out by public libraries and the Danish Film Institute are aimed at ensuring wide access to film and documentaries. Public support is also given to democratic voluntary associations covering a great variety of areas such as sport, art, culture, politics, society etc. The Danish Folk High Schools (*højskoler*) offering non-formal education courses to all groups and ages on a multitude of subjects are also made broadly accessible through state- and local subsidies.

*Access to the cultural heritage*

222. Digitization and user-oriented initiatives form an integral part of activities of state and state-subsidized museums and other heritage institutions, and a rising number of works and objects are currently being made available online. Furthermore, as an illustration of concrete activities, the National Gallery of Denmark has established partnerships with schools for children with special needs in order to create alternative learning environments. For visual impaired persons, the Gallery has created workshops offering alternative ways of giving access to heritage.

**Concluding observations, para 22**

223. Children's access to and participation in culture is in general a priority. As a recent example from 2014, a comprehensive initiative was made covering three national strategies targeting pre-school children, school children and young people to focus on and support diversified activities aimed at enabling all children and young people to experience art and culture. In addition, with the 2013 reform on primary education, primary schools are now required to cooperate closely with the local cultural life, including music schools and the voluntary sector, to promote awareness of and participation in cultural activities of the local community. As concerns disadvantaged children, a number of initiatives have been taken. For example, the establishment of the portal *Lektier Online* — a helpline assisting pupils with their homework which was originally carried out by the Agency for Culture and Palaces, the Royal Danish Library and the Ministry of Education and since 2017 is continued and widened by the Danish Red Cross Youth. As another example, the project *DIF Get2Sport* encourages the participation of marginalized children from mainly refugee — or migrant backgrounds in sport activities by supporting voluntary sports clubs' activities in particular neighbourhoods. Children and young people benefit from membership of the sports clubs in various ways; such as making friends, experiencing being genuine members of a community and learning how to respect rules and take steps to become active citizens. Through the project, support is given to e.g. transport to matches and training to coaches and the local municipality provides support, when professional assistance is needed for the children. The project was initiated by the Sports Confederation of Denmark (DIF) and is co-funded by the Government, municipalities and other funds. At present, the project involves activities in 16 municipalities, but more are expected to follow.

*Elderly persons' and persons with disabilities' participation in cultural life*

224. The Danish Ministry of Culture is working on promoting accessibility for elderly persons and persons with disabilities with a view to their full participation in cultural life. As an illustrative example, the Ministry in 2014 launched an initiative of labelling cultural institutions according to a standardized scale/range addressing seven types of disability/functional impairment. At present, the initiative has resulted in the labelling of 162 museums, which in addition have received advice on how to improve their accessibility. Similarly, a recent pilot project, entitled "make it easier — a national initiative aimed at citizens with reading difficulties" (*Gør det lettere — et nationalt initiativ rettet mod*

*læsesvage borgere*) was initiated to facilitate access of dyslectic persons to the materials of libraries. The project will terminate by the end of 2018, at which point the results and methods applied will be made available to all public libraries. Furthermore, in light of the growing number of ageing population, the Ministry of Culture has launched an initiative in order to facilitate the access of elderly persons to courses at Folk high schools.

#### *Cultural diversity*

225. Cultural diversity and promotion of awareness of the cultural heritage of different groups of minorities are promoted through inter alia cultural institutions, including museums, theatres, and libraries. The following examples can serve as an illustration. The performing art initiative *C:NTACT* involves young people from different ethnic backgrounds in theatre performances about their own personal story and background giving them a unique platform for sharing their experiences with a wider audience. The contemporary ballet performance *UROPA* from 2016 co-produced by the *Royal Danish Ballet* and the experimental theatre *Sort/Hvid* involved asylum seekers who cooperated with the professional ballet ensemble in order to tell their stories through music and dance. Furthermore, *The National Gallery of Denmark* launched the initiative *SMK Ansæt*, which target refugees and immigrants in the process of learning Danish. Small groups of refugees and immigrants are employed by the gallery on a temporary basis and, with their respective backgrounds and the gallery's collections as points of departure, they are given the task of producing teaching material for Danish language courses.

#### *Education*

226. Under the Ministry of Culture's area of responsibility, 10 smaller institutions of higher education carry out educational activities within a variety of artistic areas (music, performing arts, visual arts, writing and literature, film). Education is free and open for all. Only the most talented will be admitted and as a consequence the number of students will be limited. In addition, a number of courses are offered in order to prepare for admission to these institutions, for instance basic music courses (*Musikalske Grundkurser — MGK*). The Danish Royal Theatre offers integrated ballet and primary school education.

### **Concluding observations, para 23**

227. The Danish Ministry of Higher Education and Science is working to provide Open Access to scientific publications in order for the public to profit from publicly financed research. To this end, Denmark's National Strategy for Open Access was announced by the Danish Minister of Higher Education and Science in 2014. The Strategy aims to create free access for all citizens, researchers and companies to all research articles from Danish research institutions financed by public authorities and/or private foundations. The Danish Ministry of Higher Education and Science also initiated the Danish Open Access Indicator, which monitors how the Danish universities fulfil the targets of the National Strategy for Open Access.

#### *Prevention of the use of scientific and technical progress for purposes contrary to the enjoyment of human dignity and human rights*

228. Pursuant to section 2 (2) of the Danish University Act (*Universitetsloven*), universities in Denmark have academic freedom and universities must protect the academic freedom of the university and the individual. Pursuant to section 14 (6) of the University Act, the Rector may instruct university staff to solve specific tasks. When not performing such tasks, academic staff have the freedom of research, and research freely within the strategic framework on research activities laid down by the university. Academic staff must not be put on obligatory tasks for a long time throughout their working hours so that they are effectively deprived of their freedom of research.

#### *Protection of the moral and material interests of creators*

229. The Danish Copyright Code (*Ophavsretsloven*) is fully compliant with international and EU legislation in the field of copyright. This protection given to authors etc. includes both exclusive rights (reproduction, communication to the public etc.) and moral rights. The

Copyright Code also contains a set of exceptions to the benefit of e.g. cultural heritage institutions, scientific research, education, persons with visual impairment and/or other reading disabilities etc. In addition, the Danish Copyright Code contains provisions on extended collective licensing, which contribute to creating a healthy licensing landscape, which is beneficial to users, consumers and right holders alike. As concerns indigenous peoples' interests in cultural heritage and traditional knowledge, the Ministry of Culture e.g. is cooperating with the authorities of Greenland with a view to providing input for recognition in the context of the UNESCO Conventions on World Heritage and Intangible Cultural Heritage.

#### *Legislation*

230. In addition to the referred provisions in para 70, pursuant to section 11 in the Act on Arts Education under the Ministry of Culture (*Lov om videregående kunstneriske uddannelsesinstitutioner*), academic and artistic staff within artistic higher education institutions also have the freedom of artistic and pedagogical research within the strategic framework on research activities laid down by their institution.

#### *International contacts and cooperation in the scientific and cultural fields*

231. The Ministry of Culture is working in general with its institutions and partners through measures such as legal provisions, funding, strategies and other with the aim of protecting, developing and disseminating culture. Furthermore, as a concrete example, since 2010 the Ministry of Culture has coordinated international cultural exchange activities in the framework of the International Cultural Panel. For 2017–2020, the Panel's strategic objective is to strengthen the links between Denmark and the rest of the world through meetings with other cultures and countries. The Panel works on the basis of principles such as high artistic and cultural quality, local interest, mutual interest, bottom-up approach and partnerships.

#### **Concluding observations, para 21**

232. Regarding the principle of cultural self-identification in relation to the recognition of the Thule-tribe reference is made to the Replies of Denmark to the list of issues from 2013 paras, 207–209 (E/C.12/DNK/Q/5/Add.1) and Denmark's sixth periodic report to the Human Rights Committee, paras 196–198 (CCPR/C/DNK/6).

## **Part III**

### **Submission from the Faroe Islands**

#### **Introduction**

233. This section has been compiled by the Ministry of Foreign Affairs and Trade of the Faroes on the basis of contributions from relevant Faroese ministries. The Government of the Faroes made a substantial contribution to the fifth periodic report of the Kingdom of Denmark, with a detailed elaboration on all articles in the Covenant. In this contribution only new legislative, administrative and policy measures taken and developments relating to the implementation of the Covenant since the last report will be described. In addition, the concluding observations from the Committee concerning the Faroe Islands will be addressed.

#### **Concluding observations, para 6**

234. As for the recommendation regarding the mandate of the Danish Institute for Human Rights, the Faroese Government considers that conferring the mandate to the Danish Human Rights Institute to monitor human rights in the Faroes would not be in line with the political aim of taking full responsibility for areas that affect the daily lives of Faroese citizens. The Minister of Foreign Affairs and Trade therefore appointed a task force to

examine and make recommendations on NHRI models that could fit the Faroese society. The task force handed its report and recommendations in May 2017. The report was scheduled for a Ministerial debate, but was put on hold due to some other pressing political issues. It is now expected to be scheduled again in the near future.

## **Article 1**

235. The work on a Faroese Constitution has been underway for some years. In November 2017, a parliamentary sub-committee was formed to prepare the constitutional bill, taking into account comments and proposals received during the public hearing process. The intent of the constitution is to entrench the fundamental rights and duties of the Faroese people, including the right to self-determination. The principle of non-discrimination is fundamental in the Constitution as it states that all persons are equal regardless of gender or other characteristics.

## **Article 3**

### **Concluding observations, para 8**

236. The wage gap between women and men is an issue of concern. One factor to explain the wage gap is that traditional gender roles remain, which to a large degree means that men still are the main breadwinners, while women have the main responsibility of the home and family. Women in the Faroes have the highest employment rate in the world with 83% of all women between the age of 15 and 74 being active on the labour market. However, at the same time more than half of all women in employment work part-time. In addition, the labour force is highly gender-segregated and women are overrepresented in low paid jobs, mainly in the care sector.

237. In an effort to address this issue, the Minister of Gender Equality recently launched a gender equality policy. The policy plan comprises 27 different initiatives focusing on a wide range of areas in order to achieve a less gender-segregated labour market, a more equal divide of parental leave and a higher degree of equal division of unpaid domestic work. The policy plan has recently been subject to debate in the Parliament. The responsibility of practical implementation of the plan lies with the appropriate government departments.

238. A project that will shed further light on the issue is the current wage statistics analysis of the Faroese labour market, which examines how many hours Faroese wage earners work, what the cost of one working hour is, overtime and additional supplements. This project will presumably clarify whether there are wage differentials based on factors such as branch of industry, gender, geographic location, age, citizenship, and the public and private sector.

## **Article 6**

239. The unemployment rate is very low, estimated at 2.2 percent in December 2017. Nevertheless, different measures have been taken in order to enable further employment.

240. In 2011 the Minister of Labour introduced a scheme focused on giving unemployed some work experience. With this scheme the unemployed can be employed for up to five months. The employer pays the employee according to a regular contract and is subsequently reimbursed the corresponding amount the employee would have attained in unemployment benefit. A survey from 2013 found that between 2011–2013 around 600 unemployed entered into the scheme and 90% of them were no longer unemployed in 2013.

241. In 2013, Parliamentary act No. 65 on affiliation to the labour market was adopted. The act deals with employment-promoting measures and gathers and regulates activities aimed at people who need to enhance their affiliation to the Faroese labour market due to reduced work ability caused by long-term unemployment, sickness or disability.

## Article 7

242. In May 2018, the Faroese Working Environment Service and the Fire Safety Authority were merged. The main focus of the institution is work conditions, occupational health and safety, the work environment including the psychological work environment. Fire safety is also a main area.

243. Following the establishment of the new institution and a higher appropriation the psychological work environment has been prioritized. In 2016 the appropriation was DKK 5.524.000 and was later increased to DKK 6.739.000 in 2018. With the prioritization of the psychological work environment, more focus is invested on workplace conditions that affect mental and physical health and social life. These include conditions for work hours, resting time, overtime, amount of work, time pressure, harassment, violence, etc. The focus on preventive measures is also strengthened in order to prevent accidents at work.

## Article 10

### *Marriage*

244. The Faroese Parliament passed an amendment to the Marriage Act in May 2017 allowing same-sex couples to wed.

### *Parental leave*

245. Employees can take up to 52 weeks' parental leave in the Faroes. The Faroese Parliament has recently made amendments to the legislation concerning parental leave compensation which increased the period for joint parental leave from 20 to 26 weeks in January 2016 adding on two more weeks in January 2018, i.e. from 26 to 28 weeks. Paid parental leave has therefore increased from 44 to 46 weeks post-partum. From March 2018 the obligatory private-pension saving is added to all parental leave payments.

246. Previously, fathers were given 2 weeks paternity leave, which they could redistribute to the mother, but with the amendment in January 2016 fathers are given the exclusive right to 4 weeks.

247. The mother of a child has the right to maternity leave from the last four weeks of pregnancy and the first 14 weeks post-partum. The father of the child has the right to 4 weeks paternity leave in the first 46 weeks after birth. In addition, both parents can divide an additional 28 weeks of joint parental leave as they wish.

248. Single parents receive the weeks, which would otherwise exclusively be allocated to the other parent. This means that single parents have the right to 46 weeks paid parental leave post-partum. Parents, who have multiple births, have the right to an additional 4 weeks and are therefore granted paid parental leave for up to 50 weeks post-partum. Parents, whose child is born prior to week 32 of the pregnancy, have the right to additional 8 weeks and are therefore granted paid parental leave for up to 54 weeks post-partum. In addition to this, parents are guaranteed the right to be at home with the child for up to 52 weeks post-partum. However, parental leave grant is not paid after week 46/50/54 post-partum.

249. The parental leave grant is calculated as 100% of the average monthly income (taxable) in the last 12 months prior to childbirth. Currently, the parental leave grant is capped at DKK 25,000 per month.

### *National plan to combat domestic violence*

250. In an effort to prevent and combat domestic violence the Government adopted an Action Plan to Prevent Violence in Relationships and close relations in 2012. The Action Plan defines violence as physical, psychological, sexual, financial and material violence. The plan comprises 18 different initiatives, which can be categorized under four headings: (1) Information and prevention, (2) Assistance and support for the victim, (3) Initiatives targeting occupational groups, (4) Treatment options for those who perpetrate violence.

251. In continuation of this the Faroese Government adopted an Action Plan to prevent sexual abuse in 2016. The Action Plan puts forward a set of initiatives in order to prevent and combat sexual abuse. These include treatment to those who suffer delayed effects caused by sexual abuse, treatment to those who commit sexual abuse, public information including the obligation to report sexual abuse, a child protection policy in institutions/schools and information for parents/children on how to protect children and where to turn for support and guidance.

252. Implementation of the plans is ongoing. Information material has been produced and a series of meetings have been held throughout the Faroes entitled “Speak Out” targeting children, youth, migrants and the general public. The clear message is that violence is not accepted in the Faroese society.

253. The Action Plan coordinator, together with a psychologist and a legal expert, have held lectures for social educators and primary and lower secondary school teachers on different aspects concerning child welfare and children’s rights. There have also been lectures at parents’ conferences in day-care centres. Furthermore, there have been media features and adverts addressing the subject of domestic violence and sexual abuse in the society as a whole. In 2017 a Nordic conference was held in Tórshavn addressing sexual abuse against people with disabilities. An information leaflet is also produced targeting newcomers explaining the rights and duties in the Faroese society. The leaflet includes contact information for anyone in need of help or seeking further information.

#### *New legislation*

254. The Faroese Government is currently working on amending the Penal Code to make sure that it meets present day standards. The work is to be finished in 2022. The work on the chapter regarding sexual offences has been accomplished and the new provisions came into force 1 July 2017. The definition of rape is now extended to include other illegal coercion and abuse of a person in a helpless state or situation. The provision is also extended to include offences within marriage. According to current legislation sexual intercourse with a child below the age of 15 is strictly prohibited, but is not considered rape unless the conditions for such a crime are met. With the new amendments, sexual intercourse with a child below the age of 12 is always considered aggravated rape.

255. Amendments regarding chapter 25–29 will be submitted to the Parliament in the Spring. Discrimination on the grounds of race, national or ethnic origin, faith and sexual orientation is punishable according to section 266 B of the Penal Code. If the amendments are adopted discrimination against people with disabilities, as a group, will also be punishable.

## **Article 11**

256. The Faroe Islands have not applied an official poverty line, but Statistics Faroe Islands estimate people being “at risk of poverty” if they have a median income below 60% of the average median income. The number of people being at risk of poverty is made available by Statistics Faroe Islands annually. With a report from 2014 the Faroese Government has taken steps to introduce a national poverty line. According to the report, being a single parent is a significant factor for the risk of poverty in the Faroes. The degree of compensation in the Faroese benefit system is higher than in most countries. A significant proportion of those at risk of poverty are, however, people that do not receive social benefits. These are primarily students, people that work reduced hours and people in unstable jobs.

257. In order to meet the challenge of being at risk of poverty a series of policies — both on regional and national level — have been adopted aimed at increasing families’ spending power. Over recent years there has been a significant focus on child poverty, and emphasis has specially been on identifying additional funding for this socio-economic group. In 2013, the Public Assistance Act was amended to implement a shift from needs-based assistance to permanent assistance. In this connection, single parents were highlighted. The employment activation system was also amended in a way that prioritised assistance for single parents.

Other types of financial assistance for single parents have also increased, e.g. the child benefit rate for single parents and the study grant for single parent students.

258. The total number of Faroese citizens estimated to be at risk of poverty has decreased over the last few years.

#### **Concluding observations, para 17**

259. In 2014 the first Social Housing Association was established with the aim of making accommodation available and affordable for all. The association builds, buys, renovates and lets social dwellings. By the end of 2017 the Housing Company owned 181 social dwellings. Over the next years approximately 200 more dwellings are expected.

### **Article 12**

260. The Faroes have no national health plan covering health in general, but do have plans and policies on a range of areas related to health.

261. In the Autumn of 2017, the Minister of Health launched a new alcohol- and drug policy. Although the average consumption of alcohol in the Faroes is among the lowest in the western part of the world and relatively few drug addicts are in the Faroes, there is scope for improvement. The aim of the policy is to ensure the quality in the treatment. The policy has been debated in Parliament and the plan is to submit a bill to the Parliament, which regulates these conditions.

262. The Minister of Health has set up a working group to prepare an action plan for mental health. The overall purpose of the action plan is to remove all visible and invisible obstacles, so that people with mental illness have equal rights and access to treatment in health care, education and social services.

263. Like in its neighbouring countries Faroese experts believe that there are risks of outbreaks of dangerous bacteria due to multi-resistant bacteria. Therefore, the Minister of Health has set up a working group to develop an antibiotic policy for the Faroe Islands. Following the plan, the working group will finish its work in the summer of 2018.

264. Diabetes 2 is also a challenge in the Faroes. Therefore, in 2012 the Minister of Health set up a working group to make recommendations to improve the conditions regarding diabetes. The working group completed its work in 2013 with 18 recommendations to improve the quality of treatment for diabetic patients. Work is now underway to implement all recommendations in the health sector.

### **Article 13**

265. A relatively large proportion of pupils in the Faroes are enrolled in public schools compared to its neighbouring countries. Inclusive education in a Faroese context therefore relates to how to make the quality of existing educational programmes as high as possible.

266. Steps have been taken over recent years to strengthen and organize remedial classes and special education programmes in upper secondary schools across the country. Special educational programmes are established for young people with autism, and individual programmes are available for pupils with special needs in order to accomplish upper secondary school. Young people with disabilities, who do not fulfil the requirements for upper secondary school also have the possibility to attend a special educational programme at larger schools that is shaped around extracurricular activities, housing services and supportive services.

267. When it comes to higher education, educational opportunities have been strengthened. The educational grant has for example increased as well as the number of student apartments.

## Article 15

268. There is a wide range of leisure-time activities and cultural events. The Government is constantly working to improve access to these activities and information in general. A Faroese voice player has been developed and work is being done to digitize the Faroese language. Furthermore, more and more programmes are being texted in line with the public service agreement.

269. An agreement on a scheme whereby persons with disabilities who need to be accompanied to cultural events etc. entered into force in January 2015. With this agreement, persons with disabilities only pay for themselves and not for their companion.

## Submission from Greenland

270. Reference is made to Denmark's fifth periodic report, para 6, paras 326–362 in Annex 1.

## Article 1

271. By 1st of April 2018, the total population in Greenland amounted to 55,969.

272. For a general description of the Greenland Self-Government arrangement, reference is made to the report from Denmark and Greenland to the United Nations Permanent Forum on Indigenous Issues, Eighth Session (E/C.19/2009/4/Add.4). The Act on Greenland Self-Government entered into force on 21 June 2009.

## Article 2

273. Greenland, as a part of the Kingdom of Denmark, participates in a wide range of forums of international cooperation.

274. It should be noted that no legislation or other regulation implies any kind of discrimination within the borders of Greenland in terms of race, colour, language, religion, political or other opinion, national or social origin, property, birth or other status. However, it has to be mentioned that Act No. 27 of 30 October 1992 on the regulation of the increase in the labour force in Greenland contains provisions ensuring that the local population has a right of priority in relation to jobs where the supply of Greenlandic labour is adequate. An employer must publish a job advertisement on the government job portal and apply for permission from the relevant municipality to employ non-local manpower in such positions. Such permission will be granted if no Greenlandic manpower or manpower with special affiliation with Greenland can be provided via a job centre. The act places Greenlandic and other manpower on an equal footing in cases when a non-Greenlandic person has lived in Greenland for at least 7 out of the past 10 years or has a special affiliation with Greenland, for example through family ties. The act should be seen in the light of Greenland's special status within the Kingdom of Denmark, where Greenland is regarded as an area, which differs from the rest of Denmark in terms of language, culture and, in certain respects, development. Greenland faces particular challenges relating to the education and employment.

## Article 3

275. Reference is made to Denmark's fifth periodic report (E/C.12/DNK/5 paras 68–90 and Annex 1).

276. In November 2013, the Parliament of Greenland (Inatsisartut) passed Act No. 3 of 29 November 2013 on equality between the sexes. The act is based on a will to increase equality between the sexes in all areas, including strengthening the implementation of the UN Convention of Elimination of All Forms of Discrimination Against Women (CEDAW)

and to comply with the main recommendations by the UN Committee on the Elimination of Discrimination against Women. Among other things, the committee recommends that the equal representation of women and men on boards and in other top managements is brought into focus. The act accommodates this issue and thus places great emphasis on ensuring that women and men have equal opportunities for influence and participation in the corporate world and labour market.

277. Previously, harassment and sexual harassment did not fall under the gender equality legislation, but were covered by case law, while the act directly deals with the issues of harassment and sexual harassment. According to the act, it is harassment when a person is exposed to regular unreasonable conduct because of her/his gender with the effect or purpose of violating a person's dignity and creating a threatening, hostile, degrading, humiliating or unpleasant climate for the person concerned. Furthermore, it is sexual harassment when a person is exposed to any unwanted behaviour with sexual undertones with the effect or purpose of violating, humiliating, discriminating or weakening the person in question.

278. Following the adoption of the act, persons subjected to harassment or sexual harassment can claim compensation under the act.

279. The Greenlandic Equal Rights Council is under a legal obligation to launch activities disseminating information about equality, while at the same time bringing relevant equality issues up for discussion.

## **Article 6**

280. Reference is made to Denmark's fifth periodic report (para 6, paras 333–334 in Annex 1).

281. In addition, the so-called Majoriaq reform (Act No. 28 of 9 December 2015) took effect on 1st of January 2016, leading to the creation of a Majoriaq centre in 17 towns. A Majoriaq centre is a one-door public service centre where any unemployed citizen may enter for assessment, job placement, qualifications upgrade and counselling. Users will receive an individual action plan for getting out of unemployment that includes referred work, skills courses, internships, facilitating employer's contacts, etc. The Majoriaq centres are also responsible for paying unemployment benefits and certain other social security benefits

282. During recent years, the labour market has been in a generally positive trend. For instance, the number of persons seeking employment fell from 3,761 in 2014 to 2,756 in 2017 and for those in the age bracket between 18 and 29 the decrease was from 1,343 in 2014 to 948 in 2017.

## **Article 7**

283. In Greenland fair wages and equal pay for the same type of work are ensured through the collective agreements in the public and private sector. Since the Greenlandic labour market system is based on the Danish model, it is characterized by a low level of political interference and legislation. The labour market parties (employers, employees and their respective organizations) are required to solve disagreements and conflicts among themselves. Fair wages are thus ensured through the collective agreements in the public as well as the private sector. Greenland does not have a national minimum wage.

284. However, it should be mentioned that earlier invited labour (mostly Danes) and Greenlandic labour had different wages and benefits. These inequalities were gradually abolished up to the beginning of the 1990s. By now, only some public servants engaged prior to 31 March 1991 are still entitled to these benefits.

285. Safe and healthy working conditions, rest periods, leisure time and a reasonable limitation of working hours are ensured through the operation of a Greenland branch of the Danish Working Environment Authority. Greenlandic legislation provides for holidays with

pay or holiday allowances. Allowances for work on non-Sunday holidays are determined in collective agreements.

286. It should be noted that employers are required by law to ensure equal pay for external workers on par with the Greenlandic members of the same profession.

## **Article 8**

287. Reference is made to Denmark's fifth periodic report (E/C.12/DNK/5 paras 338–339 and Annex 1).

## **Article 9**

288. Reference is made to Denmark's the fifth periodic report. (E/C.12/DNK/5 paras 126–137 and Annex 1)

289. In addition, the introduction of pension schemes and reforms has strengthened the social security of the individual citizen. Amendments have been made to the act on old-age pension and early retirement benefit, among others. The new old-age pension scheme contains e.g. a basic pension that is not dependent on the income of spouses or partners. Furthermore, all wage-earners and self-employed persons are now obliged to contribute to their own pension savings, thereby reducing citizens' dependency on government benefits in the future.

290. Greenland, nevertheless, still faces a number of challenges such as homelessness. According to the most recent data collected by the municipalities, at the request of the Greenlandic Government (Naalakkersuisut), the total number of homeless people amounts to 878 persons (1.57% of the population).

## **Article 10**

291. Reference is made to Denmark's the fifth periodic report. (E/C.12/DNK/5 paras 341).

292. According to Greenland's maternity/paternity leave legislation, all parents are entitled to leave in connection with pregnancy, childbirth and adoption. According to the same legislation, all parents with attachment to the labour market or educational system are entitled to benefits during leave in connection with pregnancy, childbirth and adoption.

293. In 2017, the Parliament of Greenland (Inatsisartut) passed Act No. 20 of 26 June on Support for Children. The purpose of the act is to secure the rights of the child through strong and clear social legislation in the area of children.

294. In a number of areas, the law implements the UN Children's Convention. According to the act, children are considered as individual citizens, with the same rights as adult citizens, including the right of the child to be heard in his/her own case.

### **Concluding observation, para 14**

295. In 2015, the Parliament of Greenland (Inatsisartut) agreed to the entry into force in Greenland of the Danish Act on Parental Responsibility. According to the act, the child has a right to care and security. It must be treated with respect and not be exposed to corporal punishment or other acts of insult. Corporal punishment of children is thus illegal.

## **Article 11**

296. Reference is made to Denmark's the fifth periodic report. (E/C.12/DNK/5 paras 342).

### **Concluding observations, para 16**

297. Social security legislation in Greenland creates a financial safety net for all persons living in Greenland, who are unable to manage on their own. In addition, the legislation

ensures that persons who are unable to support themselves and their family receive public support. Similarly, it contains a series of social benefits, e.g. child benefit and housing benefit, which also aim to provide low- and middle-income families with social security. In the beginning of 2018, the Government of Greenland (Naalakkersuisut) published a report on poverty and inequality. According to the report, the Gini coefficient was 0.339 in Greenland in 2015. Compared to the other Nordic countries this is a relatively high level of inequality. The report also addresses the question of implementing a poverty line. Greenland has social security legislation; the purpose of this legislation is to create a financial safety net for all persons living in Greenland, who are unable to manage on their own. In addition, the legislation ensures that persons who are unable to support themselves and their family receive public support. Similarly, it contains a series of social benefits, e.g. child benefit and housing benefit, which also aim to provide low- and middle-income families with social security. The Government of Greenland (Naalakkersuisut) is currently working on a report on poverty and inequality. The report addresses the question of a poverty line.

298. In recognition of the serious consequences that may result from an eviction, a project is being implemented regarding financial counselling and advice to tenants. Hitherto, the project has proven to be very successful, and an evaluation during the second half of 2018 will help determine whether the project should be continued and possibly implemented throughout the country.

### **Article 12**

299. Reference is made to Denmark's the fifth periodic report. (E/C.12/DNK/5 paras 343–347).

### **Article 13**

300. Reference is made to Denmark's the fifth periodic report. (E/C.12/DNK/5 paras 348–351).

### **Article 14**

301. Reference is made to Denmark's the fifth periodic report. (E/C.12/DNK/5 paras 352).

### **Article 15**

302. Reference is made to Denmark's the fifth periodic report. (E/C.12/DNK/5 paras 353–364).

### **Concluding observations, para 21**

303. Reference is made to the previous response to concluding observations, para 21 above and to the Replies of Denmark to the list of issues from 2013 paras, 207–209 (E/C.12/DNK/Q/5/Add.1).

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