



Convention on the Rights of the Child

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Committee on the Rights of the Child Seventy-sixth session

Summary record of the 2230th meeting

Held at the Palais Wilson, Geneva, on Friday, 15 September 2017, at 10 a.m.

Chair: Ms. Winter

Contents

Consideration of reports of States parties (*continued*)

Fifth periodic report of Denmark

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The meeting was called to order at 10 a.m.

Consideration of reports of States parties (*continued*)

Fifth periodic report of Denmark (CRC/C/DNK/5; CRC/C/DNK/Q/5 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Denmark took places at the Committee table.*

2. **Mr. Staur** (Denmark) said that, since the submission of its fourth periodic report, the Government of Denmark had ratified the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. Child-friendly information on submissions under the Protocol was available via a specific children's online portal, which also contained information on the Convention and on children's rights in general. To further protect and enhance children's rights, a special office for children had been established in 2012 within the Office of the Parliamentary Ombudsman, measures had been taken to strengthen the advocacy function of the National Council for Children and additional funding had been allocated to a toll-free children's helpline.

3. In 2013, the Danish parliament had adopted legislation to strengthen the protection of children and young people against all forms of violence and sexual abuse, including through the establishment of five Children's Houses, where children could receive professional assistance in a child-friendly environment. In June 2017, public consultations had begun on a bill to abolish the statute of limitations for filing compensation claims against the authorities for failing in their duty to protect a child. The Government had also published a new plan of action on preventing and countering extremism and radicalization, which included initiatives aimed at strengthening youth resilience against extremism.

4. In the field of criminal law, the use of video interviews had been expanded, thereby reducing the need for children to testify in court. The Criminal Code had been amended to provide for tougher sentences for crimes involving rape and sexual activity with a minor involving physical or psychological coercion.

5. In the area of immigration, the Government had launched a number of initiatives — all closely scrutinized to ensure compliance with the country's human rights obligations, including under the Convention — that had fostered debate on the State's international human rights obligations.

6. With regard to citizenship and marriage, the Nationality Act had been amended to ensure equal access to Danish citizenship to children born within and outside of marriage, as well as equal access to passing on citizenship through adoption. Furthermore, amendments to Danish legislation on marriage set the absolute minimum age for marriage at 18, with no exceptions.

7. **Ms. Nónklett** (Denmark-Faroe Islands) said that a report assessing progress in the field of children's rights, drafted within the framework of activities to mark the twenty-fifth anniversary of the Convention, had highlighted the significant positive impact of the Convention and its Optional Protocols on the rights of children living in the Faroe Islands. Progress achieved had included the founding of a children's house where child victims of abuse could receive coordinated and professional support in a child-friendly environment, and the establishment of an independent children's ombudsman responsible for protecting, strengthening and promoting children's rights.

8. The Government of the Faroe Islands had decided to apply the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and preparations were under way to assess whether it would also apply the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

9. In order to combat child poverty, which disproportionately affected single-parent families, specific emphasis had been placed on funding, including increased student grants for single parents and tax cuts for low-income households. Moreover, government housing policies, which included the construction of 400 new rental apartments, sought to improve

the circumstances of households with children by enhancing access to affordable and secure housing.

10. In 2018, the Government of the Faroe Islands would take over administrative powers from the Government of Denmark in the areas of family and inheritance law. The Government of the Faroe Islands planned to appoint a task force to oversee the transfer of responsibilities and examine the status and implementation of relevant international conventions.

11. Measures to raise awareness of children's rights included the incorporation into the school curriculum of teaching on the Convention and children's rights in general, including material on democracy, the functions of the Ombudsman and relevant national legislation.

12. **Ms. Olesen** (Denmark-Greenland) said that, under self-rule arrangements, the Government of Greenland had independent powers in a range of fields including social affairs, education and health care. It strove to improve social welfare and ensure compliance with the Convention. The Government's approach, which focused on prevention and the family as a whole, included measures to reduce the number of children placed in care.

13. In 2011, the parliament of Greenland had adopted legislation providing for the establishment of an independent children's rights institution, comprising a children's spokesperson, a children's council and a secretariat. The remit of the Spokesperson included monitoring legislation and practice to ensure compliance with the Government's obligations under the Convention and providing advice and guidance to children and public authorities, including on the right to complain. Other measures to enhance children's rights had included the adoption, in June 2017, of an act on child support, which aimed to guarantee the rights of the child and implement the provisions of the Convention, including the child's right to be heard, right to appeal and right to a lay representative in his or her own case.

14. **Mr. Kotrane** (Coordinator, Country Task Force) said that he welcomed the progress made in various fields, including the ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and the withdrawal of the State's territorial reservation concerning Greenland and the Faroe Islands with regard to the Optional Protocol on the sale of children, child prostitution and child pornography, as well as new legislative measures on the use of video interviews in court proceedings and measures to ensure that children's opinions were taken into account in all decisions relating to their welfare.

15. Although the Committee took note of the State party's reasons for not withdrawing its reservation to article 40 (2) (b) (v), it nevertheless invited the Government to reconsider its decision in order to ensure that all children had the right to appeal.

16. He noted with concern that the Convention was only invoked in limited cases before the courts and rarely applied by the judicial or administrative authorities, as it had not been fully incorporated into domestic law. It would be useful to know what steps the Government was taking to remedy that situation and to ensure follow-up and implementation of the recommendations and concluding observations of United Nations human rights treaty bodies, including the Committee on the Rights of the Child.

17. In that connection, and given the absence of a harmonized plan of action for the implementation of the Convention, he asked what measures were envisaged to ensure that, throughout the State party's territory, all domestic legislation and administrative regulations complied with the principles and provisions of the Convention and its Optional Protocols. Did the Government plan to adopt a specific act on children's rights that covered all sectors?

18. Noting the Government's various awareness-raising efforts targeting adults, including training for judicial officials and a public information campaign, he asked what measures were planned to further strengthen children's awareness of their rights and the Convention, including by incorporating those subjects into all educational programmes.

19. Given the concerns previously raised by the Committee regarding the lack of a global, harmonized policy and strategy on children's rights, he wished to know what

measures the State party envisaged to develop such a strategy to ensure the comprehensive implementation of the Convention throughout the State party's territory, including in Greenland and the Faroe Islands. In that context, he asked whether the State party planned to establish a central, interministerial body responsible for developing and monitoring policy on children's rights at national and sectoral levels, throughout the national territory.

20. In the light of recent austerity measures, including cuts to expenditure on children's services likely to have a negative impact on the implementation of the Convention — especially with regard to low-income families — he asked whether the State party had carried out or envisaged conducting any studies on the impact of austerity measures on children's rights. On a related note, what measures had the Government taken to address the root causes of child poverty, including in Greenland and the Faroe Islands?

21. Referring to the Committee's previous concluding observations (CRC/C/DNK/CO/4, para. 23), he asked the delegation to provide information on planned measures to strengthen statistical systems and analysis of the implementation of the Convention in the Faroe Islands and in Greenland, and to ensure that data were systematically collected and used to inform policy and programmes in relation to poverty, violence and abuse. The State party was encouraged to continue to strengthen its capacity for the systematic collection and analysis of data disaggregated by age, sex and ethnic background on all persons under the age of 18 for all areas covered by the Convention throughout its territory.

22. **Mr. Gastaud** (Country Task Force) asked whether the State party planned to introduce comprehensive legislation prohibiting discrimination in all areas. In that connection, it would be useful to know whether the Government planned to expand the powers of the Equality Council. With regard to the Action Plan on Ethnic Equal Treatment and Respect for the Individual, the State party was invited to indicate whether an assessment of the plan had been carried out, whether it was still in force and whether follow-up action had been taken. He asked whether the National Integration Barometer was still operational and whether any assessment had been carried out of that programme. Given that discrimination still existed against certain groups, including Roma children, children with disabilities and lesbian, gay, bisexual, transgender and intersex children, what measures was the Government taking to tackle the problem? In that connection, he asked whether legislation had been introduced to combat discrimination in the Faroe Islands.

23. It appeared that, although the principle of the best interests of the child was applied in Denmark, its scope was limited. More specific information would be useful, including on measures to ensure that the best interests of the child were taken into account in the adoption process and on how that principle was applied in other areas. Similarly, he invited the Government to clarify how it sought to ensure respect for the views of the child in child welfare cases and in other settings, including within the family environment.

24. With regard to civil rights and liberties, he wished to know what measures were being taken to protect the right to a private life and what follow-up activities had been implemented with regard to the expert report on that issue published in 2015. He asked whether legislation existed pertaining to websites that disseminated harmful information to children. On the issue of freedom of religion, it would be helpful to know whether religious education was obligatory for children in the public education system.

25. **Ms. Otani** (Country Task Force) said that she would welcome clarification of whether the reporting obligation for businesses covered operations in foreign countries and whether it applied to multinational corporations with headquarters in Denmark. It would be useful to know whether the Danish National Contact Point for the Organization for Economic Cooperation and Development (OECD) was able to examine cases of non-compliance by Danish multinational enterprises in other countries.

26. On the issues of violence against children and harmful practices, she asked whether the obligation to notify abuse to social services also applied to private individuals. It would be helpful if the State party could provide statistics, disaggregated by municipality, on reported cases of abuse and indicate any shortcomings observed in the capacity of municipalities to identify cases of child abuse and to provide prompt and adequate protection for victims. She welcomed the establishment of Children's Houses and requested further information on that project, including whether any evaluations had been carried out

and whether the Government planned to build further Houses. With regard to the prevention of harmful practices, she asked whether the hotline for parents included in the National Strategy Against Honour-related Conflicts was also available to children at risk of forced marriage.

27. **Ms. Otani** asked what progress had been made towards the introduction of guidelines aimed at preventing and detecting violence and sexual abuse against children and adolescents. What specific measures had been taken to address the reportedly large number of child sex abuse cases in Greenland and to train public officials working with children on how to identify child victims? Recent data on child sexual abuse cases and information on the reporting measures available to child victims in Denmark, Greenland and the Faroe Islands would be useful in that context. She also wished to know whether the introduction of video interviewing for child victims had resulted in accelerated legal proceedings.

28. Regarding torture and cruel or degrading treatment, she asked what progress had been made to abolish the solitary confinement of children. She also wished to know what steps had been taken to end corporal punishment and explicitly prohibit the practice in all settings in Denmark, Greenland and the Faroe Islands. She asked whether measures had been adopted to address gender-based violence against children in Denmark. Further information on the steps taken to incorporate anti-bullying measures into the mandatory national school curriculum would also be welcome. Lastly, she asked whether national child protection helplines were adequately funded and available 24 hours a day, seven days a week, particularly outside of mainland Denmark.

29. **Mr. Lumina** (Country Task Force) asked whether the Government had assessed the impact of the recent national spending cuts on children's services, particularly in regard to vulnerable children such as children with disabilities, children living in poverty and children seeking asylum, and, if so, what steps had been taken to mitigate any negative effects. He also wished to know what financial, human and other resources had been allocated to measures aimed at making children and adolescents aware of their rights and honing their democratic and critical thinking skills. Lastly, he asked how much funding had been allocated to the 2015-2018 National Action Plan to Combat Human Trafficking and other anti-trafficking measures.

The meeting was suspended at 10.45 a.m. and resumed at 11.15 a.m.

30. **Ms. Møller** (Denmark) said that appeals against court decisions could be brought for all cases, apart from those involving fines of 3,000 Danish Kroner or less. In such cases, the Appeals Permission Board would consider appeal requests on individual merit and could decide to grant an appeal if the case was of general public interest. Given that the current appeals procedure functioned well, there were no plans to withdraw the State party's reservation to article 40 (2) (b) (v) concerning the right to appeal court decisions.

31. **Mr. van Deurs** (Denmark) said that judges were aware of the rights of children set forth in the Convention and had invoked the Convention's provisions in at least 19 cases since 2001. The previous Government had decided not to incorporate United Nations conventions, including the Convention on the Rights of the Child, into national legislation, as it had been of the view that elected representatives should maintain responsibility for compliance with international treaty obligations. The present Government generally agreed with that view.

32. **Mr. Borup** (Denmark) said that the national school curriculum was designed to prepare students to participate in a free and democratic society. The Government intended to launch a national school campaign in 2018 focusing on democracy and human rights and had made teaching materials available online to help teachers strengthen students' awareness of their rights, in partnership with the Danish Institute for Human Rights.

33. **Ms. Drøhse** (Denmark) said that the National Council for Children had launched a child-friendly website that informed children of their rights. A national campaign to raise awareness of children's rights had also been conducted by Save the Children.

34. There were no immediate plans to establish an interministerial committee to coordinate the national response to children's issues. The implementation of children's

rights was subject to the principle of sector accountability and every ministry was responsible for compliance with the Convention, within its area of competence. Such an approach ensured that children's rights were implemented in a comprehensive, coherent and effective manner.

35. **Ms. Sandberg** asked what efforts had been made to incorporate human rights into the mandatory national school curriculum and make children aware of their rights under the Convention.

36. **Mr. Borup** (Denmark) said that online teaching materials had been made available to teachers so that they could inform children about their rights under the Convention. Learning advisors had also conducted numerous school visits to offer teachers guidance on children's rights and raise the overall quality of human rights education in schools.

37. **Ms. Wagner** (Denmark) said that the Government had developed a number of social mobility targets designed to reduce the rate of child poverty and address the various health, educational and social needs of disadvantaged, marginalized and vulnerable children. A number of initiatives had also been introduced to ensure that children with disabilities received special social and financial assistance from local authorities so as to guarantee their standard of living and ability to participate in society.

38. **Ms. Rasmussen** (Denmark) said that the principle of sector accountability ensured that all public bodies in every sector were responsible for ensuring the proper implementation of the Convention in the sector for which they were responsible. The implementation of the Convention was therefore not the subject of one sole action plan, but formed part of a number of initiatives and programmes. The Government intended to take specific action where necessary to address any areas of concern or weakness in upholding children's rights, but had no plans to adopt a plan of action aimed specifically at the implementation of the Convention.

39. As for the introduction of national austerity measures, the Ministry for Children and Social Affairs had an in-depth knowledge of the Convention and had taken steps to ensure that spending cuts in no way affected the enjoyment by children of their rights. It had also offered advice and guidance to other ministries with the aim of guaranteeing that new legislative initiatives took into account children's issues.

40. **Mr. Kotrane** stressed the importance of the adoption of a comprehensive and coordinated national action plan for the successful implementation of the Convention and children's rights.

41. **Ms. Møller** (Denmark) said that several legislative acts prohibited discrimination on multiple grounds. Under the Criminal Code, motives based on ethnic origin, religion, sexual orientation or similar factors constituted aggravating circumstances which had to be taken into account in sentencing.

42. **Ms. Rasmussen** (Denmark) said that there had been a recent initiative to draw up a bill prohibiting cross-sectoral discrimination against persons with disabilities, including children. The resulting legislation, which was expected to enter into force in early 2018, would enable persons with disabilities to file complaints with the Board of Equal Treatment.

43. **Ms. Laurberg** (Denmark) said that the National Integration Barometer, which had been launched in 2012, had recently been amended to increase its effectiveness and user-friendliness. The Government had also backed a number of projects seeking to help children and young people deal with discrimination; one such project sought to recruit volunteers of non-Danish ethnic origin to work at a children's support hotline, for example.

44. **Ms. Drøhse** (Denmark) said that the principles of the Convention were implemented directly through the Act on Social Services. It was the basic principle of the Act that any social service support always had to attend to the best interests of the child, taking into account the resources available to the child concerned. The authorities were thus obligated to consult a child before taking a decision on the support measures envisaged; such consultation was mandatory unless it was deemed inappropriate in view of the maturity of the child or the nature of the case. In cases of child placement outside the family home without consent, children aged 12 years and over had the right to free legal representation

independent of their parents. They also had the right to bring, independently of their parents, a decision before the National Social Appeals Board.

45. **Ms. Sandberg** said that she wished to know whether there was an age limit under which the right to be heard did not apply. She also wondered whether the courts took into account a child's best interests when sentencing parents in criminal cases.

46. **Ms. Drøhse** (Denmark) said that, under current legislation, the views of the child were always heard. The only limits applicable were related to the child's resources or cases of a special nature where consultation might prove damaging to the child concerned.

47. **Ms. Rasmussen** (Denmark) said that, pursuant to the Adoption Act, adoption could only be granted if it was in the best interests of the child concerned. Determination on an adoption had to take into consideration the child's view to the extent possible. Children aged 12 years or older had to give consent in order for an adoption to be authorized, unless obtaining such consent would be detrimental to the child. Before giving consent, a child had to attend an interview on the adoption in question. Where a child was under the age of 12 years, and his or her maturity and the circumstances of a case warranted it, information had to be provided on the child's view of an adoption.

48. **Ms. Møller** (Denmark) said that, if a website had content which could give rise to a criminal offence, then the measures provided for in the Administration of Justice Act were applicable. It was therefore possible to seize a website with such content. In 2017, the Government had launched several initiatives to combat online sexual abuse, which included prevention and punishment measures for offenders, as well as help for victims.

49. **Mr. Nissen** (Denmark) said that Christianity was a mandatory subject in schools. However, it was important to emphasize that its teaching was not intended to be proselytical and that other religions were also taught in schools. Moreover, if a child's family felt that such teaching conflicted with its own values, the child could be exempted from having to attend classes on Christianity.

50. **Ms. Rasmussen** (Denmark) said that the Danish Financial Statement Act established the framework for corporate social responsibility reporting and that the concept of human rights as provided for under the Act included children's rights.

51. **Ms. Krogh** (Denmark) said that all Danish citizens had a duty to notify the municipal authorities if they were aware of a case of child abuse. Under initiatives launched in 2013, municipalities were obligated to respond to any notification of child abuse within 24 hours. Moreover, cases involving more than one authority had to be referred to one of the five Children's Houses which provided coordinated support to victims of child abuse throughout the country. The aim of Children's Houses was to deliver victim support in a child-friendly environment, no matter a victim's location. The National Board of Social Services was responsible for supporting the operations of Children's Houses and ensuring cross-sectoral cooperation within each House. The Houses collected data on the children they served; such data were disaggregated by geographical location, sex and age of victim, type of violence and relationship between the victim and the perpetrator. A statistical analysis of the data was published annually by the National Board of Social Services. Women's shelters also collected such data, which were published in an annual report as well.

52. The Act on Social Services provided for the treatment of the perpetrators of child abuse. Municipalities had to base such support on an individual assessment of the needs of the person concerned. Eligible persons could receive State-funded treatment. The Government also allocated funds to the NGO Dialogue against Violence, which provided both treatment for the families affected and therapy for perpetrators. With a view to breaking the cycle of such abuse, the Government also funded support services for children who had committed sexual offences against other children.

53. The available data on child abuse revealed an almost equal distribution between the sexes: specifically, in the cases handled at Children's Houses in 2016, 44 per cent of victims were boys and 56 per cent were girls. The Government funded a toll-free support hotline for children, which was available 365 days a year and provided advice on topics such as abuse.

54. **The Chair** asked whether the characteristics of violence against children had changed with the influx of large numbers of non-Danish nationals with different cultural backgrounds.

55. **Ms. Laurberg** (Denmark) said that the Government had established a new action plan for preventing honour-related conflicts in 2016. The plan included initiatives to improve victim assistance, strengthen prevention of conflicts, mobilize resistance within ethnic communities, and systematically gather information on the subject. In addition, two separate telephone hotlines were available to provide guidance and mediation in cases of honour-related conflict.

56. **Ms. Møller** (Denmark) said that, in 2016, the Government had amended the Administration of Justice Act to increase the protection afforded to children who had witnessed serious crimes. The amendment had broadened the scope for video questioning of children and, as a result, more children could be questioned by means of that procedure. However, because of the increase in the number of children who could undergo video questioning, there had also been an increase in waiting times for questioning; the authorities were working to resolve that problem and the matter was being closely monitored. In order to spare children from additional damage, it was vital that the video questioning process should be prompt and that the children involved should receive adequate support.

57. **Ms. Otani** asked whether, as a result of video questioning, children were no longer called upon to testify in court.

58. **Ms. Khazova** asked whether the best interests of the child were a primary consideration in the adoption process.

59. **Mr. Kotrane** asked whether adopted children could find out who their biological parents were; whether stateless children born in Denmark could be granted Danish citizenship; and whether there was a legal prohibition against exemptions to the minimum marriage age of 18.

60. **Ms. Møller** (Denmark) said that the use of video questioning had been extended to children under the age of 13, who now were required to be questioned by video. For children aged 13 to 14, video questioning was an option, particularly in cases of sexual offences, family violence or incest. The decision depended on an individual assessment which took into account whether there was a relationship of dependency between victim and perpetrator, whether there was any conflict of loyalty, whether the case involved violence of a particularly serious nature and whether it involved the death of a close relative of the child. For children aged 15 to 17, the basic principle was not to use video questioning but it was now an option, provided there were additional elements of vulnerability or particular social problems.

61. **Ms. Rasmussen** (Denmark) said that no exceptions were made to the minimum age marriage of 18. In reply to a question from Ms. Ayoubi, she said that that also applied in for cases of family reunification.

62. **Ms. Møller** (Denmark) said that the use of solitary confinement for minors had diminished by 93 per cent between 2001 and 2016. Since 2009, the measure had been applied to only two persons aged under 18 in pretrial detention, in one case for 11 days and in the other for less than four weeks, and both involving very serious charges, one of terrorist offences and the other of murder and arms offences. When used at all, it was for reasons of securing evidence. The Director of Public Prosecutions monitored its use on a quarterly basis, collecting information from police commissioners and presenting a report to the parliament. At the regional level, any changes in the number of cases of solitary confinement or its duration were reported and reasons given. In the event of solitary confinement lasting more than four weeks, which was only possible in cases involving terrorist offences or offences against the State, the Ombudsman was informed and could make an unannounced visit.

63. Corporal punishment was prohibited under the Criminal Code in all settings, including care settings, in Denmark, Greenland and the Faroe Islands.

64. **Ms. Otani** welcomed the fact that, thanks to significant resource allocations, more children who could not stay with their families were placed in foster homes rather than alternative care institutions. She enquired whether further efforts were being made to support and facilitate family-based care and strengthen the foster care system in order to reduce institutionalization. According to information received, children in institutions were often required to move from one institution to another and she would like to know what steps had been taken to address that situation.

65. The Committee had been concerned to hear that the municipality of Copenhagen placed children in alternative care without legal grounds or consultation of the parties. She would like to know whether there were proper guidelines and procedures for assessment of the appropriateness of alternative care taking account of the best interests of the child and ensuring the child's right to be heard. What complaint mechanisms were available to children who believed a wrong decision had been made?

66. She asked the delegation to provide statistics on the capacity of alternative care institutions, some of which were reportedly overcrowded. What measures were taken to avoid overcrowding? She would also like to know whether adequate human, technical and financial resources were allocated to child protection services and alternative care centres in every municipality.

67. The use of force against children and alternative care was apparently regulated but not prohibited. Could the delegation say whether that was correct, and also inform the Committee whether children could complain about the use of force by staff in alternative care settings. She enquired whether any complaint mechanisms were available for use by children in family-based alternative care in the event of violence or abuse. She would also like to know whether alternative care institutions and foster homes were regularly inspected and the quality of care monitored.

68. With regard to children with parents in prison, she asked whether the services and opportunities described in paragraph 104 of the State party's report (CRC/C/DNK/5) were available to mothers and fathers alike.

69. **Mr. Lumina** said that, according to the Danish Institute of Human Rights, inclusion of children with disabilities in the educational system was presenting difficulties. Furthermore, the goal set in the Danish Disability Policy Action Plan 2013, to ensure that 96 per cent of pupils were attending regular schools by 2015, had apparently not been achieved. He would like to know the reasons why and what steps the State party was taking to meet its target.

70. Studies had revealed disparities in school completion rates between children with disabilities and those without. He wondered what accounted for those disparities and what steps were being taken to address them.

71. He would appreciate further information on the nature of the support provided by the Ministry of Education to municipalities and schools with a view to improving the level of inclusive education.

72. Pending the adoption of proposed legislation to ban discrimination based on disability outside the labour market, it was conceivable that private independent schools could turn children away because of disability. He wondered what measures were in place to address that concern and when the legislation might be passed. Did the proposal contain provisions to hold perpetrators of discrimination accountable, including through criminal sanctions?

73. He enquired whether the Government was considering including the principles of "accessibility" and "reasonable accommodation" in the new legislation, in accordance with the Convention on the Rights of Persons with Disabilities.

74. He asked whether the Greenlandic Act on Support to Children had been enacted. He would like to know whether there were any plans to amend legislation in Greenland to meet the needs of all children with disabilities, including those without "extensive disabilities", who were apparently not currently covered.

75. The Government had indicated in its written replies to the list of issues (CRC/C/DNK/Q/5/Add.1) that there were no data on the number of children with disabilities living in institutions, yet it had also stated that around 20 to 25 per cent of children in care had a disability. He would appreciate clarification of the basis used for the estimate provided.

76. He asked what measures were being taken to address disparities between Danish children and unregistered migrant children in access, quality and utilization of non-acute health services and what steps had been taken or were planned to ensure consistency in the abortion legislation so that adolescents in both the Faroe Islands and Denmark had equal access to safe and legal abortion,

77. With regard to the treatment of children with attention deficit hyperactivity disorder (ADHD), he said that he would appreciate further information on measures taken to implement the action plan referred to in paragraph 127 of the State party's report. Was there a system of independent expert monitoring of ADHD and related diagnoses? He asked whether there were any measures in place to guarantee informed consent, in particular in the administration of psychotropic drugs to children.

78. Welcoming the fact that alcohol consumption among children in Denmark had declined, he asked what measures had been taken to address substance abuse by children and adolescents in Greenland.

79. Referring to paragraph 36 of the written replies, he asked whether the Government had published its annual report on implementation of the national social goals. He would appreciate some examples of the challenges identified in the report in respect of implementation of social services and of the policy initiatives it intended to implement to address social marginalization.

80. In the absence of a national poverty line, he would like to know how the Government monitored child poverty. According to his information, thousands of children in Denmark had had their benefits reduced as a result of a so-called cash benefit ceiling introduced in October 2016, which risked pushing them into poverty. What measures had been taken to address that situation? He also wondered what measures had been taken to address child poverty in Greenland and to monitor and evaluate their impact.

81. **Mr. Gastaud** said that, as he understood it, although the State and the municipalities shared the responsibility for education, the State could step in if it considered that the municipality was not meeting its obligations. He would like to know whether the State could simply take over those functions or whether it was a matter of taking judicial proceedings to compel the municipality to fulfil its obligations.

82. Referring to the project focusing on children receiving education at an institution, mentioned in paragraph 145 of the State party's report, he enquired what category of children it targeted: children with disabilities, orphans or some other group?

83. Measures were in place to enable children in the German-speaking community in the south of the country to learn their mother tongue. He would like to know whether similar mother tongue teaching facilities were in place for children with other languages, notably in Greenland and the Faroe Islands.

84. He enquired whether private schools were subject to oversight by the Ministry of Education with regard to the curriculum, teacher recruitment and teaching methods. Following the school reform referred to in paragraph 144 of the report, which had resulted in longer school days, he wondered what time was left in the day for children to engage in leisure activities and rest.

85. **Mr. Kotrane** said that the Committee was concerned that certain intersex children underwent surgical and hormonal interventions shortly after birth in order to assign them a sex. There was little knowledge of the long-term effects of such interventions, yet there was no systematic monitoring of such children in Denmark or of their subsequent development and well-being. Such practices could be seen as being inconsistent with children's rights to physical integrity and to be heard in all matters concerning them. Had the State party considered conducting research into the impact of such interventions without informed

consent and legislating on reparation for victims? He would appreciate information regarding progress in the debate on male genital mutilation.

86. Notwithstanding the State party's positive efforts with regard to integrating refugee children and their families, the Committee was concerned at several recent developments in respect of refugee children. Unaccompanied children who reached the age of 17 were transferred to adult centres where their protection needs were less easily met; siblings could even be separated. The mechanisms for identifying children in a vulnerable situation were inadequate, as illustrated by the case of a child who had been expelled to Afghanistan with no protection and had reportedly been killed there. He wished to know what measures the State party was taking to resolve those problems.

87. While commending the State party on its success in preventing juvenile crime and on its initiatives to strengthen young people's resilience to extremism, the Committee was still concerned at the increasing recourse to penal or coercive action at the expense of educational and social measures, a tendency it had noted in its previous concluding observations (CRC/C/DNK/CO/4, para. 65). The Committee was also concerned at the absence of any juvenile justice system. He wished to know what measures the State party intended to take to allay the Committee's concerns.

88. The Committee feared that the application of some of the measures taken to combat terrorism could infringe certain Convention rights. Given, for example, that persons with dual nationality might be stripped of their Danish nationality if convicted of a terrorist act, he wished to know what the implications might be for children.

89. He would like to know if the State party intended to expedite implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in Greenland and the Faroe Islands following the withdrawal of territorial exclusion, and to establish mechanisms for periodic reporting. Would it also step up efforts to combat exploitation of children in the context of tourism?

90. With regard to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, he would like some information on the State party's measures to assist in the physical and psychological rehabilitation of children who had been involved in armed conflicts abroad, and notably in Syria.

91. **Mr. Lumina** said that the Danish legislative framework appeared to view victims of trafficking as illegal migrants and subject to immigration detention and deportation, thereby rendering them more vulnerable. What was being done to ensure a rights-based approach focusing on the subjects of trafficking as victims rather than criminals?

92. The focus on migration status rather than victim status was thought by some to be undermining efforts to combat trafficking as it hampered the prosecution of traffickers. He would appreciate the delegation's comments on that view. He asked how victims of trafficking were persuaded to cooperate with law enforcement agencies in the investigation of trafficking offences.

93. He would welcome information on any measures taken to ensure that unaccompanied children did not fall prey to trafficking, and on any prosecutions of government officials complicit in human trafficking offences.

94. Lastly, he would appreciate statistics on the numbers of children with a foreign background trafficked into and out of Denmark, children who had been internally trafficked, and successful prosecutions of traffickers over the past three years.

The meeting rose at 1 p.m.