



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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

Twenty-seventh session

Summary record of the 562nd meeting

Held at Headquarters, New York, on Wednesday, 12 June 2002, at 3 p.m.

Chairperson: Ms. Abaka

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women *(continued)*

Fourth and fifth periodic reports of Denmark (continued) (CEDAW/C/DEN/4, 5 and Add.1 and Corr.1; CEDAW/PSWG/2002/II/CRP.2/Add.1 and 2)

1. *The Chairperson invited the members of the delegation of Denmark to take places at the Committee table.*

2. **Ms. Abel** (Denmark) said that during the 10-year period covered by the fourth and fifth reports, women's participation in the labour market had risen to 75 per cent, and their educational level was higher than that of men. Ninety-five per cent of all children between the ages of 3 and 6 were in public day-care institutions, giving women an opportunity to combine family life and work. With the appointment of a Minister for Gender Equality, policy was now made on behalf of the Government rather than a non-governmental body. A gender-equality board reviewed complaints of gender discrimination free of charge.

3. The budget for gender equality programmes was higher than it had ever been, as 18.4 million Danish kroner had been allocated for that purpose. The elimination of the Knowledge Centre should not give rise to concern, since the institutions set up under the new structure would give continuity to its programmes. Although much remained to be done, there had never been so much activity in the public and private sectors as there was currently.

4. **Ms. Axelsson** (Denmark) said that the incorporation committee was made up of 11 members, four of whom were women. Its recommendations were under consideration by the relevant authorities, including the Minister for Gender Equality and the non-governmental organizations. It was too early to predict what the Government's position would be with regard to the incorporation of the human rights conventions, including a number of conventions to be incorporated. The Convention on the Elimination of All Forms of Discrimination against Women could be invoked before and applied by the courts even if it was not incorporated.

5. Responding to a question regarding prostitution, she explained that in early 1999 the Parliament had decriminalized prostitution as well as passive pimping. As a result, a prostitute could legally live with a man provided he was not living off her income from prostitution to a degree that amounted to exploitation. The slightest degree of exploitation was punishable as an offence under section 229 of the Criminal Code. All trafficking of persons into or out of Denmark, as well as within the country, was a criminal offence under section 262 (a). Many ministries, including the Ministry of Justice, were involved in the fight against trafficking. In 2000, the police had begun systematically monitoring the scale of trafficking of persons, and the first annual report on the subject would soon be available. The Danish police were cooperating actively with the International Criminal Police Organization (Interpol), the European Police Office (Europol) and the task force on organized crime in the Baltic Sea region. In 2001, a number of cases of trafficking had been brought before the courts, and the perpetrators had been convicted and sentenced to imprisonment.

6. **Ms. Appel** (Denmark), commenting on the concerns expressed regarding ethnic minorities, said that the equal rights provisions applied to all members of Danish society without exception. Among the ethnic minorities, there were certain differences between women and men which had to do with the gender patterns that prevailed in their particular cultures. The Government had introduced a wide range of programmes and initiatives aimed at integrating the women and men of those cultures; one result of such programmes was the very high participation rate of the second generation of women from ethnic minorities. It was important to understand that second-generation young men also faced many difficulties in the integration process. Violence was a serious concern for women from ethnic minorities, who accounted for 35 per cent of women seeking help in crisis centres, even though ethnic minorities represented only 7 per cent of the whole population. That was why the Government had recently launched the action plan on violence against women, with emphasis on ethnic minorities. A special effort was being made to disseminate information about the programme, including through pamphlets and a web site in the languages of those groups. Crisis centre volunteers would receive further training on the problems of those women, a hotline was

being set up, and a study was being conducted on the capacity and operation of the shelters.

7. **Ms. Kold** (Denmark), referring to questions regarding education, said that a number of research studies on gender issues were being conducted in cooperation with unions and workplaces, and the findings would be used to fight discrimination. The universities were working to raise the percentage of female researchers. Several million kroner had been budgeted for projects designed to break down discrimination in higher education. Those projects, which would be concluded soon, had shown that male-dominated culture and norms were crucial barriers to women aspiring to do research work. The gender perspective was being mainstreamed in many of the research councils, which were important actors in the effort to achieve equality in universities. An affirmative action approach was being applied in the granting of scholarships. The percentage of women in all categories at universities had increased during the 1990s, and even greater improvements would be made over the next few years.

8. **Ms. Andersen** (Denmark), replying to a question regarding article 5 of the Convention and its relationship with other articles, especially article 11, said that both the current and the previous Ministers of Finance understood the importance of gender equality to Danish society. Her Government's approach was to enable women to participate more actively in society rather than to protect them more than necessary. That was particularly important when it came to maternity protection and leave schemes. During the past two or three years, Parliament had debated equality many times and had amended much of the legislation on the subject. The labour market was very equality-friendly, and both women and men had a very high participation rate. Wages and salaries for women had improved, and more women had become self-supporting. The Ministry of Labour was actively addressing some of the remaining problems, particularly those relating to the gender-segregated labour market, the pay gap and the difficulty women experienced in reconciling work and family life. Companies were being encouraged to move women into higher paying positions by helping them develop their competencies.

9. Replying to a question on affirmative action, she said that many of the gender initiatives under way in Denmark constituted positive action, even though they were not called "affirmative action" or "positive

action". The Minister for Gender Equality would use the opportunities provided by the existing legislation to facilitate positive action per se; when women were underrepresented in leadership, such measures would apply automatically. A steering committee made up of the entire public sector was responsible for mainstreaming gender issues in all areas of government. Her Government was confident that the approach it had taken would produce good results.

10. **Ms. Lehmann-Nielsen** (Denmark), noting that some Committee members had questioned Denmark's commitment to CEDAW, said that Denmark believed that the Convention was of the utmost importance in promoting the human rights of women, as well as equality in general. As a matter of routine, her Government examined reservations made by other States parties upon ratification or accession. If those reservations were deemed incompatible with the object and purpose of the Convention, Denmark filed its objections with the United Nations Secretariat. Denmark had been one of the first States parties to ratify the Optional Protocol, and had been among the first to accept and welcome the amendment to article 20 (1) of the Convention, which provided more meeting time for the Committee. The Government had recently financed a publication on the Convention prepared by the Women's Council of Denmark. In annual consultations with partner countries and developing countries, her Government always brought up the question of compliance with the Convention and inquired whether Denmark could be of assistance in that connection. Her country was a strong supporter of the Convention, but it also viewed the Platform for Action as a very important tool for implementing the Convention.

11. **Ms. Clausen** (Denmark), replying to the question about the raising of the age-limit for family reunification for spouses, explained that the legal age for marriage in Denmark was 18, but that the new rule would apply to Danish nationals and non-nationals alike. In the Government's view, therefore, it was not discriminatory.

12. It had been asked in how many cases the immigration authorities had refrained from revoking a residence permit because a marriage had ended as a result of violence. In the past three years, 1999-2001, the figures had been 13, 20 and 26 respectively. In the year to 1 June 2002, there had been 57 revocations of residence permits on the basis of claimed violence in a

marriage. A permanent residence permit could not be revoked for that reason. The proposed amendments to the Aliens Act would extend the period of residence required for obtaining permanent residence from three to seven years. However, section 19 (6) of the Act, containing a specific exemption for spouses in violent marriages, was unaltered, so that they would not have to stay longer in such marriages in order to avoid revocation of their existing residence permits.

Articles 7, 8 and 9

13. **Ms. Gaspard** queried the effects of the raised age limit for family reunification. Whatever the Government's view, and however praiseworthy the attempts to prevent forced marriages, it seemed discriminatory because it applied essentially to women; there was nothing to prevent a Danish man from marrying a woman under the age of 24 outside the country, but she would not have the right to join him in Denmark. The new rule would also conflict with the European Convention on Human Rights with regard to the right to family life.

14. She welcomed the information provided about the situation in the Faroes and Greenland, and hoped for more detailed information on those territories in the next report.

15. The proportion of women elected to the national parliament in Denmark was relatively high, at over 30 per cent. In that light, it was surprising that only 10 per cent of the members of municipal and country authorities were mothers. Had the Government investigated the reasons for the disparity, or taken any steps to correct it? Was anything being done to increase the number of women members of the parliaments of the Faroes and Greenland, which was much lower than in the national parliament?

16. It appeared that the 1993 Action Plan to increase the number of women in senior diplomatic posts had failed, since only 11 per cent of those posts were currently held by women; had the Government identified any reasons for that, or taken any corrective measures?

17. **Mr. Melander** asked why the proportion of women professors in Danish universities, only 6 per cent, was so low. On the question of immigration and nationality, he believed the Danish legislation was gender-neutral, but it could nevertheless result in indirect discrimination. The proposed amendment to

the Citizenship Act, imposing a Danish language test as a requirement for obtaining citizenship, could discriminate against immigrant wives at home, who would have less opportunity to learn the language than their husbands. Was it therefore anticipated that men would qualify for citizenship in greater numbers than women?

18. **Ms. Abel** (Denmark), commenting on the question of forced marriages, said young men caught between two cultures suffered as many problems in consequence of such marriages as women, though of a different kind.

19. **Ms. Lehmann Nielsen** (Denmark) explained that the raising of the age-limit for family reunification applied to both men and women. Both spouses must be 24 or over. As for the European Convention on Human Rights, the rights conferred by article 8 did not include the right to choose one's country of residence. However, in cases where the new rule was found to violate article 8, the Danish authorities would agree to reunification. As for the language test for acquiring citizenship, it was part of the Government's integration policy to ensure that Danish language course were attended by all newcomers to the country, both men and women; social security benefits could be reduced if they failed to attend.

20. **Ms. Abel** (Denmark) said it was a matter of great concern to the Danish Government that so few women wished to serve on local government bodies. One explanation seemed to be that local elected office, unlike national office, was largely unpaid and therefore unattractive to women who had also to continue with their ordinary jobs and domestic commitments. However, for the sake of gender equality the Government was conducting an investigation to determine the reasons for their choices.

21. **Ms. Andersen** (Denmark), commenting on the numbers of women in senior diplomatic posts, said there were currently 27 women in such posts, out of a total of 202. The percentage figure was now 13.4 per cent, compared with 11 per cent in 2000. However, Denmark had six women ambassadors, including the Permanent Representative to the United Nations. It was correct that the Action Plan targets had not yet been achieved, but an improvement was expected in the next few years, because currently, 25 per cent of deputy heads of division and 37 per cent of heads of section were women. A gender quota for senior appointments

was currently in force, requiring one woman to be appointed for every two men.

22. As for the language courses for ethnic minorities, gender equality was to be a component of the courses.

Articles 10 to 14

23. **Ms. Gaspard** asked whether the number of men taking paternity leave had increased from 19 per cent, the figure reported for 1999. On the question of female genital mutilation, had there been any prosecutions in Denmark, and against whom — parents or excisors? Could parents be prosecuted for taking a child abroad to be mutilated? Could parents obtain refugee status in Denmark if their child would be at risk of mutilation upon return to her country of origin?

24. **Ms. Acar** said the Committee's concern about the raising of the age of marriage for family reunification was a necessary reflection of its mandate, which was to eliminate discrimination against women. She was puzzled by the low number of women in senior academic posts, given the emphasis on gender equality in the education system. What percentage of women from ethnic minorities entered higher education, and to which fields of study? She reiterated her previous question about the treatment of honour killings in Denmark.

25. **Ms. Schöpp-Schilling** asked whether there were any special measures, such as childcare provision and separate classes, to encourage immigrant women to attend Danish language classes. She wondered if the new arrangements for parental leave would prove detrimental to women in the long run, by marginalizing them in the labour market; would the Government be monitoring the impact of the new leave system? Commenting on the pay gap between men and women, she noted that some occupations in which women had traditionally been predominant were undervalued. The report emphasized the need to improve individual negotiating skills, but there were also collective negotiations through trade unions. Moreover, there was already a tried and tested methodology for job evaluation which filtered out gender stereotyping; were there any plans to use that methodology, as well as simply trying to get more women into male-dominated sectors? She welcomed the introduction of temporary special measures for women's employment in the public sector, but wondered if similar measures were

being taken in the private sector, on either a voluntary or a statutory basis.

26. **Ms. Achmad** said women's reluctance to apply for senior positions, which was evident from the report, seemed to be due to a male-dominated culture which assigned gender-specific roles. Apparently, little effort was being made to redress that situation, apart from the introduction of quotas. To achieve equal opportunities, the sexes must be in equal positions, and it was important to pay attention to non-quantitative as well as quantitative factors such as quotas. In that respect, she welcomed the emphasis on equality in teaching materials and the introduction of compulsory human rights education. However, in improving motivation the most important element was the teacher; what was being done to change teachers' attitudes? Gender stereotyping was evident from the disproportionately low number of women studying technical and scientific subjects.

27. **Ms. Abel** said the low take-up of parental leave by fathers under the previous scheme might have been due to the arrangements not being the kind they wanted.

28. **Ms. Andersen** (Denmark) said that, while 75 per cent of fathers took advantage of paternity leave during the first two weeks after birth, only 25 per cent had taken leave under the former, more rigid 25th and 26th week plan, which had been difficult to combine with holidays and other leave. Under the new shared parental leave scheme, fathers could take 32 weeks, during which they were substantially compensated for their loss of income, and could extend their leave by an additional 14 weeks. Since many employers had become very flexible, mothers and fathers were able to take turns staying at home with their newborn infants. Trade unions were already discussing how to close the gap between the current system of compensation for loss of income and what would amount to full pay. She explained that the 10 weeks tacked onto parental leave in 1984 had been taken mainly by women because it had coincided with the introduction of a six-month leave for breastfeeding.

29. The 1999 and 2002 studies by the Danish National Institute of Social Research had attempted to determine the extent to which various factors, including discrimination and the gender-segregated labour market, were responsible for the pay gap between men and women. Companies were currently

making great efforts to facilitate women's promotion to higher-paying jobs and were even individualizing salary and wage negotiation procedures. It was a gradual process since it would be very costly to raise all women's salaries at the same time. In the initial phase, the focus was on raising salaries of female-dominated jobs in the public sector. In addition, new strategies were being explored with companies and employers associations. Under the new "total reward" pay scheme, different ways of measuring men's and women's performances were taken into account, including loss of pay during maternity leave, which obviously accentuated the gap. The Committee would be kept informed of progress and developments in what was a very complex undertaking.

30. **Ms. Abel** (Denmark) said that she had just met with the Minister of Employment, who had pledged to work with private companies, in conjunction with the Minister for Gender Equality, with a view to reducing the pay gap.

31. **Ms. Axelsson** (Denmark), replying to questions concerning female circumcision, said that female genital mutilation was punishable in Denmark under section 245 of the Penal Code, which characterized all violent acts as crimes and prescribed penalties for both perpetrators and accessories. Under the Danish Penal Code, Danish nationals or residents who committed acts of violence outside Danish territory were subject to Danish jurisdiction, provided that the act committed was also punishable under the law of the other State. In Denmark itself, the occurrence of female circumcision was very rare. Recently, the Government had organized an information campaign in cooperation with various ethnic groups, designed to dissuade young refugee or immigrant girls from leaving the country to have circumcisions performed.

32. **Ms. Abel** (Denmark) said that the concept of mainstreaming had not eliminated special measures in favour of women, and that the gender consequences, for both men and women, of each new proposal and initiative were systematically analysed. Her delegation's remarks with regard to forced marriage being harmful to both men and women had been made in that same spirit. The concept was also being applied to the activities of all government ministries in the large-scale public-sector mainstreaming project coordinated by the Department for Gender Equality.

33. **Ms. Andersen** (Denmark), referring to the question concerning affirmative action, said that under new legislation adopted in 2000, a number of strategies, such as special training and introduction courses, were being introduced to prepare women for high-level jobs. Young women, who were often primed for such posts early on, accounted for a higher proportion of female leaders.

34. **Ms. Kold** (Denmark), replying to a question by Ms. Acar, said that, in a survey of ethnic youth, the Department for Gender Equality had determined that 68 per cent of ethnic men and 62 per cent of ethnic women had not continued their education beyond elementary school; thus, more young women than young men attended high school. In reply to a question by Ms. Achmad, she said that efforts to steer ethnic children towards less traditional education and job choices had been declining in the past decade; however, the European Social Fund had recently launched a project under the "Equal" programme to broaden ethnic children's options in that regard. The project involved monitoring and analysis of what teachers were saying and doing to expand the horizons of ethnic children, and the provision of new materials for use in career counselling. The results of the project, scheduled to terminate in 2004, might also provide some answers to Mr. Melander's question concerning the low percentage of female university professors in Denmark.

35. **Ms. Abel** (Denmark) said that many Danish teachers were concerned about gender stereotyping and were carrying out a number of projects to promote gender equality, even in childcare institutions. Their efforts did not always enjoy high visibility because permission was required to offer courses for women only. The Ministry for Gender Equality was attempting to streamline the authorization process by reducing the bureaucracy involved.

36. **Ms. Clausen** (Denmark), replying to Ms. Acar, said that, although no statistics were available, the number of honour killings in Denmark was extremely low — only a few cases in the past decade. As for the Danish language courses, in autumn, the Parliament would be reviewing how they were conducted and scheduled with a view to accommodating women's special childcare, training and other needs.

37. **Ms. Saiga** praised Denmark as a model of gender equality and asked the delegation if it could offer

advice to other countries seeking to raise awareness of gender discrimination in their societies and address it through education and other measures.

38. **Ms. Livingstone Raday** said that women's scant presence in executive positions (only 5 per cent in upper management and 14 per cent in middle management in the private sector) stood in stark contrast to their high level of participation in the labour market. She wondered whether women's qualifications were really the problem. Although Danish affirmative action measures seemed geared towards equalizing the number of female candidates for high-level posts, the fact was that 50 per cent of the candidates for professorships had been women but women had been chosen to fill only 6 per cent of university professor slots. Indeed, the affirmative action programme seemed to be rather anaemic; it did not even require an explanation when equally qualified women were not recommended for promotions over men.

39. She would appreciate information on the problems that had arisen under the previous version of the Equal Pay Act, and on the amendments adopted in June 2001 to resolve them. The State party should provide details on the new individualized methods of salary negotiation alluded to by Ms. Andersen. While Ms. Andersen had distinguished between outright discrimination and a gender-segregated labour market as possible causes for the pay gap, both phenomena were actually forms of discrimination, on a macro and microscale, respectively. She welcomed the introduction of a common gender actuarial basis for calculating pension benefits but wondered whether any provision for elderly women would be made until the new system took effect in 2040. She was concerned that women's longevity was a factor that reduced their pensions, a practice which courts in many countries had found discriminatory, and wondered why that was such an important criterion. Perhaps the State party could describe measures it was carrying out to assist the high percentage (29 per cent) of girls between the ages of 14 and 24 suffering from eating disorders bordering on anorexia. Lastly, she asked whether unmarried fathers could be granted custody of their children, particularly when it was determined that shared custody was in the child's best interest, given the high percentage of children born out of wedlock in Denmark. That seemed to be a very sore point with the Masculine Forum of Denmark.

40. **Ms. Tavares da Silva** praised the State party's parental leave package but said that, with its exceedingly low percentage of female university professors, Denmark lagged behind many countries which were not as equality-minded. Noting that the report provided no data on the percentage of men and women engaged in telework (CEDAW/C/DEN/5, p. 46), she sought assurances that women were not using telework as a means of reconciling their work and family responsibilities, or being marginalized or diminishing their career and promotion prospects because they were not at the workplace.

41. **Ms. Abel** (Denmark) said that it was indeed surprising that there were so few women managers, especially since many reports had been produced on the subject. Two initiatives were planned for the second half of 2002 with a view to improving that situation, and they would take place in cooperation with the social partners. Clearly, it was time for action rather than for producing more reports.

42. There had been much debate on the subject of pensions in Denmark, which used a contributory pension system under which a percentage of each person's wages was paid into a pension fund. Thus, if women's wages were unequal and they spent more time away from the labour market, their pensions were even more unequal. There had been a rule providing for women to receive proportionately smaller payments from the pension funds to take into account their longer life expectancy, but it had been abolished. Changes could take a long time to implement, since in many cases they could be applied only to new contributors to the funds.

43. **Ms. Appel** (Denmark), referring to an earlier remark by Ms. Livingstone Raday, agreed that the figures on eating disorders among young people were alarming. The patients were, of course, given all possible assistance. There had been a series of discussions on gender stereotyping and the role of the media; more information would be provided in the next report.

44. **Ms. Axelsson** (Denmark) said that an unmarried mother had sole custody of her child unless the parents agreed to opt for shared custody; the latter could not be imposed by the courts. A father could seek to obtain custody by appearing before a judge, who would be guided by the child's best interests.

45. **Mr. Melander**, noting that 35 per cent of women entering shelter centres for victims of domestic abuse were migrant women, asked what proportion of that number had been in the country for less than three years and therefore had temporary residence permits, and what proportion had been there for three to seven years and had permanent residence permits. He also wished to know what would happen to those groups when the new migration law came into force. It was very important that women should be well informed on the legislation affecting them; the reporting State should specify whether the women concerned were provided with such information in their own languages.

46. **Ms. Shin** said that the continuing forms of discrimination against women in Denmark undoubtedly included an underlying problem of unbalanced sharing of child-rearing and housework; she asked what measures were being taken to encourage men to assume responsibility for a greater share of those tasks.

47. She noted that, in a statement appended to the report, the Masculine Forum of Denmark had expressed negative attitudes which showed that it entirely failed to understand the importance of the Convention or the nature of discrimination against women. She wondered whether the Government was making any attempts to persuade the members of that organization to overcome that lack of understanding.

48. **Ms. Abel** (Denmark) agreed with Mr. Melander that it was very important that migrant women should be provided with appropriate information, particularly in their own languages. Appropriate measures were included in the Government's action plan to combat violence against women. Regarding the figures he had requested regarding women attending crisis centres, she was unable to provide that information because those attending did so anonymously.

49. As for the Masculine Forum of Denmark, it represented a small number of men, but she agreed that attempts should be made to educate its members; she would consider inviting representatives of the Forum to a meeting to discuss the Convention. The situation was improving with respect to men's participation in child-rearing, but it was proving more difficult to persuade them to do housework. An information package was being prepared, to be distributed to parents in maternity wards beginning in the second half of 2002; it would provide guidance for many issues and decisions that parents would be facing in the coming years, in areas such as child-rearing, pensions and other financial

matters, and would inform fathers of the importance of their involvement in child-rearing.

The meeting rose at 5.30 p.m.