



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

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

**Information received from Denmark on follow-up to the
concluding observations on its ninth periodic report***

[Date received: 6 March 2023]

* The present document is being issued without formal editing.



Part I

Introduction

1. The present report is submitted in accordance with the procedure on follow-up to concluding observations adopted by the Committee. The report has been compiled by the Danish Ministry of Gender Equality on the basis of contributions from relevant departments and ministries of the Government of Denmark and from Greenland and the Faroese Islands.

Selected recommendations for follow-up

2. The Committee on the Elimination of Discrimination against Women adopted its concluding observations on the ninth periodic report of Denmark at its seventy-eight session (15 to 25 February and 4 March 2021). In paragraph 44 of the concluding observations the Committee requested the State party to provide, within two years of the adoption of the concluding observations, information on the implementation of the recommendations contained in paragraphs 11 (a) (Response to COVID-19), 15 (b) (Definition of discrimination against women), 21 (a) (Consent-based definition of rape) and 35 (b) (Suicide in Greenland).

3. Denmark hereby provides additional information on the implementation of the recommendations as requested by the Committee on the Elimination of Discrimination against Women.

Part II

A. Follow-up information relating to paragraph 11 (a) of the concluding observations ([CEDAW/C/DNK/CO/9](#))

Response to COVID-19

Generally

4. In the Danish parliamentary elections held on 5. November 2022, there was an increase of women elected from 39,1 % in 2019 elections to 44,1 % in the recent elections. The gender composition of ministers in the current Government is 35 % women and 65 % men.

5. Since the last dialogue, Denmark has adopted a vast range of new legislation and policies including during the COVID-19 pandemic, aimed at strengthening women's and LGBT+ person's opportunities and rights. See below for some examples:

The labour market

6. In the context of the COVID-19 pandemic, the Ministry of Employment has initiated measures in the areas of wage compensation, benefits and employment efforts. The measures are generally aimed at vulnerable groups, of which women tend to make up significant parts.

7. According to Statistics Denmark, the unemployment rates between women and men have not developed systematically different during and after the COVID-19 pandemic. The unemployment rate for women peaked during the pandemic at 5.5 pct. in May 2020 at the same level as the rate for men after an increase from 3.9 pct. Pre-pandemic vs. men's at 3.5 pct. The unemployment rate for men and women has

since fallen strongly and is as of October 2022 at 2.8 pct. for women and 2.4 pct. for men.¹

Tripartite agreement on combating sexual harassment in the workplace

8. The Government has landed a tripartite agreement with the social partners in March 2022 on combatting sexual harassment in the workplace. The tripartite agreement contains 17 initiatives, including 8 legislative proposals on compensation for victims of sexual harassment and the clarification of the responsibilities of the employer, among other things.

Violence against women

9. During the pandemic, Denmark experienced an increased demand for help to women subjected to violence or equivalent crises in their family or close relationship. To address the growing demand for vacant rooms in women's shelters, the Danish Government entered an agreement with its support parties in March 2020 to fund the opening of approx. 55 extra temporary rooms for battered women across the country. Following a new lockdown in December 2020, 25 additional rooms were funded.

10. The Danish Parliament also passed a bill that now permanently gives women the right to 10 hours of free psychological help when they register at a women's shelter. Furthermore, an agreement in 2020 secured temporary funds to increase the capacity of ambulatory counselling for victims of violence in intimate relations as well as perpetrators. The Government has since the downscale of the pandemic continued to follow the capacity situation of women's shelters in close dialogue with relevant civil society organizations.

Initiatives to combat loneliness

11. In response to the pandemic, the Danish Government also launched initiatives combatting loneliness among persons with disabilities. The initiatives aim to create awareness, identify challenges and find solutions that promote security and well-being for persons with disabilities, in order to ensure a safe return to civic and everyday life after COVID, including for women and girls. Moreover, in 2021, the Danish Government launched a funding package of 35 million dollars to support vulnerable citizens and persons with disabilities' access to cultural experiences.

Regarding family reunification

12. On 1 July 2022, the Aliens Act was amended regarding when a residence permit will lapse. This implies that, if a foreigner as a minor has been sent on a re-education trip or any other trip abroad with negative implications, the foreigner's residence permit will, as a rule, not lapse as a consequence of a stay abroad for a lengthy period. The new rules are in themselves gender neutral. However, while re-education trips of males occur it is presumed to affect females to a greater extent.

Regarding integration in general

13. Refugees, who have been granted residency in Denmark, have access to the Danish welfare system and social model on equal footing with Danish citizens. Denmark offers access to amongst other things health, education, housing, employment and social services for all persons, who are legally resident in Denmark, regardless of their ethnic background or their gender.

¹ Statistics Denmark 2023: Unemployed persons (seasonally adjusted) by benefits, sex and age and seasonal adjustment and actual figures – StatBank Denmark – data and statistics (statistikbanken.dk).

14. When asylum-seekers are granted asylum in Denmark, the Danish Immigration Service simultaneously assigns them to a specific municipality. The referred municipality must then offer the assigned a number of services including temporary housing, unemployment-benefits, and employment oriented integration efforts which assist the refugee in finding employment. Access to these services are not restricted by gender.

15. When deciding which municipality to assign a refugee to, the Danish Immigration Service may include personal circumstances in its decision to assign a specific refugee to a specific municipality. This includes circumstances such as gender identity or sexual orientation.

16. When offering temporary housing to refugees, a municipality may choose to offer a communal living space, which must be shared between two or more refugees. In doing this, the municipality in question must consider the individual refugee, including their age, gender, and any individual psychological vulnerabilities, and factor these into their decision to offer either communal or individual living spaces. In this instance, due consideration may be given to ensuring that women are placed in an environment that is sufficiently safe and reassuring.

National action plan to combat human trafficking

17. The Government launched a new national action plan to combat human trafficking. The action plan entails a strengthened effort for victims of human trafficking. The outreach work in the field of prostitution under the auspices of the Government-funded NGO's is reinforced, the specialized accommodation for victims of trafficking is upgraded, and there is a strengthened focus on the investigation and prosecution of perpetrators.

Provision on stalking in the Criminal Act

18. In August 2021, the Government and several other parties launched 14 initiatives to combat stalking, among other things this includes a provision on stalking in the Criminal Act. The provision has entered into force in January 2022.

Strengthened legislation on gender balance in management and on executive boards

19. The Danish Parliament passed in May 2022 legislation, which will support the work to promote a more equal gender composition in management and boards in private companies and in the public sector. The legislative proposals entered into force in January 2023. Covered companies and institutions are required to, among other things, to establish target figures for the gender composition in the upper management levels in addition to boards, and that greater transparency is created about the target figures and the development in the gender composition with a publicly accessible website (see 4.3). Several public institutions are covered as well, e.g. municipalities and regions.

20. The Government has issued a set of guidelines aimed at public authorities as a follow-up to the new rules on target figures and policies for the gender composition in management.

Denmark's accession to the EU 'Women on Boards' Directive

21. In March 2022, Denmark supported the EU Directive proposal on gender balance among ordinary board members in large listed companies and related measures. The Directive obliges i.a. member states to support large listed companies, which do not have a 40/60 percent gender distribution on the board, to introduce

predetermined, clear and unambiguous appointment criteria to achieve a 40 percent target for the board or a 33 percent target for both the board and the management.

Initiatives regarding LGBT+ persons

22. In January 2022, a number of provisions entered into force to secure a better protection of LGBT+ persons. A ban on discrimination on the basis of sexual orientation, gender identity, gender expression and gender characteristics have been made explicit in legislation both inside and outside the labour market. Also, the concepts of gender identity, gender expression and gender characteristics now appears explicitly in the Criminal Act's provisions on hate crimes and hate speech.

23. The Government launched a new LGBT+ action plan in August 2022. The action plan contains 39 initiatives, which promotes the safety, well-being and equal opportunities for LGBT+ persons. The action plan focuses on five areas 1) LGBT+ families, 2) children and young people's well-being, 3) intimate partner violence, sexual assault and hatred toward LGBT+ persons, 4) health and well-being and 5) the fight for rights of LGBT+ persons internationally.

B. Follow-up information relating to paragraph 15 (b) of the concluding observations (CEDAW/C/DNK/CO/9)

Definition of discrimination against women

24. The Faroe Islands and Greenland have an extensive type of self-government which means that the Faroe Islands and Greenland have exclusive competences within a wide range of areas and their own respective parliaments with separate legislative competence of these areas. It is therefore only the parliaments of the Faroe Islands or Greenland respectively that can legislate within these areas of exclusive competence. The Ministry of Justice cooperates closely with the Faroese and Greenlandic authorities on matters within the ministry's area of responsibility that are not a matter under the Faroese and Greenlandic home rule government.

25. The Government of Greenland is in the process of revising the existing gender equality law with the aim of providing a better protection of all genders, including women, which will include a definition of forms of discrimination. A draft is expected by the end of 2023. In the drafting process, key stakeholders will be consulted for inputs and possible collaboration to ensure that intersecting forms of discrimination will be considered either directly in the legislation or by other means. The revision of legislation is a part of a focused effort regarding overall gender equality.

26. The Government of the Faroe Islands is committed to striving for gender equality in all parts of society. This includes ensuring equal pay for women and men. Among other measures, the government will be revising the current Gender Equality Act. A commission will be constituted to examine necessary and appropriate changes. This will potentially include reviewing intersecting discrimination, as well as reviewing and clarifying necessary definitions of direct and indirect discrimination in public and private spheres.

C. Follow-up information relating to paragraph 21 (a) of the concluding observations (CEDAW/C/DNK/CO/9)

Consent-based definition of rape

The consent-based rape provision

27. Although section 216 of the Criminal Code does not contain a definition of the term "consent", the term is defined in the preparatory work to the provision.

28. In Denmark, it is not uncommon to define key terms in the preparatory work instead of defining them in the wording itself. On the contrary this is the general custom with regards to the Criminal Code. The preparatory work is one of the most important sources of law in Denmark, and the courts will rarely come to a different result, if there is a clear definition in the explanatory statements accompanying the legislation.

29. In the preparatory work to section 216 it is, inter alia, stated that it will always depend on a concrete assessment of all the circumstances of the case, whether there is consent, but that consent must always be an expression of the concerned person's free will.

30. In relation to the other part of the recommendation, the Ministry of Justice notes that in August 2020 the teaching and guidance material for sex education in Denmark was updated in order to reflect the new consent-based rape provision. In addition to this, the government launched a campaign with information about the new provision in December 2020. Finally, it should be noted that the police and the prosecution service are regularly trained in the handling of rape cases. The Ministry of Justice will continuously assess, whether further measures are needed.

31. In 2020, the Government allocated 15 mil. DKK to strengthen the cross-curricular compulsory topic Health, Sexual and Family Education by updating the educational framework for Health, Sexual and Family education and promote the importance of the subject. To follow up on the new regulation on consent in the regulation on rape, the Ministry of Children and Education updated the curricular framework on Health, Sexual and Family Education for primary and secondary schools in June 2021".

32. Vocational education and training consists of a basic programme divided into two basic courses and the main programme. In the subject Society and Health, which is a compulsive part of the first part of the basic course, sexual education is carried out with independent academic goals related to topics such as consent, gender and boundaries.

33. In general upper secondary education, a political agreement has been reached on that sexual education must be made compulsory. Compulsory sexual education must ensure that students are made familiar with topics such as consent, boundaries, contraception and sexually transmitted diseases. The agreement has not yet been implemented in legislation.

34. The Government of Greenland is preparing an information campaign about the new legislation on consent in the criminal provision. The bill reads as follows: "Anyone who has intercourse or other sexual relations with a person who has not consented to it is convicted of rape".

35. The provision was presented to the Greenlandic Parliament in the Autumn session of 2022 and is being presented to the Danish Parliament in February 2023. The information campaign is expected to kick off in the beginning of 2023, and will be followed by educational material for schools and other educational institutions with adolescents.

36. Earlier this year, the Faroese parliament passed a proposal to amend the rape provision in the Faroese penal code. The change entered into force on 1 June 2022. Since then, the rape provision in the Faroese Criminal Code has been consent-based.

D. Follow-up information relating to paragraph 35 (b) of the concluding observations (CEDAW/C/DNK/CO/9)**Suicide in Greenland**

37. Since 1993, the population surveys have gathered information about stressful conditions in the childhood home. Population surveys are carried out in Greenland every 4 years. Studies show a coincidence between stressful conditions in childhood and the occurrence of suicidal thoughts later in life. Static data regarding number of suicides is collected in Statistics Greenland. The number of suicides per year has remained stable at around 40–50 suicides per year for the last 40 years. Naalakkersuisut is working on a strategy to prevent suicide, which will be published in the spring of 2023. The strategy will focus on increased help to people with suicidal thoughts, as well as to relatives and those who have been left behind.
