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Denmark*

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I. General information about Denmark

1. Denmark is a Scandinavian/Nordic country located in Northern Europe — southwest of Sweden, due south of Norway and bordered by Germany to the south. Denmark borders both the Baltic and North Seas along its more than 7 500 km tidal shoreline.
2. The land surface of Denmark (excluding Greenland and the Faroe Islands) covers an area of 43 094 square kilometres. It consists of the Jutland peninsula and several islands in the Baltic Sea. The largest islands are Zealand (Sjælland) and Funen (Fyn). Main cities are the capital Copenhagen on Zealand; Århus, Aalborg and Esbjerg in Jutland; and Odense on Funen.
3. Greenland and the Faroe Islands are part of the realm, but enjoy extensive Self-Government arrangements. The Faroe Islands cover an area of 1 399 square kilometres, while Greenland covers an area of 2 166 086 square kilometres.
4. Denmark is a constitutional monarchy with a representative parliamentary system. It is a member of the United Nations, the European Union and of the Nordic Council of Ministers, the OECD, OSCE, WTO; it is also part of the Schengen Area.
5. During the last part of the nineteenth and the beginning of the twentieth century, Denmark has developed from a largely agricultural nation to an industrialized nation. In the twentieth century, Denmark has gradually developed into a welfare state, as the country experienced widespread economic development and a continuing expansion of the Danish social security system.
6. As a result of these developments, Danish citizens generally enjoy a high standard of living and the country has received high ranking in various international surveys of national performance, including within the areas of education,¹ health care,² protection of civil liberties,³ democratic governance,⁴ prosperity⁵ and human development.⁶ Surveys have ranked Denmark as having a high social mobility, a high level of income equality,⁷ one of the lowest perceived levels of corruption in the world,⁸ one of the world's highest per capita incomes, and also one of the world's highest personal income tax rates.⁹ Denmark grants 0.7% of its GNI to development assistance.

A. Demographic, social, cultural and economic characteristics

Demographic characteristics

7. The total population in 2017 was 5.75 million people. The growth rate from the previous year was 0.7%. The population size and expected growth rates are contained in the table below.

Table 1: Population size and growth rate, including expected growth

	2014	2015	2016	2017	2018	2019	2020
Population size	5 627 235	5 659 715	5 707 251	5 748 769	5 784 597	5 815 962	5 844 696
Growth rate		0.6%	0.8%	0.7%	0.6%	0.5%	0.5%

¹ <http://hdr.undp.org/en/countries/profiles/DNK>.

² See note 1.

³ https://freedomhouse.org/sites/default/files/FH_FIW_2017_Report_Final.pdf p. 18 and 21.

⁴ http://www.sgi-network.org/2014/Denmark/Quality_of_Democracy.

⁵ http://www.prosperity.com/application/files/1614/7809/7434/Legatum_Prosperty_Index_2016.pdf.

⁶ See note 1.

⁷ See note 1.

⁸ https://www.transparency.org/news/feature/corruption_perceptions_index_2016#table.

⁹ <http://www.oecd.org/general/denmarkswedenstillthehighest-taxoecdcountries.htm>.

8. The population density in 2016 was 133 persons per km². Urbanisation is a general trend in Denmark. The proportion of people living in urban areas has grown from 79.92% in 1970 to 87.82% in 2016. The table below shows the changes in urban and rural populations since 1970. While the population in Greater Copenhagen area has decreased since 1970, the population in the capital itself has increased with 7% from 2012 to 2016. About 13% of the population — 771 312 people — live in the capital (2016 figures).

Table 2: Urban and rural population

	1970	1981	1990	2000	2010	2016
Urban Proportion (%)	79.92%	83.86%	84.83%	85.06%	86.83%	87.82%
Rural Proportion (%)	20.08%	16.14%	15.17%	14.94%	13.17%	12.18%

9. 91.5% of the population are Danish citizens. The main immigrant groups are those from Turkey, Poland, Syria and Germany. In 2017, 13% of Denmark's population had an immigrant background, defined as a person born abroad whose parents are both (or one of them if there is no available information on the other parent) foreign citizens or were both born abroad. If there is no available information on either of the parents and the person was born abroad, the person is also defined as an immigrant. Out of the total of 752 618 with an immigrant background, 577 742 are immigrants (10%), and 174 876 (3%) are born in Denmark to immigrant parents.

Table 3: Ancestry (as of the second half of 2017)

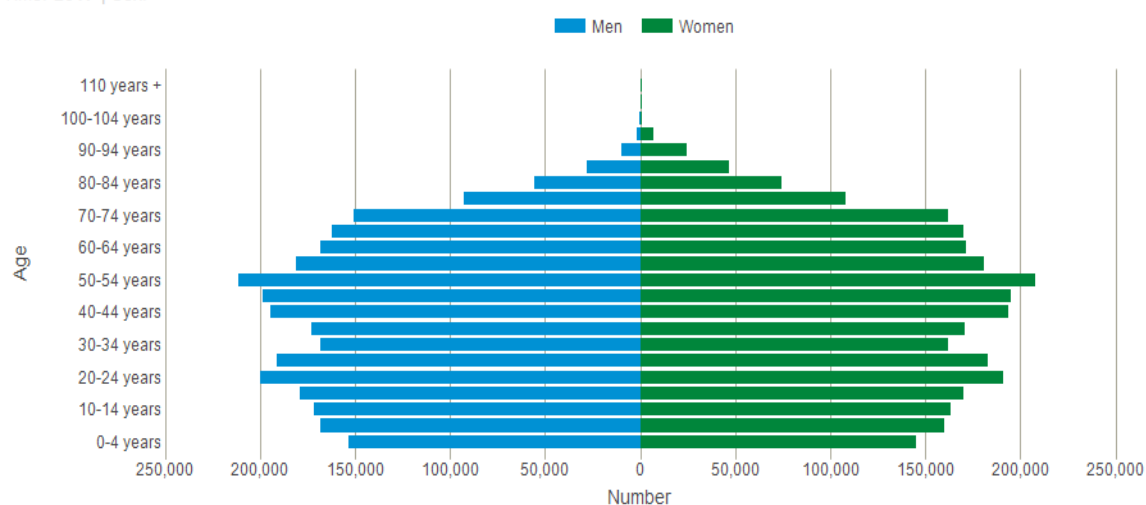
	Men	Women
Persons of Danish origin	2 487 694	2 520 382
Immigrant:		
Western countries	123 245	116 283
Non-western countries	166 367	171 847
Descendant:		
Western countries	14 443	13 635
Non-western countries	75 203	71 595

10. Population in 2017 by age and gender.

Table 4: Population in 2017

Population 1. January

Time: 2017 | Sex:



11. Live births by gender of the child and age of the mother.

Table 5: Live births by gender of child and age of mother

Age	2013		2014		2015		2016	
	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls
10–14 years	0	0	1	2	1	0	0	0
15–19 years	362	376	343	286	325	258	321	281
20–24 years	3 101	3 039	3 192	3 062	3 282	3 060	3 436	3 213
25–29 years	8 792	8 437	9 443	8 712	9 549	9 420	10 642	9 993
30–34 years	10 065	9 558	9 925	9 489	10 311	9 574	10 762	10 054
35–39 years	5 187	4 818	5 216	4 976	5 235	4 906	5 421	5 114
40–44 years	1 020	986	1 080	1 037	1 085	1 076	1 131	1 128
45–49 years	55	65	53	50	52	59	63	48
50–54 years	7	3	1	2	6	3	5	2
55–59 years	1	1	0	0	2	1	0	0
60–64 years	0	0	0	0	0	0	0	0
Total	28 590	27 283	29 254	27 616	29 848	28 357	31 781	29 833
Total all	55 873		56 870		58 205		61 614	

12. Number of deaths by gender and age.

Table 6: Deaths by gender and age

Number	2013		2014		2015		2016	
<i>M = Men</i>	<i>M</i>	<i>W</i>	<i>M</i>	<i>W</i>	<i>M</i>	<i>W</i>	<i>M</i>	<i>W</i>
<i>W = Women</i>								
0–4 years	124	114	151	109	126	110	135	93
5–9 years	8	12	9	5	13	11	13	16
10–19 years	71	31	54	30	51	33	39	38
20–29 years	135	72	160	69	175	58	185	95
30–39 years	271	148	284	151	227	128	253	134
40–49 years	847	470	798	475	768	458	737	426
50–59 years	2 211	1 366	2 111	1 265	2 073	1 313	2 067	1 312
60–69 years	4 948	3 141	4 858	3 216	4 700	3 102	4 608	3 070
70–79 years	6 792	5 370	6 907	5 374	7 272	5 479	7 410	5 721
80–89 years	7 915	9 024	7 570	8 501	7 861	8 727	7 867	8 693
90–94 years	2 101	4 364	2 130	4 274	2 282	4 471	2 333	4 295
95 years +	688	2257	662	2 177	735	2 382	769	2515
Total	26 111	26 360	25 694	25 646	26 283	26 272	26 416	26 408
Total all	52 471		51 340		52 555		52 824	

Source: Statistics Denmark.

13. Life expectancy at birth in Denmark is high and increasing, currently 78,8 years for men and 82,8 years for women.

Table 7: Life expectancy (2 years tables)

	2011–2012		2012–2013		2013–2014		2014–2015		2015–2016	
	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls
0 year	77.9	81.87	78.02	81.96	78.51	82.72	78.61	82.53	78.82	82.83
1 year	77.16	81.15	77.27	81.24	77.81	82.02	77.97	81.84	78.14	82.09
2 years	76.18	80.16	76.29	80.27	76.84	81.04	76.98	80.85	77.17	81.09
3 years	75.19	79.18	75.31	79.28	75.85	80.04	75.99	79.86	76.17	80.1
4 years	74.2	78.19	74.32	78.29	74.86	79.05	75	78.87	75.17	79.11

Note: Life expectancy is the average number of years that a person with a given birthday can expect to live if his or her mortality in the future (year to year) is the same as the average mortality in the present period.

Source: Statistics Denmark.

14. The fertility rate has increased slightly from 1, 72 child per woman in 2012 to 1, 78 child per woman in 2016.

Table 8: Annual number of children born per 1000 women in age groups

	2012	2013	2014	2015	2016
15–19 years	3	2.9	2.4	2.3	2.5
20–24 years	32.3	29.8	29.1	29	29.8
25–29 years	105.1	99.3	102.1	102.7	107.4
30–34 years	129.1	126.9	126.4	130	133.2
35–39 years	62.7	60.9	63.7	64.1	68.8
40–44 years	12.8	13.1	13.9	13.9	14.5
45–49 years	0.8	0.7	0.7	0.8	0.9
Total fertility rate*	1 729.2	1 668.7	1 691.2	1 713.6	1 785.4

Note: *The total fertility is the number of children that would be born alive to 1,000 women during the reproductive period of their lives (ages 15 through 49), if all 1,000 women lived to be 50 years old, and if at each age they experienced the given year's age-specific fertility rates. Dividing the total by 1,000 provides the number of children each woman give birth to in average.

Source: Statistics Denmark.

Social and cultural characteristics

Social characteristics

15. The percentage of the population over 65 years of age is 16.1; for men the percentage is 17.5 and for women 14.7. The percentage of the population under the age of 15 years is 16.7 — for men the figure is 17.2 and for women 16.2.

Table 9: Dependency ratio

	2014		2015		2016		2017	
	Men	Women	Men	Women	Men	Women	Men	Women
Total:	962 339	852 002	972 120	862 584	983 095	875 826	995 052	891 806
<15:	496 155	472 515	493 302	469 345	492 349	467 925	493 317	468 251
In %:	17.8%	16.7%	17.5%	16.5%	16.5%	17.3%	17.2%	16.2%
>65:	466 184	379 487	478 818	393 239	490 746	407 901	501 735	423 555
In %:	16.7%	13.4%	17%	13.8%	17.3%	14.2%	17.5%	14.7%

16. The number of households in Denmark as of 1 January 2017 was 2.67 million, of which 38% consist of only one person. The average household size is contained in the table below.

Table 10: Average Household Size (number of persons)

2013	2014	2015	2016	2017
2 148	2 147	2 147	2 150	2 153

17. In households with children, 17.51% of the households have a woman as the only adult person in the household, while for men the figure is 3.96%.

Table 11: Proportion (%) of single-parent households

	2013	2014	2015	2016	2017
Men	3.65%	3.77%	3.88%	3.93%	3.96%
Women	17.43%	17.64%	17.86%	17.75%	17.51%

18. Denmark has one of the lowest degrees of income inequality among the countries of the OECD, although income inequality in Denmark has increased slightly since the mid-90s roughly along the same path as the OECD average. Table 12 below shows that income inequality has also increased from 2011–15. It should be noticed that real disposable income increased among all income groups, although the increase was higher among high-income earners than among those with lower incomes.

Table 12: Inequality indicators on equivalised disposable income by time

	2011	2012	2013	2014	2015
Gini coefficient:	26.4	26.1	26.6	27.1	27.9

Note: The Gini coefficient shows inequality as a figure between 0 and 100, where 0 represents absolute equality and 100 represents a maximum of inequality.

19. Denmark does not operate with an official national poverty line. The share of the population living below 50% of the median disposable income in Denmark is one of the lowest among OECD countries. Over the period 2011–2015 the share has increased slightly. A large part of the increase is due to the fact that more young people are enrolled in education.

Table 13: Proportion of population living below 50 per cent of the median disposable income

	2011	2012	2013	2014	2015
Proportion	6.6	6.3	6.5	6.9	7.2

Health statistics

20. The Danish public health care system is based on the principles of free and equal access for all citizens. The vast majority of health services in Denmark are provided free of charge for the users, e.g. hospital and services from general practitioners. In general, health and social services are financed by taxes and supported by a system of central government block grants, reimbursements and equalization schemes. Approximately 84% of health care expenditure is financed by Government funding (2015). The remaining 16% are financed primarily through patient co-payments. Health care accounts for 30% of total public expenditures (USD 26.8 billion). In 2014, health care expenditure amounted to 10.6% of GDP.

21. Infant deaths constitute less than 0.5% of live births.

Table 14: Infant mortality as a proportion of live births (men=M, women=W)

	2012		2013		2014		2015		2016	
	M	W	M	W	M	W	M	W	M	W
Infant mortalities	102	95	95	100	134	95	116	100	114	80
Live births	29 797	28 212	29 243	27 798	29 078	27 509	29 668	28 176	31 818	29 971
Percentage	0.34	0.34	0.32	0.36	0.46	0.35	0.39	0.35	0.36	0.27

Note: a infant is defined as a child under the age of 1 year.

Source: Statistics Denmark and calculations by the Ministry of Health.

22. Maternal mortality due to complications during pregnancy, birth and maternity leave.

Table 15: Mortalities during pregnancy, birth and maternity leave

2011	2012	2013	2014	2015
<5	0	<5	5	0

Source: esundhed.dk.

23. Selected non-communicable and communicable diseases.

Table 16: Selected non-communicable diseases (new cases per 100,000 individuals)

Disease	Gender	2011	2012	2013	2014	2015
Asthma	Men	6 400	6 550	6 675	6 750	6 825
	Women	7 450	7 650	7 800	7 875	7 975
Total		6 925	7 100	7 225	7 325	7 400
Dementia	Men	500	500	525	525	550
	Women	825	825	825	825	850
	Both	650	675	675	675	700
COPD	Men	3 125	3 150	3 125	3 100	3 025
	Women	3 850	3 825	3 775	3 700	3 600
	Both	3 500	3 500	3 450	3 400	3 325
Arthritis	Men	475	475	500	500	525
	Women	1 100	1 150	1 175	1 175	1 200
	Both	775	825	825	850	850
Osteoporosis	Men	625	725	800	875	925
	Women	3 500	3 850	4 125	4 375	4 575
	Both	2 075	2 300	2 475	2 625	2 750
Schizophrenia	Men	500	525	550	575	575
	Women	350	375	400	400	425
	Both	425	450	475	475	500
Diabetes, type 1	Men	500	500	500	500	500
	Women	350	350	350	350	375
	Both	425	425	425	425	425
Diabetes, type 2	Men	3 675	3 975	4 200	4 300	4 375
	Women	2 900	3 125	3 300	3 375	3 425
	Both	3 300	3 550	3 750	3 850	3 900

Source: esundhed.dk.

Table 17: Selected communicable diseases (new cases)

<i>Number of new cases</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>
HIV	203	242	261	280	244
AIDS	48	46	50	45	41
Gonorrhoea	678	802	1 141	1 653	2 008
Syphilis	350	325	365	439	366
Chlamydia	26 385	27 628	30 881	31 782	34 132
Botulism	2	0	1	2	0
Hepatitis A	53	108	31	19	37
Hepatitis B	303	297	230	274	275
Hepatitis C	268	240	221	314	240
Haemophilus meningitis	4	9	1	3	3
Legionella	126	113	159	184	166
Leptospirosis	7	3	7	8	15
Measles	2	17	27	9	3
Other meningitis	36	43	50	41	37
Meningococcal disease	58	55	44	40	37
Mumps	15	61	42	15	15
Lyme disease	64	81	46	68	48
Parrot Fever (Psittacosis)	12	12	14	24	24
Pertussis	159	73	92	113	207
Pneumococcal diseases	59	79	55	65	71
Rubella	0	0	0	0	0
Shigellosis	59	94	76	117	176
Tetanus	0	1	0	0	1
Tuberculosis	390	359	325	376	332
Typhoid fever	29	14	22	12	29
E. coli enteritis	173	178	271	220	242

Source: Statens Serum Institut (SSI).

24. The ten most frequent causes of death in Denmark by gender.

Table 18: Ten major causes of death

<i>Disease</i>	<i>Gender</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>
Cancer	Men	8 254	8 256	8 252	8 310	8 413
	Women	7 522	7 618	7 469	7 507	7 540
Heart diseases	Men	4 470	4 453	4 391	4 279	4 344
	Women	4 382	4 326	4 034	3 798	3 906
Diseases in the respiratory organs	Men	2 772	2 719	2 914	2 734	2 913
	Women	3 177	3 169	3 334	2 995	3 142
Other circulatory disease	Men	2 177	2 201	2 241	2 082	2 168
	Women	2 674	2 528	2 472	2 443	2 535
Mental illness	Men	1 362	1 388	1 390	1 370	1 569
	Women	1 768	1 793	1 929	1 900	1 990
Deaths without medical information	Men	647	560	910	802	1 218
	Women	699	501	793	744	1 258

<i>Disease</i>	<i>Gender</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>
Diseases in the nervous system and sense organs	Men	818	865	945	966	1 057
	Women	1 086	1 090	1 147	1 166	1 285
Diseases in the digestive organs	Men	1 301	1 194	1 156	1 143	1 137
	Women	1 220	1 124	1 080	1 103	1 012
Endocrine and nutritional diseases and metabolic disorder	Men	914	896	912	936	918
	Women	808	808	829	815	872
Non-specified causes	Men	661	654	694	630	635
	Women	1 150	1 122	1 144	1 086	1 132

Source: esundhed.dk.

Cultural characteristics

25. Denmark does not register citizens according to religious affiliation. However, as persons belonging to the Established Church of Denmark (Folkekirken) are registered for the purpose of paying church tax, it can be established that approximately 76% of the population (74% of the men and 78% of the women) belong to the Evangelical Lutheran Church. Islam constitutes the second largest religion in Denmark, after Christianity. Other religious beliefs includes the Jewish community, Hinduism and Buddhism.

26. Primary school is compulsory from grade 0–9. The lower secondary — grade 10 — is optional and attended by approximately 50% of the pupils. 78% of the Danish pupils attend public primary school (folkeskole), while 22% attend private or special schools. It is optional for parents to choose a public or private school.

27. The general upper secondary education — also referred to as youth education programmes — can be divided into four general programs which all prepare the students for further studies:

- A three-year upper secondary education (Gymnasium);
- A three-year higher commercial examination (HHX);
- A three-year higher technical examination (HTX);
- A two-year higher preparatory examination (HF).

28. The upper secondary vocational training in Denmark includes more than 100 programmes and the duration of each training varies from 2–5½ years. The programmes consist of both practical and theoretical instruction. The practical part takes place in an approved company. The theoretical part takes place at a certified vocational training college.

29. The public education system from primary school through university is free for all.

Table 19: Primary and secondary education (Entrants, per 1st October, and Completed)

	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>
Primary and lower secondary education (grade 0–10)							
Entrants in grade 0	66 650	66 020	66 951	65 822	67 206	65 444	66 020
Students pr. 30.09	717 114	715 658	712 843	709 986	710 713	712 546	713 409
Boys out of students pr. 30.09	51%	51%	51%	51%	51%	51%	52%
Girls out of students pr. 30.09	49%	49%	49%	49%	49%	49%	48%

	2010	2011	2012	2013	2014	2015	2016
Upper secondary vocational training							
Entrants	63 266	61 533	60 334	59 929	59 284	52 148	42 719
Students pr. 30.09	135 353	137 465	137 338	137 470	133 548	120 367	107 126
Men out of students pr. 30.09	55%	55%	55%	55%	56%	56%	59%
Women out of students pr. 30.09	45%	45%	45%	45%	44%	44%	41%
Completed	33 128	33 101	34 028	33 065	35 079	32 254	33 308
General upper secondary school (gymnasium)							
Entrants	53 778	55 253	55 691	56 361	55 180	55 822	57 373
Students pr. 30.09	133 882	141 534	145 855	148 471	148 576	149 074	151 089
Men out of students pr. 30.09	46%	47%	47%	47%	47%	47%	47%
Women out of students pr. 30.09	54%	53%	53%	53%	53%	53%	53%
Completed	38 013	40 400	43 136	45 443	47 156	47 107	47 586

30. The literacy rate is estimated at 100% for Danish adults. It means that all Danish adults know how to read, but not all of them are efficient readers. As demands on reading abilities are increasing in society, inefficient reading is a growing challenge.

Economic characteristics

Economic power

31. Denmark is an advanced economy with a high level of income per capita. In 2016, the Danish gross domestic product amounted to DKK 2 066 bn. (USD 310.7 bn.), with per capita income amounting to DKK 360 600 (USD 46 104). While GDP has been growing each year since the severe downturn in 2008–2009, growth in productivity and per capita income remains moderate in a historical context.

Table 20: Gross domestic product (GDP)

	2012	2013	2014	2015	2016
Current prices (DKK bn.)	1 895	1 929.7	1 981.2	2 027.1	2 066
Period-to-period real growth in per cent	0.2	0.9	1.6	1.6	2

32. Gross national income (GNI).

Table 21: Gross national income in DKK bn

2012	2013	2014	2015	2016
1 937.8	1 990.8	2 053.2	2 090.4	2 118.1

33. Inflation measured by the annual change in the consumer price index was 0.3 in 2016. Consumer price inflation has been low in recent years, reflecting international trends.

Table 22: Consumer price index (2015=100) by main figures (average, yearly)

2012	2013	2014	2015	2016
98.2	99	99.6	100	100.3

34. Denmark has a high level of public expenditure, amounting to more than 25% of GDP, somewhat above historical levels. The government provides free access to health care and education and a high level of social security. In addition to significant expenditures on public consumption, income transfers account for a large share of GDP.

Table 23: Expenditure of general government (Government consumption, total)

	2012	2013	2014	2015	2016
General public services	41.9	40.7	40.6	41.2	41.7
Defence	26.4	24.7	22.8	22.6	22.0
Public order and safety	17.9	18.1	18.3	18.8	19.1
Economic affairs	28.0	28.0	28.3	28.5	27.8
Environmental protection	5.8	6.4	6.6	6.6	6.5
Housing and community amenities	1.6	1.8	1.5	1.6	1.9
Health	147.7	149.3	153.1	157.6	161.6
Recreation, culture and religion	22.0	22.2	22.6	22.9	23.2
Education	90.9	90.5	96.2	97.4	96.0
Social protection	119.4	120.2	120.8	122.0	124.9
Total	501.6	501.9	510.9	519.2	524.8

35. Denmark has a tradition of a stability-oriented economic policy with a long planning horizon. Economic policy is planned within the framework given by the Danish Budget Law, the government's medium term plan and the Stability and Growth Pact. The framework specifies concrete objectives for public finances in the form of long-term sustainability and at least structural budget balance by 2025. The goals are supported by multi-annual expenditure ceilings, which are set for a continuous four year forward looking period for central government, municipalities and regions respectively. The expenditure ceilings are based on medium-term projection, which implements a precautionary principle, whereby only the impact of reforms and initiatives agreed upon by a majority in the Danish Parliament are incorporated.

Table 24: Denmark's government debt and deficit (EMU-debt and deficit) in DKK billion and per cent of GDP

	2012	2013	2014	2015	2016
Government deficit (-)/surplus (+) in DKK billion	-66.1	-23.8	21.0	-35.6	-12.9
Government deficit (-)/surplus (+) % of GDP	-3.5%	-1.2%	1.1%	-1.8%	-0.6%
Government debt in DKK billion	850.7	849.9	869.6	801.4	778.5
Government debt in % of GDP	45.2%	44%	44%	39.5%	37.7%

36. Pre-tax and disposable income of men and women has increased by about 10% from 2011 to 2015, cf. table 25, mirroring growth in nominal GDP. Income differences between men and women remain small in an international comparison. The difference between pre-tax income and disposable income highlights the relatively high level of redistribution.

Table 25: People by type of income, gender in DKK

		2011	2012	2013	2014	2015
Pre-tax Income	Men	322 860	328 542	336 192	342 987	356 252
	Women	251 892	257 601	263 040	268 232	277 615
Total		286 765	292 458	299 009	305 018	316 352

		2011	2012	2013	2014	2015
Disposable Income	Men	211 734	215 827	222 052	226 244	234 691
	Women	175 544	179 172	183 460	187 312	192 661
Total		193 327	197 182	202 435	206 470	213 365

Note: Age 15 and older. Non-equivalized income.

Gainful employment

37. The Danish labour market model combines flexibility and security with an active labour market policy — often termed “flexicurity”. The model includes flexible rules for hiring and firing, which allows employers to dismiss employees during economic downturns and hire new staff when conditions improve. About 25% of Danish private sector workers change jobs each year. This flexibility is combined with unemployment security in the form of a guarantee for an unemployment benefit at a relatively high level — up to 90% for the lowest paid workers. An active labour market policy ensures that an effective system is in place to offer guidance, education or preferably a job to all unemployed. Denmark spends approximately 1.5% of its GDP on an active labour market policy.

38. The Danish labour market model rests on a century-long tradition of social dialogue and negotiation among the Social Partners — the trade unions and industry organisations. The development of the labour market owes much to the Danish collective bargaining model, which has ensured extensive worker protection while taking changing production and market conditions into account. The parties of the labour market thus regulate questions concerning working conditions through collective agreements. These collective agreements include provisions on minimum wages, which vary according to the field of work. Approximately 80 percent of all employees in Denmark are included in a collective agreement or an adhesion agreement. Furthermore, collective agreements have a significant rub-off effect in areas that are not covered by any collective agreement. Through a so-called Main Agreement the parties have set up rules for the use of strikes, blockades, lockouts and boycotts.

39. The unemployment rate (unemployed people as % of the labour force) in 2016 was 6% for men and 6.8% for women — in total 6.3%.

Table 26: Unemployed persons in per cent of the labour force by gender and age (A=Average, M=Men, W=Women)

	2013			2014			2015			2016		
	A	M	W	A	M	W	A	M	W	A	M	W
All ages	7.1	6.9	7.4	6.8	6.6	6.9	6.3	6.1	6.5	6.3	6.0	6.8
15–24	13.0	14.2	11.8	12.6	13.7	11.5	10.8	11.6	10.0	12.0	13.1	10.9
25–34	8.6	7.3	10.0	8.4	7.6	9.3	7.9	7.3	8.6	8.5	7.1	10.1
35–44	5.5	4.9	6.2	5.1	4.4	5.8	4.8	4.5	5.1	4.7	3.9	5.5
45–54	5.2	5.3	5.2	4.7	4.6	4.8	4.9	4.7	5.1	4.0	3.7	4.2
55–64	5.1	5.2	5.1	4.8	5.1	4.5	4.4	4.0	4.8	4.0	4.0	4.1

Source: AKU121 — based on LFS-data, which is the most widely used in international comparisons.

40. Public administration, education and health account for nearly a third of the total employment in Denmark, while trade and transport accounts for almost a quarter. Trade and transport is the most popular industry for men accounting for 25% of the employed men, whereas almost half of the employed women work within public administration, education and health.

Table 27: Employed and self-employed (end November) by gender and industry

		2011	2012	2013	2014	2015
Total	Agriculture, forestry and fishing	70 724	71 324	71 575	71 335	71 350
	Manufacturing, mining and quarrying, and utility services	323 551	316 335	311 074	315 732	318 399
	Construction	156 532	154 245	151 116	155 471	161 187
	Trade and transport etc.	649 588	646 576	650 124	658 267	669 139
	Information and communication	99 761	100 375	100 823	101 565	105 874
	Financial and insurance	81 574	79 268	78 570	77 579	77 277
	Real estate	44 248	44 183	44 646	44 784	45 750
	Other business services	274 102	279 524	287 227	297 029	307 022
	Public administration, education and health	871 410	866 986	871 328	868 777	873 201
	Arts, entertainment and recreation activities	122 601	121 827	123 113	124 913	126 427
	Activity not stated	4 327	4 197	4 352	4 388	3 783
	Total	2 698 418	2 684 840	2 693 948	2 719 840	2 759 409
Men	Agriculture, forestry and fishing	56 667	57 055	57 208	56 848	56 685
	Manufacturing, mining and quarrying, and utility services	228 715	224 157	220 384	223 727	226 110
	Construction	142 034	139 850	137 038	141 088	146 183
	Trade and transport etc.	388 252	385 947	388 189	392 320	398 188
	Information and communication	69 605	69 899	70 381	70 870	73 836
	Financial and insurance	40 988	40 171	40 222	40 175	40 488
	Real estate	28 762	28 635	28 811	28 685	29 147
	Other business services	150 632	154 262	160 244	166 084	171 046
	Public administration, education and health	250 861	250 178	251 968	250 734	252 719
	Arts, entertainment and recreation activities	51 434	51 351	52 244	52 982	53 648
	Activity not stated	2 632	2 638	2 760	2 811	2 410
	Total	1 410 582	1 404 143	1 409 449	1 426 324	1 450 460
Women	Agriculture, forestry and fishing	14 057	14 269	14 367	14 487	14 665
	Manufacturing, mining and quarrying, and utility services	94 836	92 178	90 690	92 005	92 289
	Construction	14 498	14 395	14 078	14 383	15 004
	Trade and transport etc.	261 336	260 629	261 935	265 947	270 951
	Information and communication	30 156	30 476	30 442	30 695	32 038
	Financial and insurance	40 586	39 097	38 348	37 404	36 789
	Real estate	15 486	15 548	15 835	16 099	16 603
	Other business services	123 470	125 262	126 983	130 945	135 976
	Public administration, education and health	620 549	616 808	619 360	618 043	620 482

	2011	2012	2013	2014	2015
Arts, entertainment and recreation activities	71 167	70 476	70 869	71 931	72 779
Activity not stated	1 695	1 559	1 592	1 577	1 373
Total	1 287 836	1 280 697	1 284 499	1 293 516	1 308 949

41. In 2016, 72% of women aged 15–64 were in employment, compared with 78% of men. From 2012 to 2016 the employment rate in total increased from 73% to 75%, but it is worth noting that for the age group 55 to 64 years the increase in employment was particularly high — from 61% to 69%.

Table 28: Employment rates by frequency, gender and age

	2013			2014			2015			2016			
	W	T	M	W	T	M	W	T	M	W	T	M	W
Age, total	70.0	72.6	75.0	70.0	72.8	75.8	69.8	73.5	76.6	70.4	74.9	77.7	72.0
15–24 years	55.4	53.8	52.5	55.1	53.8	52.8	54.9	55.5	54.7	56.3	58.2	56.5	60.0
25–34 years	73.6	77.4	81.9	72.7	76.3	80.5	72.1	76.9	80.9	72.7	77.2	82.4	71.8
35–44 years	81.6	84.8	88.0	81.6	85.2	89.3	81.0	85.3	89.2	81.4	85.0	89.3	80.7
45–54 years	81.1	83.2	84.7	81.6	83.6	85.9	81.2	83.5	87.0	80.0	84.7	87.3	82.2
55–64 years	55.8	61.7	66.5	56.8	63.2	68.9	57.6	64.7	69.8	59.6	67.8	71.9	63.6

Statistics on criminal offences

Homicide, attempted homicide and particularly grievous assault¹⁰

42. Table 29 shows the number of reported criminal offences from 2012–2016 concerning homicide, attempted homicide, and particularly grievous assault, including violence resulting in death.

Table 29: The number of reports per 100,000 inhabitants

	2012	2013	2014	2015	2016
Homicide	0.8	0.7	1.0	0.8	0.9
Attempted homicide	2.5	2.9	2.6	2.5	3.4
Particularly grievous assault	0.3	0.2	0.2	0.2	0.2
Total	3.6	3.9	3.9	3.5	4.5

43. Table 30 shows the number of convictions regarding homicide, attempted homicide, or particularly grievous assault.¹¹ Based on the figures below, there is an average of 0.3 convictions per 100 000 women above the age of criminal responsibility each year and 2.5 convictions per 100 000 men. It should be noted that the relatively limited number of convictions means that variations can easily occur from year to year.

¹⁰ The estimations are based on data from Statistics Denmark.
<http://www.dst.dk/en/Statistik/emner/levevilkaar/kriminalitet>.

¹¹ Convictions means cases where a person is found guilty. It does not include cases where prosecution is dropped or acquittals. The convictions concern the most serious element of the crime, as more than one criminal charge can be included in the same conviction. The same person can receive more than one conviction during a year.

Table 30: Number of convictions 2011–2015

	2011		2012		2013		2014		2015	
	M	W	M	W	M	W	M	W	M	W
Homicide	24	2	31	3	20	4	18	4	30	2
Attempted homicide	26	1	23	1	39	4	20	3	29	4
Particularly grievous assault	12	1	9	2	9	1	3	2	8	1
Total	62	4	63	6	68	9	41	9	67	7

Violent offences and robbery¹²

44. Table 31 shows the number of persons convicted of violence etc. against a public authority, common assault, grievous assault or robbery. On average, approximately 5 500 persons have been convicted of the mentioned offences each year. This corresponds to 123 convicted persons per 100 000 inhabitants aged 15 to 79 each year.

Table 31: Number of convicted persons 2011–2015

	2011	2012	2013	2014	2015
Violence etc. against public authority	1 346	1 348	1 259	1 210	1 318
Common assault	3 856	3 609	3 027	2 714	2 654
Grievous assault	921	862	806	628	631
Robbery	784	688	627	481	421
Total	6 907	6 507	5 719	5 033	5 024

Sexually motivated violence

45. Table 32 shows the number of reports regarding the sections of the Danish Criminal Code related to sexual offences.

Table 32: Number of reports concerning sexually motivated violence

<i>The Danish Criminal Code</i>	<i>Number of reports</i>				
<i>Section</i>	2012	2013	2014	2015	2016 ¹³
216 (Rape)	317	351	462	628	968
218 (Sexual intercourse by exploitation of mental abnormality)	31	19	2	2	5
219 (Sexual intercourse with a person placed in an institution or an imprisoned person)	4	4	5	4	8
220 (Sexual intercourse by gross exploitation of a state of dependency)	1	0	2	0	9
221 (Sexual intercourse by deception)	9	8	7	3	5
222 (Sexual intercourse with a child under 15 years)	183	126	114	157	167
223 (Sexual intercourse with a stepchild or foster child under 18 years or sexual intercourse with a person under 18 years by gross exploitation of superior age and experience)	16	8	10	11	8

¹² The estimations are based on data from Statistics Denmark.
<http://www.dst.dk/en/Statistik/emner/levevilkaar/kriminalitet>.

¹³ The significant increase in reports concerning sexually motivated violence is inter alia due to a change in the registration practice of the police in such cases, a couple of abnormally large cases, and a new initiative from the Ministry of Justice, which among other things seeks to encourage more persons to report this type of crime.

<i>The Danish Criminal Code</i>	<i>Number of reports</i>				
	2012	2013	2014	2015	2016 ¹³
225 (section 216–224 in relation to sexual activity other than sexual intercourse)	20	136	202	188	468
245a (Assault by female circumcision)	1	1	1	2	0

Pre-trial detention

46. Pre-trial detention is decided by the courts and can last up to 4 weeks. Pretrial detention can be extended by the courts for 4 weeks at a time. Pre-trial detention must be repealed, when inter alia the circumstances for the pre-trial detention no longer exist. Pre-trial detention is only possible, if there is reasonable cause to believe a person has committed a crime, which is punishable by imprisonment for 1 year and 6 months or more, and there are reasons to believe the person may evade criminal proceedings, punishment, commit new crime or try to obstruct the investigation.

47. There is no maximum limit of pre-trial detention. However, if the charges related to a type of crime, which can lead to imprisonment for six years or less, a pre-trial detention may only exceed 6 months (4 months if the person is under the age of 18) under special circumstances. A pre-trial detention can only exceed one year (8 months if the person is under the age of 18), if the charge relates to a type of crime, which can lead to more than six years of imprisonment and if the courts find that special circumstances justify a longer pre-trial detention.

48. The average time of pre-trial detention is calculated in months from the first date of the pre-trial detention to the date of the district court's determination of guilt, unless the person in pre-trial detention is released before the district court's ruling.

Table 33: Average time of pre-trial detention

<i>2015</i>			<i>2016</i>	
<i>Average time in months</i>	<i>Numbers of persons in pre-trial detention</i>		<i>Average time in months</i>	<i>Numbers of persons in pre-trial detention</i>
Total	3.1	4 857	2.9	4 771

Compensation for victims of crime

49. The Criminal Injuries Compensation Board deals with applications for compensation under the State Compensation to Victims of Crime Act. The Board handles compensation awarded after adjudication. Table 34 shows the number of applications and the awards from 2011–2016.

Table 34: Compensation after adjudication

	2011	2012	2013	2014	2015	2016 ¹⁴
Received applications for compensation	3 169	3 076	2 711	2 913	2 549	2 280
Compensation awards ¹⁵	2 238	3 392	3 271	2 756	2 327	1 900

¹⁴ The total number for 2016 is based on an inventory from 21 September 2016. On this date the number of received application for compensation were 1 722 and the number of compensation awards were 1 438.

¹⁵ The figures on awards include awards based on applications received in previous years.

50. Compensation can also be awarded during criminal proceedings, for instance if the alleged perpetrator of the crime pleads guilty to the offence in court. There are no statistics available for claims of compensation made during a criminal case. Finally, the victim can also make a claim for compensation in a civil action. There are no statistics for claims of compensation in civil actions.

Number of prosecutors and judges per 100 000 persons

Table 35: Number of prosecutors per 100 000 persons

2012	2013	2014	2015	2016
10.0	9.9	10.2	10.3	10.5

51. In 2014 there were approximately six judges per 100 000 persons.

The public expenditure on police

52. In 2016, the public expenditure on police (including the Danish Security and Intelligence Service and The Public Prosecution) was around 9.8 billion DKK. The expenditure on the court system was 1.8 billion DKK.

B. Constitutional, political and legal structure

The system of government

53. Denmark is a constitutional monarchy with a representative parliamentary system. The Monarch is the Head of State, while the Prime Minister is the head of Government. The principle of separation of powers between the legislature, the executive and the judiciary is laid down in the Constitution of 1849 with later amendments.

54. The role of the Monarch as Head of State is largely ceremonial and representative. In accordance with the Constitution the Monarch formally appoints the Prime Minister and other Ministers and signs acts of Parliament into law (countersigned by a Minister). The Monarch also hosts official visits by foreign heads of state; pays state visits abroad; and receives ambassadors of foreign countries. The Monarch is formally part of the Council of State, which is established under the Constitution. The Council encompasses the Monarch, the successor to the throne and all Ministers. Bills and major government decisions are formally discussed in the Council.

55. The Danish Constitution ensures freedom of religion for every citizen in Denmark, and discrimination based on religion is prohibited by law. The Evangelical Lutheran Church is awarded a special status by the Constitution, according to which the Evangelical Lutheran Church shall be the Established Church of Denmark (Folkekirken), and as such shall be supported by the State.

The Constitution of Denmark

56. The Constitution was adopted in 1849 and subsequently amended four times – the latest amendment adopted in 1953. The Constitution sets out the essential rules governing the key institutions of the State; the Government, the Parliament and the judiciary, as well as the relation between the institutions. It also defines the structure and powers of the courts and contains the basic human rights of the citizens.

57. The threshold for amending the Constitution is high. The first step is that a bill for a constitutional amendment is adopted by Parliament. If the Government decides to proceed with the amendment, it must call for a parliamentary election. If the bill is adopted by the new Parliament following the election, the bill shall be submitted for a referendum within six months after the adoption by the new Parliament. If a majority of the voters taking part in the referendum, and at least 40% of the entire electorate has voted in favour of the bill, and if the bill receives the assent of the Monarch, it shall form an integral part of the Constitution.

The European Union

58. Denmark is a member of the European Union (EU). The EU has its own institutions (the European Parliament, the Council and the Commission) with various legislative powers. The EU Treaty on the Functioning of the European Union authorises the passing of legal acts, especially in the form of regulations and directives, in many fields. Regulations — like, in principle, the Treaties — are directly applicable in the Member States, while directives have to be transposed into national law. The Treaties establishing the European Union, as well as the provisions passed on the basis of the Treaties, take precedence over the national law of the Member States.

59. Danish law is also largely influenced by the EU. Denmark is obliged to transpose the directives into Danish law and cannot pass any national law that would be in conflict with EU law. This is monitored by the Commission, which may initiate proceedings before the ECJ for violation of a treaty. The Danish courts have to apply directly applicable EU law in their decisions, and they must interpret Danish law in conformity with EU law. In cases of doubt, they are entitled and partly even under an obligation to obtain a binding interpretation from the ECJ. The Danish executive has to enforce directly applicable EU law as the EU enforces EU law itself only as an exception — enforcement by the Member States being the rule.

60. As a member of the EU, Denmark is subject to the rulings of the Court of Justice of the European Union (ECJ). The ECJ constitutes the judicial authority of the European Union and, in cooperation with the courts and tribunals of the Member States, it ensures the uniform application and interpretation of EU law.

The executive branch

National level

61. The Prime Minister and the appointed Ministers together form the Government. Following a parliamentary election, the Monarch may — if the government has lost its majority or if the parliamentary situation is unclear — invite the political parties to submit their candidate (typically the party leader) to lead the government formation negotiations. This process is known as the Queens round of consultations (dronningerunde). The Monarch appoints the candidate having the largest support in the new Parliament as leader of the government formation negotiations. Once a government has been formed, the Monarch formally appoints the Prime Minister and the other Ministers.

62. The Government is responsible for executing policies, submitting bills to Parliament for adoption and representing Denmark in international settings. The Government currently has 22 Ministers. Ministers are responsible for all actions, which fall within the purview of their ministries, which consist of civil servants assisting the Minister in his or her duties.

63. Under the revision of the Constitution in 1953, the principle of cabinet responsibility was confirmed and incorporated in the Constitution. According to the Constitution, cases of impeachment against ministers for maladministration of office can be brought before the High Court of the Realm.

64. The Government prerogatives are warranted by the Constitution and cannot be interfered with by Parliament. For instance, the Government is authorized to act on behalf of the realm in international affairs. This authorization includes signing international conventions. However, there are also limits to the prerogatives (see below).

Regional and municipal government

65. Administratively, Denmark is divided into 98 municipalities and 5 regions. The two levels of government carry out a significant part of the public services.

The municipal level

66. 98 municipalities are responsible for most of the citizen-related tasks such as social services, elder care, health care, child day care and primary and lower secondary schools as

well as employment, integration, transport, the utility sector, emergency services, local business service, promotion of tourism, culture and environment.

67. Municipalities are responsible for about half of the total public expenditure. The services are funded partly by municipal taxes and partly by a general state subsidy called a block grant.

68. Part of the block grant is used to finance national equalisation and equalisation subsidies for municipalities with a high structural deficit. The purpose of the national equalisation scheme is to even out the differences in the economic situation in the municipalities due to differences in tax base, composition of age groups and social structure. The effect of the equalisation is that the municipalities can offer services at the same financial terms. The remaining part of the block grant is distributed equally between the municipalities according to population.

69. The municipalities' tax revenue comprises of income tax, land tax, service charges and other tax revenues such as company tax. The municipal income tax rate is determined by the democratically elected local councils.

The regional level

70. Five regions are primarily responsible for providing health care services like hospital service, psychiatry, general practitioners and specialists. Other regional tasks include regional development and growth, soil pollution and raw materials, specialized educational and social institutions and public transport.

71. The regional services are funded by a general block grant, a state activity-based subsidy and a municipal activity-based subsidy. The regions have no competence to collect taxes.

72. In order for all the regions to have the same possibilities to provide healthcare services, the general block grant is allocated partly as a basic amount and partly according to a number of distribution criteria that reflect the expenditure need. The criteria take into account the composition of age groups and the socioeconomic structure in each region, which may influence the need for health care services.

73. The state activity-based subsidy is intended to strengthen the regions' incentive to increase activity and productivity. The municipal activity-based co-financing aims at giving municipalities an incentive to provide efficient prevention, training and care, so their citizens will not be in need of regional health care.

Regional and municipal elections

74. In the municipal and regional electoral system, every municipality and region constitutes an independent unit. In the municipal councils, the number of seats must be an odd number between 9 and 31, except Copenhagen (55 seats). In the regional councils, the number of seats is 41.

75. Elections to local and regional councils are held every four years on the third Tuesday of November. Every person who is 1) above 18 years of age, 2) permanently residing in the municipality or region and 3) either a Danish citizen, a national of another EU Member State, Iceland or Norway or has resided in Denmark for a period of three years prior to the election, is eligible to vote in the election. However, persons who are on tolerated stay, or have been expelled from Denmark by a court judgement or by administrative decision, or reside in Denmark in order to serve a sentence from an international criminal court, are not eligible to vote. Anyone, who is eligible to vote, can also stand as a candidate in the election.

The legislative branch

76. The legislative authority rests with the unicameral Parliament. The Parliament is empowered to scrutinize and pass legislation, approve the annual budget (the Finance Act) and the final public accounts.

77. The power to impose taxes and to give appropriations rests solely with the legislator, who can make use of this power only when adopting the annual Finance Act. The Constitution prohibits delegation of power in relation to taxes. A number of State auditors are elected among the members of Parliament in order to examine the annual public accounts.

78. The Parliament also takes part in international affairs and co-operation, for instance through the exercise of control over the Governmental policies regarding the European Union.

79. Decisions of the Parliament are taken in the plenary, but the preparatory work is normally undertaken in Parliamentary Committees appointed based on the Standing Orders of Parliament. Each committee has a specific area of work often matching the area of responsibility of a Government minister.

80. The sittings of Parliament are public and streamed on the Internet, which enables individuals as well as the media to attend or follow them. The parliamentary debates are published in the official report of the parliamentary proceedings.

Parliamentary control of the executive branch

81. The Parliament exercises control of the executive branch. Ultimately, parliament has the power to adopt a vote of no confidence in the Government, after which the Government must resign. According to parliamentary tradition, the Government will also resign, if it fails to obtain a majority in a vote regarding a major political issue. Conversely, the Government holds the right of dissolution of Parliament at any time. Thus, the Government can issue writs for a new election without having suffered a defeat in Parliament.

82. In order to effectively control the Executive, Parliament is informed of government policies and actions through reports and statements from ministers, debates in Parliament or through questions, which are answered by the Ministers either verbally or in writing. The standing parliamentary committees form part of the control of the executive. Moreover, some actions of Government, for instance concerning foreign policy, require the consent of Parliament.

83. By passing Parliamentary decisions, Parliament can also demand certain actions or limit the scope of action of the Government. Parliamentary decisions are not legally binding on the Government as such.

84. The Government is generally empowered to act on behalf of Denmark in international affairs, but needs the consent of Parliament if its actions lead to increase or decrease in Danish territory. In case of an armed attack upon Denmark or Danish military forces, the Government may act without the immediate consent of Parliament.

85. Before making any decision of major importance to Danish foreign policy, the Government has to consult the Foreign Policy Committee established by a special statute of the Parliament. The function of the Committee is to ensure a parliamentary discussion of issues of foreign policy. The Committee is advisory and accordingly the Government is not legally bound by manifestations from Committee members.

86. The Ombudsman is elected by Parliament, but is independent thereof, and is empowered to supervise any act of the administration. The Ombudsman has to inform the ministers as well as Parliament about administrative errors and major negligence of the administration (see section D.3.1 below).

The election and composition of Parliament

87. The Danish Parliament consists of 179 members. The Constitution provides for the election of up to 179 members of Parliament, including two members from the Faroe Islands and two members from Greenland. Members of Parliament are elected by general, secret and direct ballots.

88. The rules for the administration of parliamentary elections are laid down in the Parliamentary Elections Act. From the age of 18 every person of Danish nationality permanently residing in Denmark is entitled to vote. However, persons that have been

deprived of their legal capacity according to Section 6 of the Act on Legal Guardianship, do not have the right to vote. Voting is not compulsory. At parliamentary elections, a vast majority of the electorate (typically more than 80%) exercise their right.

89. The proportion of the population eligible to vote at the most recent parliament election was equivalent to 73.1%.

Table 36: Proportion of population eligible to vote

	2011	2015
Number of eligible voters	4 079 910	4 145 105
Per cent of population	73.3%	73.1%

90. Voter turnout at national elections has been stable at a high level in the last three parliamentary elections.

Table 37: Voter turnout at national parliamentary elections

2007	2011	2015
86.6%	87.7%	85.9%

91. Persons of Danish nationality, above the age of 18 and permanently residing in Denmark, are eligible to run for parliament. However, persons that have been deprived of their legal capacity according to Section 6 of the Act on Legal Guardianship, do not have the right to stand as a candidate. The Parliament is elected by proportional representation. The procedure aims at achieving mathematical justice in the distribution of the seats between the various political parties, who have achieved the minimum percentage of votes necessary to be represented in Parliament. Independent candidates can also run for parliament. The distribution of seats between the regions and constituencies is determined by the number of inhabitants, the electorate and the population density. Every five years, the distribution is adjusted according to the demographic developments. Members of Parliament are elected for a term of four years, starting on Election Day. However, the Prime Minister may at any time within the election period call for a new parliamentary election.

92. The Danish Parliament consists of members from a relatively large number of political parties. The threshold rules ensure in practice that only parties having obtained at least 2% of the votes cast can obtain a seat in Parliament. Currently, there are nine political parties in Parliament. The parties in Parliament — in the order they appear on the ballot — are: The Social Democratic Party, The Social Liberal Party, The Conservative Party, The Socialist People's Party, Liberal Alliance, The Danish People's Party, The Liberal Party, The Red-Green Alliance and The Alternative. After the most recent parliamentary election, 65 of the Members of Parliament are women, which is equivalent to 37%.

93. The distribution of the members of the political parties in the parliament in the last two elections is shown below. The letters in the table identify each party both on the election bill itself and in the election campaign.

Table 38: Distribution of legislative seats by party*, 2015

	A	B	C	F	I	K	O	V	Ø	Å	Total
Latest parliamentary election, June 2015											
Total	47	8	6	7	13	-	37	34	14	9	175
Women	18	5	2	3	5	-	15	9	5	3	65 (37%)
Men	29	3	4	4	8	-	22	25	9	6	110 (63%)

	<i>A</i>	<i>B</i>	<i>C</i>	<i>F</i>	<i>I</i>	<i>K</i>	<i>O</i>	<i>V</i>	<i>Ø</i>	<i>Å</i>	<i>Total</i>
Previous parliamentary election, September 2011											
Total	44	17	8	16	9	-	22	47	12	-	175
Women	16	9	3	9	3	-	7	17	4	-	68 (39%)
Men	28	8	5	7	6	-	15	30	8	-	107 (61%)

*A = The Social Democratic Party, B = The Social Liberal Party, C = The Conservative Party, F = The Socialist People's Party, I = Liberal Alliance, K = Christian Democrats, O = The Danish People's Party, V = The Liberal Party, Ø = The Red-Green Alliance, Å = The Alternative.

94. Members of Parliament are bound solely by their own conscience and not by directions given by the electorate. According to the Constitution, members of Parliament can only be prosecuted or imprisoned, if consent is given by Parliament, or if the member is caught in the act. Outside of Parliament, a Member of Parliament can only be held liable for utterances within Parliament with the consent of the Parliament.

The Judiciary

95. The Constitution contains general rules regarding the organization and the functioning of the judiciary. Specific rules and procedures are contained in the Administration of Justice Act of 1916 with later amendments.

96. It is a general rule of the Constitution that decisions of the administration can be brought before the general courts. The control of administrative decisions safeguards the principle of legality. The courts are empowered to deal with the issue of constitutionality of law and legislation.

97. Permanent judges are formally appointed by the Monarch upon the recommendation of the Minister of Justice. Judges are recommended to the Ministry of Justice by the Judicial Appointments Council, which is an independent council composed of a Supreme Court judge (chairman), a high court judge, a district court judge, a lawyer and two representatives of the public. In practice, the Ministry of Justice follows the council's recommendation.

98. The Constitution guarantees judges complete independence of the executive in the exercise of their duties, stating that they shall be guided solely by the law. It is laid down as a general rule that judges cannot be transferred against their wish and can be dismissed only by court judgement. Judges in Denmark retire at the age of 70. The remuneration of judges may not be reduced during their continuation in office.

99. A decision to dismiss a judge can be made by the Special Court of Indictment and Revision, consisting of five members in total, of which three are professional judges; one from the Supreme Court, one from a high court and one from a lower court. The two remaining members are a lawyer and a professor of law, or a person with a degree in law of a similar level.

100. Only professional judges sit in ordinary civil cases. In areas of civil law where a special expertise is considered relevant, the court may be assisted by professionals with a specialist background, e.g. regarding child psychology in juvenile cases. Lay judges supplement professional judges on a wide scale in criminal proceedings both as jurors in cases regarding serious crimes and as assessors in cases regarding minor criminal offences. Furthermore, expert judges participate in certain civil and criminal cases requiring specific knowledge, e.g. concerning commercial or maritime affairs.

Jurisdiction

101. All general proceedings of civil, criminal or administrative nature come under the jurisdiction of the courts, which have three levels; the district courts, the high courts and the Supreme Court. By means of appeal, a case can generally be tried at two levels, although appeal in minor criminal and civil cases may require a leave to appeal from the Danish Appeals Permissions Board.

102. According to the Administration of Justice Act, civil cases are generally tried by the district courts in the first instance. District courts can refer civil cases within their jurisdiction to a high court on the request of one or both parties, if the case is of fundamental legal importance, if the case is of general importance to the application and development of the law or if it has significant societal implications in general.

103. Criminal cases are tried in the first instance by the district courts. The Administration of Justice Act generally guarantees the right of appeal to the High Court in criminal cases. However, in petty crime cases an appeal will only be allowed on the basis of a permission obtained from the Appeals Permission Board. Decisions from the High Courts in criminal cases can only be appealed to the Supreme Court if a permission from the Appeals Permission Board is obtained. The Appeals Permission Board can give permission to appeal to a higher court if a case concerns a matter of principle or if other reasons justify the appeal.

104. Denmark has 24 district courts, which have local, limited and original jurisdiction. The duties of a judge in a district court include, besides the actual administration of justice, the functions of bailiff, estate administrator as well as the responsibility of notary. The Land Registration Court has the responsibility for the system of records and registrations of mortgage.

105. Denmark has two high courts with full original jurisdiction and power to determine all matters and questions whether of fact or of law. The courts can hear appeals from the district courts. The High Court of Eastern Denmark (Østre Landsret) is seated in Copenhagen and has jurisdiction over the Eastern islands of Denmark; and the High Court of Western Denmark (Vestre Landsret) is seated in Viborg and embraces Jutland. The High Court of Eastern Denmark at present has 60 judges, the western high court has 39. Three judges sit in any case tried by the high court. 106. A special high court for Greenland functions as appeal court for the local district courts.

106. The highest court in Denmark is the Supreme Court. It has no original jurisdiction and thus only functions as a court of final appeal in all cases whether criminal, civil or administrative in nature. At present, the Court consists of 16 judges and usually functions in two divisions, each having at least five judges. Cases involving matters of major significance are heard by more judges, usually seven. If the Supreme Court is the third court reviewing a case, a leave of appeal from the Danish Appeals Permission Board is generally required.

107. In addition to the structure of courts described above, cases within a few special areas are referred for final or interim settlement to special courts or administrative authorities, as these cases are considered to require special expertise. Thus, the Maritime and Commercial Court deals with cases requiring special knowledge of maritime and commercial affairs, and tax cases are dealt with by the Tax Tribunal. The Land Registration Court assists with registration of land deeds etc. The Labour Court assists in solving conflicts in the labour market. The Special Court of Indictment and Revision mainly treats breaches of discipline of the judiciary and reopening of criminal cases. The Refugee Appeals Board deals with asylum cases and is described in more detail below in B.5.2. Decisions of some of the special courts may be appealed to the general courts. For other courts, such as the Labour Court, decisions are final.

108. The Constitution prohibits the establishment of extraordinary courts of justice with judicial authority. Therefore, Commissions of Inquiry, which may be established in order to deal with specific matters, are not empowered to give judgements.

109. Denmark has ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms, including its right of petition of individuals to the European Court of Human Rights.

110. As a member of the European Union, Denmark is subject to the rulings of the Court of Justice of the European Union. The Court of Justice of the European Union constitutes the judicial authority of the European Union and, in cooperation with the courts and tribunals of the Member States, it ensures the uniform application and interpretation of EU law.

The Refugee Appeals Board

111. The Refugee Appeals Board is the appeal body in asylum cases. The Refugee Appeals Board is an independent, quasi-judicial body. The Board is considered a court or tribunal within the meaning of Article 46 of the Council Directive on common procedures for granting and withdrawing international protection (2013/32/EU). Article 46 deals with the right of asylum-seekers to have a decision taken in their case reviewed by a court or tribunal.

112. The Refugee Appeals Board comprises a chairman, deputy chairmen and other members. The chairman and the deputy chairmen of the Refugee Appeals Board must be judges, and the other members must be attorneys (appointed by the Council of the Danish Bar and Law Society) or employees of the Ministry of Immigration and Integration, see section 53(2) of the Aliens Act.

113. Cases before the Refugee Appeals Board are heard by a chairman or a deputy chairman, an attorney and a member serving with the Ministry of Immigration and Integration.

114. Members of the Refugee Appeals Board are independent and may not accept or seek directions from anyone, including the appointing or nominating authority or organization.

115. Decisions of the Refugee Appeals Board are final, which means that there is no avenue for appeal against the Board's decisions. However, aliens may, by virtue of the Danish Constitution bring an appeal before the ordinary courts, which have the authority to adjudicate any matter concerning the limits to the competence of a public authority. As established by the Supreme Court, the ordinary courts' review of decisions made by the Refugee Appeals Board is limited to a review on points of law, including any inadequacy in the basis for the relevant decision and the unlawful exercise of discretion, whereas the Board's assessment of evidence is not subject to judicial review.

The Immigration Appeals Board

116. The Immigration Appeals Board is an independent collegial quasi-judicial administrative body.

117. The Immigration Appeals Board considers appeals of decisions relating to immigration, including decisions on family reunification, decisions on short term visas to Denmark, decisions on permanent residence permits and decisions on administrative expulsion or refusal of entry made by the Danish Immigration Service in the first instance, see section 52 b (1) of the Danish Aliens Act, and appeals of decisions relating to residence on the basis of occupation and employment, studies or an au pair position made by the Danish Agency for International Recruitment and Integration in the first instance, see section 52 b (2) of the Danish Aliens Act.

118. When the Immigration Appeals Board considers an appeal, the Board consists of three members. The chairman must be an appointed judge. One member is appointed by the Ministry of Immigration and Integration, and one member is appointed upon nomination from the Council of the Danish Bar and Law Society. The members of the Board are independent and may not accept or seek directions from anyone, including the appointing or nominating authority or organization.

119. The decisions of the Board are taken after majority voting. Each member has one vote. The decisions are made on a written basis unless the Immigration Appeals Board finds that very special reasons call for the applicant to be summoned.

120. Decisions made by the Immigration Appeals Board can be brought before the courts.

II. General framework for the protection and promotion of human rights

A. Acceptance of international human rights norms

121. The status of ratification of international treaties is set out in the tables below.

122. International treaties ratified by Denmark apply to Greenland and the Faroe Islands, unless territorial declarations have been made in this regard. Territorial declarations, if applicable, are noted for each treaty below.¹⁶

Partial List of Major International Conventions Relating to Issues of Human Rights

Table 1: Main International Human Rights Conventions and Protocols

<i>Convention/ protocol</i>	<i>Signature (S) Ratifications (R)</i>	<i>Reservations Declarations</i>	<i>Acceptance of optional procedures¹⁷</i>
International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966	R 06/01/1972	06/01/1972 ¹⁸	
International Covenant on Civil and Political Rights (ICCPR), 1966	R 06/01/1972	06/01/1972 ¹⁹ 02/04/2014 ²⁰	19/04/1983 ²¹

¹⁶ With regards to agreements that fall outside the scope of areas taken over by the Greenlandic and Faroese authorities, and which are thus concluded by the Danish Government, the Self-Government Acts contain rules and regulations for the involvement of the Self-Government authorities. Accordingly, the Danish Government is required to notify the Faroese and Greenlandic authorities in advance of negotiations regarding agreements under international law, which are of particular importance to them. Such agreements must, before they are concluded or terminated, be submitted to the Faroese and Greenlandic authorities for comments. Normally the process involves examination of whether the Faroes or Greenland comply with all the requirements and then, if deemed advisable, the Convention or Protocol will be proposed to the Faroese or Greenlandic Parliament.

If the Danish Government deems it necessary to conclude the agreement without the consent of Greenland or the Faroe Islands, this must, to the widest extent possible, have no effect for them. In practice, territorial declarations are often made for Greenland and the Faroe Islands. The declarations are then withdrawn, if and when the Self-Government authorities decide that they wish for the particular treaty to be applicable.

¹⁷ This column marks acceptance of optional procedures, which are laid down in the relevant treaty itself. Optional procedures, which stem from protocols are listed as separate treaties.

¹⁸ The Government of Denmark cannot, for the time being, undertake to comply entirely with the provisions of article 7 (d) on remuneration for public holidays.

¹⁹ Paragraphs 1, 2 (a) and 3 of Denmark's reservation made upon ratification:

1. The Government of Denmark makes a reservation in respect of Article 10, paragraph 3, second sentence. In Danish practice, considerable efforts are made to ensure appropriate age distribution of convicts serving sentences of imprisonment, but it is considered valuable to maintain possibilities of flexible arrangements.

2. (a). Article 14, paragraph 1, shall not be binding on Denmark in respect of public hearings. In Danish law, the right to exclude the press and the public from trials may go beyond what is permissible under this Covenant, and the Government of Denmark finds that this right should not be restricted.

3. Reservation is further made to Article 20, paragraph 1. This reservation is in accordance with the vote cast by Denmark in the XVI General Assembly of the United Nations in 1961 when the Danish Delegation, referring to the preceding article concerning freedom of expression, voted against the prohibition against propaganda for war. Regarding paragraph 2. (b), see note 19.

²⁰ Modification of the reservation made upon ratification:

2. (b) (i) Article 14, paragraph 5, shall be applied in such a manner that:

<i>Convention/ protocol</i>	<i>Signature (S) Ratifications (R)</i>	<i>Reservations Declarations</i>	<i>Acceptance of optional procedures¹⁷</i>
Optional Protocol to ICCPR, concerning individual petition, 1966	R 06/01/1972	06/01/1972 ²²	
Second Optional Protocol to ICCPR, concerning abolition of the death penalty, 1989	R 24/02/1994		
International Convention on the Elimination of All Forms of Racial Discrimination, (ICERD), 1965	R 09/12/1971		11/10/1985 ²³
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979	R 21/04/1983		
Optional Protocol to CEDAW, concerning individual complaints and inquiry procedures, 1999	R 31/05/2000		
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), 1984	R 27/05/1987		27/05/1987 ²⁴

- An unlimited right to appeal does not have to be instituted in cases where the conviction concerns a minor offence and the sentence imposed is a fine and/or confiscation below a certain amount to be laid down by law.
- A right to a further appeal does not have to be instituted in cases where the accused person, having been acquitted by a lower court, is convicted for the first time by a higher court hearing an appeal of the acquittal.
- A right to appeal does not have to be instituted in criminal proceedings against a Member of Government or any other person brought before the High Court of the Realm (Rigsretten).

(ii) Article 14, paragraph 7, shall be applied in such a manner that criminal proceedings which led to a final conviction or acquittal may be reopened in certain circumstances to be laid down by law.”

The Government of Denmark confirmed that the reservation to Article 14, paragraph 5 above is a narrowing of the reservation made upon ratification and that the reservation to Article 14, paragraph 7 above is a clarification of the reservation made upon ratification.

- ²¹ [The Government of Denmark] recognizes, in accordance with article 41 of the International Covenant on Civil and Political Rights, opened for signature in New York on December 19, 1966, the competence of the Committee referred to in article 41 to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.
- ²² With reference to article 5, paragraph 2 (a), the Government of Denmark makes a reservation with respect to the Competence of the Committee to consider a communication from an individual if the matter has already been considered under other procedures of international investigation.
- ²³ Denmark recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within Danish jurisdiction claiming to be victims of a violation by Denmark of any of the rights set forth in the Convention, with the reservation that the Committee shall not consider any communications unless it has ascertained that the same matter has not been, and is not being, examined under another procedure of international investigation or settlement.
- ²⁴ The Government of Denmark [. . .] recognizes the competence of the Committee to receive and consider communications to the effect that the State Party claims that another State Party is not fulfilling its obligations under this Convention. The Government of Denmark [. . .] recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

<i>Convention/ protocol</i>	<i>Signature (S) Ratifications (R)</i>	<i>Reservations Declarations</i>	<i>Acceptance of optional procedures¹⁷</i>
Optional Protocol to CAT, concerning regular visits by national and international institutions to places of detention, 2002	R 25/06/2004		
Convention on the Rights of the Child (CRC), 1989	R 19/07/1991	19/07/1991 ²⁵	
Optional Protocol to the CRC on the involvement of children in armed conflict, 2000	R 27/08/2002	27/08/2002 ²⁶	
Optional Protocol to the CRC on the sale of children, child prostitution, and child pornography, 2000	R 24/07/2003	24/07/2003 ²⁷	
Optional protocol to the CRC on a communications procedure, 2011	A 07/10/2015	07/10/2015 ²⁸	
Convention on the Rights of Persons with Disabilities (CRPD), 2006	R 24/07/2009		
Optional protocol to the CRPD, 2006	A 23/09/2014	23/09/2014 ²⁹	
International Convention for the Protection of All Persons from Enforced Disappearance (CED), 2006	S 25/09/2007		

123. Denmark has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 1990. Currently, Denmark has no intention of ratification. Denmark has ratified all ILO core conventions on workers rights, which also apply to foreign nationals legally residing in Denmark.

124. The Government has decided not to ratify the Convention, because the term “migrant worker” used in the Convention lacks differentiation, as it also includes persons who are in unauthorised residence and in unauthorised employment. The position of illegally resident migrant workers is hence protected in a manner, which goes beyond the undisputed obligation to grant them basic rights. These regulations may therefore increase

²⁵ Article 40, paragraph 2 (b) (v) shall not be binding on Denmark.

“It is a fundamental principle of the Danish Administration of Justice Act that everybody shall be entitled to have any penal measures imposed on him or her by a court of first instance reviewed by a higher court. There are, however, some provisions limiting this right in certain cases, for instance verdicts returned by a jury on the question of guilt, which have not been reversed by the legally trained judges of the court.”

²⁶ In connection with the deposit of Denmark’s instrument of ratification of the Optional Protocol on the Rights of the Child on the Involvement of Children in Armed Conflict [the Government of Denmark declares] that Danish legislation does not permit the recruitment of any person below the age of 18 in the armed forces.

²⁷ In connection with the deposit of Denmark’s instrument of ratification of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography Denmark declares that she interprets the words “any representation” in article 2 (c), of the Protocol to mean “any visual representation”. Denmark further declares that the possession of pornographic visual representation of a person, who has completed his or her fifteenth year and who has consented to the said possession, shall not be considered covered by the binding provisions of the Protocol.”

²⁸ With territorial declaration with regard to Greenland and the Faroe Islands.

²⁹ With territorial declaration with regard to Greenland.

the incentive to take up employment in Denmark without having the requisite residence permit and risk undermining the welfare state.

125. Denmark has signed, but not yet ratified the Convention for the Protection of All Persons from Enforced Disappearances of 2007. The ratification will be undertaken, when the necessary amendments to national legislation have been passed.

Other United Nations human rights and related conventions

Table 2: Other United Nations human rights and related conventions

<i>Convention/protocol</i>	<i>Signature (S) Ratification (R) Accession (A)</i>
Convention on the Prevention and Punishment of the Crime of Genocide, 1948	R 15/06/1951
Slavery Convention, 1926 as amended in 1955	S 03/03/1954
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949	S 12/02/1951
Convention relating to the Status of Refugees, 1951, and its 1967 Protocol	R 04/12/1952 A 29/01/1968
Convention relating to the Status of Stateless Persons, 1954	R 17/01/1956
Convention on the Reduction of Statelessness, 1961	A 01/07/1977
Rome Statute of the International Criminal Court, 1998	R 21/06/2001
Convention against Transnational Organized Crime, 2000, and its Protocol to prevent, suppress and punish trafficking in persons, especially women and children	R 30/09/2003 ³⁰
Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 2000	R 08/12/2006 ³¹
Arms Trade Treaty, 2013	A 02/04/2014 ³²

Conventions of the International Labour Organization (a selection)

Table 3: International Labour Organization

<i>Convention/protocol</i>	<i>Signature (S) Ratification (R)</i>
Weekly Rest (Industry) Convention, 1921 (No. 14)	R 30/08/1935
Forced or Compulsory Labour Convention, 1930 (No. 29)	R 11/02/1932
Labour Inspection Convention, 1947 (No. 81)	R 06/08/1958 ³³
Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87)	R 13/06/1951
Right to Organize and Collective Bargaining Convention, 1949 (No. 98)	R 15/08/1955

³⁰ With territorial declaration with regard to Greenland and the Faroe Islands.

³¹ With territorial declaration with regard to Greenland and the Faroe Islands.

³² With territorial declaration with regard to Greenland and the Faroe Islands.

³³ With territorial declaration with regard to Greenland and the Faroe Islands.

<i>Convention/protocol</i>	<i>Signature (S) Ratification (R)</i>
Equal Remuneration Convention 1951 (No. 100)	R 22/06/1960 ³⁴
Social Security (Minimum Standards) Convention, 1952 (No. 102)	R 15/08/1955 ³⁵
Abolition of Forced Labour Convention, 1957 (No. 105)	R 17/01/1958
Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)	R 17/01/1958
Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	R 22/06/1960 ³⁶
Equality of Treatment (Social Security) Convention, 1962 (No. 118)	R 17/06/1969 ³⁷
Employment Policy Convention, 1964 (No. 122)	R 17/06/1970 ³⁸
Labour Inspection (Agriculture) Convention, 1969 (No. 129)	R 30/11/1972 ³⁹
Minimum Age Convention, 1973 (No. 138)	R 13/11/1997 ⁴⁰
Labour Relations (Public Service) Convention, 1978 (No. 151)	R 05/06/1981 ⁴¹
Occupational Safety and Health Convention, 1981 (No. 155)	R 10/07/1995 ⁴²
Indigenous and Tribal Peoples in Independent Countries Convention, 1989 (No. 169)	R 22/02/1996
Worst Forms of Child Labour Convention, 1999 (No. 182)	R 14/08/2000 ⁴³
Maritime Labour Convention, 2006	S 23/06/2011 ⁴⁴

Conventions of the United Nations Educational, Scientific and Cultural Organization

Table 4: Conventions of the United Nations Educational, Scientific and Cultural Organization

<i>Convention/ protocol</i>	<i>Signature (S) Ratification (R)</i>
Convention against Discrimination in Education, 1960	R 04/10/1963

³⁴ With territorial declaration with regard to Greenland and the Faroe Islands.

³⁵ With territorial declaration with regard to Greenland and the Faroe Islands.

³⁶ With territorial declaration with regard to Greenland and the Faroe Islands.

³⁷ With territorial declaration with regard to Greenland and the Faroe Islands.

³⁸ With territorial declaration with regard to the Faroe Islands.

³⁹ With territorial declaration with regard to Greenland and the Faroe Islands.

⁴⁰ With territorial declaration with regard to Greenland and the Faroe Islands.

⁴¹ With territorial declaration with regard to Greenland and the Faroe Islands.

⁴² With territorial declaration with regard to Greenland and the Faroe Islands.

⁴³ With territorial declaration with regard to Greenland and the Faroe Islands.

⁴⁴ With territorial declaration with regard to Greenland.

Conventions of the Hague Conference on Private International Law

Table 5: Hague Conference on Private International Law

<i>Convention/protocol</i>	<i>Signature (S) Ratification (R)</i>
Convention concerning the recognition and enforcement of decisions relating to maintenance obligations towards children, 1958	R 2/11/1965 ⁴⁵
Convention on the Recognition and Enforcement of Decisions Relating to Maintenance Obligations, 1973	R 7/10/1987
Convention on the Recognition of Divorces and Legal Separations, 1970	R 25/06/1975 ⁴⁶
Convention on the Civil Aspects of International Child Abduction, 1980	R 17/04/1991 ⁴⁷
Convention on Protection of Children and Co-operation in respect of Inter-country Adoption, 1993	R 02/07/1997
Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children, 1996	R 30/06/2011 ⁴⁸

Geneva Conventions and other treaties on international humanitarian law

Table 6: Geneva Conventions and other treaties on international humanitarian law

<i>Convention/protocol</i>	<i>Signature (S) Ratification (R)</i>
Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 1949	R 27/06/1951
Geneva Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 1949	R 27/06/1951
Geneva Convention (III) relative to the Treatment of Prisoners of War, 1949	R 27/06/1951
Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, 1949	R 27/06/1951
Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977	R 17/06/1982
Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non International Armed Conflicts (Protocol II), 1977	R 17/06/1982
Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti Personnel Mines and on Their Destruction, 1997	R 8/06/1998
Convention on Cluster Munitions 2008	R 12/02/2010 ⁴⁹

⁴⁵ With territorial declaration with regard to Greenland and the Faroe Islands.

⁴⁶ With territorial declaration with regard to Greenland and the Faroe Islands.

⁴⁷ With territorial declaration with regard to the Faroe Islands.

⁴⁸ With territorial declaration with regard to the Faroe Islands.

⁴⁹ With territorial declaration with regard to the Faroe Islands.

Regional human rights conventions

(a) *Conventions of the Council of Europe (a selection)*

Table 7: Regional human rights conventions

<i>Convention/ protocol</i>	<i>Signature (S) Ratification (R)</i>
Convention for the Protection of Human Rights and Fundamental Freedoms 1950	R 13/04/1953
European Social Charter (revised) 1996	S 03/05/1996
European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment 1987	R 02/05/1989
European Charter for Regional or Minority Languages 1992	R 08/09/2000
Framework Convention for the Protection of National Minorities 1995	R 22/09/1997
Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems, 2003	R 21/06/2005 ⁵⁰
Council of Europe Convention on Action against Trafficking in Human Beings, 2005	R 19/09/2007 ⁵¹
Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 2007	R 18/11/2009 ⁵²
Council of Europe Convention on preventing and combating violence against woman and domestic violence, 2011	R 23/04/2014

B. Legal framework for the protection of human rights at the national level

Human rights guaranteed in the Constitution and in the law

126. The Constitution contains a catalogue of fundamental human rights clauses. The protection in the Constitution comprises civil, political, economic, cultural and social rights, including provisions on personal liberty, freedom of speech, freedom of assembly, freedom of organization, the right to privacy, the right to work under reasonable conditions and the right to education. The constitutional protection is mainly of a formal character in the sense that the substantial protection is generally provided for by supplementary legislation.

127. In order to fulfil its obligations according to international treaties, Denmark has ensured the protection of human rights through the adoption supplementary legislation. The Administration of Justice Act regulates the judicial processes in the courts and protects the right to a fair trial. The Administration of Justice Act also sets out the conditions for the ability of the police to make interferences in relation to the citizens. The Police Act inter alia limits the use of force by the police. The Criminal Code protects against violations from other citizens and against abuse from authorities. Sections in the Criminal Code on homicide, violence, trafficking contribute to the protection of the right to life, the prohibition against torture, personal liberty, the right to privacy and the prohibition against slavery. The Act on Processing of Personal Data contributes to securing the right of privacy.

⁵⁰ With territorial declaration with regard to Greenland and the Faroe Islands.

⁵¹ With territorial declaration with regard to Greenland and the Faroe Islands.

⁵² With territorial declaration with regard to Greenland and the Faroe Islands.

128. International law, including international human rights conventions, is a relevant source of law in Denmark. International conventions etc. can be invoked before and applied by the courts and other law-applying authorities, even if the convention is not specifically incorporated into Danish law (see D.1.1 on incorporation).

129. Fundamental rights are also protected through Denmark's membership of the European Union. To the extent that EU law applies, the protection of fundamental rights is safeguarded by the Charter of Fundamental Rights of the European Union as adopted on 7 December 2000 and amended on 12 December 2007 and the rulings of the European Court of Justice. The European Union has proclaimed the rights set out in the Charter. After the entering into force of the Lisbon Treaty, the rights, freedoms and principles regulated in the 54 articles of the Charter have become legally binding in accordance with article 6 of the EU Treaty. The Charter applies to the bodies and facilities of the Union and to the Member States when implementing the law of the Union.

Incorporation and application of international human rights instruments under national law

130. As a main rule, conventions that Denmark ratifies do not automatically become part of Danish law. Conventions are implemented either by (1) noting "harmony of norms" (i.e. special measures are not considered necessary, because Danish law is already in conformity with the convention), (2) transforming the contents of the convention into Danish legislation or (3) incorporating the convention.

131. In 1992, the European Convention on Human Rights (ECHR) was incorporated into Danish law with Protocols 2, 3, 5 and 8. Protocols 9, 10 and 11 have since been incorporated. The ECHR is incorporated as an ordinary statute. Other human rights conventions have been implemented through noting "harmony of norms" or transforming the contents of the convention into Danish legislation.

132. It follows from case law that rights contained in unincorporated conventions are considered by the courts and other law-applying authorities as relevant sources of law and are invoked before, and applied by, the courts and other authorities. This is due to the so-called rules of interpretation and presumption. Accordingly, the courts and other authorities must to the extent possible apply the Danish rules in such a manner that a breach of Denmark's international obligations is avoided.

133. As an integral part of the preparatory legislative work, all human rights conventions which Denmark is a party to, and whether incorporated or not, are given careful consideration in order to ensure that Danish legislation is in full compliance with the international human rights obligations of Denmark.

134. In 2012, the Danish Government appointed a committee to assess, inter alia, the appropriateness of incorporating a number of human rights instruments into Danish law. On 14 August 2014, the committee delivered its recommendations. The Government decided not to take steps with regard to incorporation of further human rights instruments. As emphasized in the committee's report, incorporation entails a risk of a shift in powers conferred upon the Parliament and Government to the courts.

General principles

135. In the following, a number of basic legal principles are outlined in order to explain the fundamental principles that underpin the protection of human rights in Danish law.

136. The assessment of evidence in a court case is free in the sense that no general rules regulate the weight of given evidence. In criminal cases the court is bound by the principle of the material truth, which imposes a duty on the court to bring truth to light. The court is likewise bound by the principle of *in dubio pro reo*, which means that the guilt of the defendant must be proven beyond any reasonable doubt.

137. The court must conduct its work in accordance with the impartiality principle. Accordingly, a judge cannot decide on the question of guilt in trials of an accused person, whom the judge has remanded in custody (pre-trial detention) on the ground of a substantially confirmed suspicion that the accused has committed a crime.

138. A person who does not understand the Danish language has the right to be assisted by an interpreter in court at no cost.

139. According to the Administration of Justice Act, the Public Prosecutor is not obligated to prosecute all criminal offenses. The Office of the Prosecutor can choose not to prosecute a crime even if there is enough evidence to commence criminal proceedings, e.g. if i) the difficulties, time and cost cannot justify prosecuting in light of the nature of case and the likely punishment, ii) if the crime is of minor severity or iii) if especially extenuating circumstances apply. A decision of the Public Prosecutor not to prosecute a case can be appealed to the State Prosecutor or the Prosecutor General, respectively. Only in cases of manifest mistakes, abuse of power or lack of impartiality on behalf of the Public Prosecutor, the courts may quash a decision not to prosecute. Danish courts may in no case order the Public Prosecutor to instigate criminal proceedings.

140. The Constitution does not prohibit the adoption of retroactive legislation. It is a general legislative principle, though, that burdensome legislation may not enter into force retroactively. In accordance with international law, the Criminal Code thus bans the imposition of new offences or harsher punishment retroactively.

141. As a rule, the administration of justice is open and public. The court may decide to deny public access to both civil and criminal proceedings under certain conditions laid down by law. The court can also prohibit any revelation of the identity of the persons involved in the proceedings. Such a decision may also include a prohibition on public disclosure of information concerning the proceedings.

142. As a main rule in the Administration of Justice Act, everyone has right of access to judgments and orders.

143. No provision in the Constitution provides for declaring a state of emergency. It is assumed in general theory, though, that one can be declared under imminent danger. Under such exceptional circumstances the exercise of certain constitutional freedoms may be modified on a provisional basis.

Relevant authorities in human rights matters

144. In the exercise of their functions, all Danish authorities, including Parliament (Folketinget), the courts and the administrative authorities, have an obligation to ensure compliance with the human rights obligations set forth in the Constitution and the international instruments ratified by Denmark.

145. The Ministry of Justice carries out a review of proposed new legislation with a view to ensuring that the proposed legislation is in conformity with human rights obligations.

146. The Parliament is subject to the control of the judiciary. Danish courts hold the authority to declare an act passed by Parliament unconstitutional. In cases of doubt as to whether or not Danish law passed by Parliament is compatible with the human rights obligations set forth in international instruments ratified by Denmark, the courts will seek to interpret the law in a way that is consistent with Denmark's international legal obligations. However, theoretically this would not be the case, if it could be proven that Parliament was aware of the conflict at the time of adopting the law and intended to set aside the international legal obligations of Denmark.

147. The Ministers are responsible for the administrative practices within their area of work. The administrative authorities are subject to the control of the courts, the Ombudsman of the Parliament and to the control of Parliament itself.

148. The courts hold the competence to review decisions and regulations made by the administrative authorities. The scope of the review varies with the circumstances of the case and the contents of the laws and regulations relevant to the case. However, as a general rule the scope of the review can be considered to be wide. Questions regarding human rights obligations of the administrative authorities are always subject to the review of the Danish courts.

149. The courts are responsible for the administration of justice. The independence and impartiality of the courts are safeguarded by the Constitution, the Administration of Justice

Act, and the human rights instruments ratified by Denmark, in particular article 6 of the European Convention on Human Rights and article 14 of the International Covenant on Civil and Political Rights.

150. In criminal cases, the courts are involved in the investigation process in so far as coercive measures such as wire-tapping, search of private premises and detention on remand require the approval of the judiciary according to the Administration of Justice Act. In these cases the courts must ensure that the coercive measures are necessary under the circumstances of the case and that any given action does not violate human rights guarantees of the individual provided for in the Constitution or in international human rights instruments ratified by Denmark. In the adjudication of a criminal case, the courts must also ensure that the rights of the accused are respected and that the person involved is not convicted, unless guilt is proven beyond any reasonable doubt.

The Ombudsman

151. The Ombudsman is an independent authority elected by the Parliament with the authority to investigate any administrative action within the Public administration, the military forces and, as a general rule, within the local government administration. The Ombudsman can conduct an investigation either on the basis of a complaint from an individual affected by a certain administrative action or on his own initiative.

152. The Ombudsman also carries out monitoring visits. These are primarily aimed at public institutions, in which individual persons reside either temporarily or permanently, e.g. prisons, detentions and psychiatric hospitals, but also other types of visits are carried out. These include monitoring of forcible deportations of foreign nationals, OPCAT visits for the purpose of taking preventative measures against torture (as a preventative mechanism under the Optional Protocol to the United Nations' Convention against Torture), or monitoring visits with a focus on the observance of children's rights. These can be aimed at both public and private institutions. Administrative confidentiality may not be invoked against the Ombudsman.

153. The Ombudsman is not empowered to hand down binding decisions regarding the subject matter of a case, and he cannot sentence an authority or apply any kind of sanction. The types of remedies at his disposal are that he can express criticism, make recommendations and otherwise state his view of the case. If the Ombudsman concludes that an administrative authority has made an error, he may criticize the authority and possibly recommend that the authority reconsiders the case and makes a new decision. In practice, the Ombudsman has great influence on the administration conducted by the public authorities.

154. A special Office for Children within the institution of the Parliamentary Ombudsman was established in 2012 in order to protect and enhance children's rights. The main tasks of the office are to handle complaints concerning children in cases where authorities have made an administrative decision, to visit institutions for children and monitor the authorities' work with children and to contribute to monitoring the implementation of children's rights.

Other institutions

155. The Danish Institute for Human Rights (DIHR) has an advisory mandate on national human rights issues, which includes monitoring, reporting, analysis and research functions. DIHR is furthermore appointed to promote equal treatment in the areas of gender, race or ethnic origin. This task consists, among other duties, in counselling individuals who have been subject to discrimination and in publishing reports with a view to creating awareness and bring forth new knowledge to these areas (see also E.3).

156. The Board of Equal Treatment handles civil law related complaints regarding discrimination on grounds of gender, race, colour, religion or belief, political opinion, sexual orientation, age, disability, or national, social or ethnic origin. The Board of Equal Treatment has the power to make binding decisions and is able to award compensation for non-pecuniary damages to victims of discrimination. It is free of charge to put forward a

complaint to the Board of Equal Treatment, and the Board will undertake the collection of information necessary to decide the case. The Board cannot start cases on its own initiative.

Remedies, compensation and rehabilitation

157. As explained in section D.3, human rights issues can be brought before the courts in civil law suits against the administrative authorities. Access to court in a civil law suit is as a general rule conditioned upon the plaintiff being directly affected by the administrative action or regulation that forms the basis of the legal action. Cases regarding allegations of discrimination can be brought before the Board of Equal Treatment, which covers all areas of discrimination stipulated in the Danish anti-discrimination legislation. Cases regarding discrimination on the labour market can also be brought before the Labour Court.

158. According to the general Danish tort law, which has been developed through the case law of the courts and codified in the Damages Liability Act, an individual is entitled to compensation for any loss or damage incurred as the result of a human rights violation for which Danish authorities are responsible. This also applies for violations committed by individuals to the extent that the state has a positive obligation to actively promote individual rights and protect them against interference by other individuals. The courts are competent to award compensation. With regard to expropriation, the Constitution states that a person who is subjected to expropriation according to the law must receive full compensation. The question whether the compensation given is adequate is subject to review by the courts.

159. Apart from the court system, an individual who alleges to have been subject of a human rights violation by the administrative authorities has access to a number of other remedies, such as the Ombudsman, mentioned above under section D.3.1. A number of independent councils or boards funded by the State may also investigate different kinds of alleged human rights violations. These councils and boards may both look into human rights violations committed by the State and violations committed by other individuals.

Legal aid

160. Persons, including foreigners, in need of legal advice or legal representation in court may qualify for assistance with the costs covered by public funds. Legal aid with respect to civil proceedings may be granted to those who satisfy financial eligibility conditions laid down in the Administration of Justice Act. The legal aid generally covers all relevant costs incurred with respect to the proceedings including salary to a legal representative. An applicant must show that he or she has reasonable grounds for taking legal action. As a general rule the legal aid also covers the costs of the opponent of a legally aided party, if the opponent is successful in Court.

161. According to the Administration of Justice Act, the court may decide that a party in a civil proceeding must be represented by a legal counsel, if the court deems it necessary in the circumstances of the case. If special circumstances so require the court may appoint a legal counsel free of charge.

162. In Denmark, various legal centres offer free legal advice. These legal centres have different financial sources, including Government funding. Much of their time is devoted to housing, employment, social security and immigration issues. The centres are generally staffed by lawyers and law students who contribute their time free of charge.

163. A person charged with a criminal offence has the right to choose a defence counsel. The court must appoint a free of charge public defence counsel to the defendant, if the defendant is not already represented by legal counsel or the counsel has not met. This also applies in preliminary proceedings regarding detention on remand and in proceedings regarding extradition, but not in cases of a petty nature. The defendant may choose the defence counsel from a list of available attorneys. It is obligatory for the state to appoint a defence counsel in the majority of criminal cases; if a defence counsel is not appointed in such cases and the defendant does not have a personal defence counsel, a conviction of the defendant may be overturned through an appeal. If the defendant is found guilty, the court normally decides that the costs of the case shall be borne by the defendant personally.

The position of victims of crime

164. Victims of a crime under Danish law may submit an oral or written report to the police, who will investigate the case if they find that there is a reasonable presumption that a criminal offence has been committed. The police can investigate crimes *ex officio*. If the investigation shows that there is reason to believe that a crime has been committed, the Public Prosecutor will consider the evidence and decide, whether to instigate criminal proceedings against the suspect(s), see also section D.2.

165. A person who has suffered personal injury as a consequence of a violation — in Danish territory — of the Criminal Code or the Act on Restraining Orders and Occupation Orders and Expulsion will as a rule be eligible for State compensation. Compensation for damages to goods etc. are only available for offences committed by persons, who are detained or the like. The crime must as a general rule have been reported to the police within 72 hours of the incident, and a claim for compensation against the offender must have been made, if the case has been tried by the courts. Furthermore, the claim for compensation from the Criminal Injuries Compensation Board shall have been made within two years after the offence was committed or after the judgment became final or after the date of the decision by the police to discontinue the investigation. The Board can only process later claims under special circumstances. Even though the offender is unknown or cannot be found, the victim can still obtain compensation.

166. In criminal cases, the victim is appointed a support lawyer, if the case concerns a violation of certain provisions of the Criminal Code, e.g. sexual offences, homicide, and acts of violence and if the victim requests a support lawyer. The court may decline such an appointment, if it is a minor offence and a support lawyer is demonstrably not required. However, in cases concerning sexual offences, the victim must be appointed a support lawyer unless the victim, after having received the proper guidance, declines such an appointment. Finally, the court may in all cases appoint a support lawyer if the circumstances of the case so require.

167. In criminal cases without lay judges the court can award the victim of the crime compensation from the defendant, if the victim has submitted a request that the court do so and if the defendant is found guilty. In other criminal cases, the victim may request that the Public Prosecutor prepare and present the victim's claim for damages during the criminal trial.

Complaints against the police

168. Denmark has established an Independent Police Complaints Authority that handles complaints against the Police. The independent authority investigates allegations of improper police behaviour and decides whether the complaint should result in criticism of the police. The independent authority also investigates allegations of criminal offences committed by police officers. In cases regarding criminal offences committed by police officers, the independent authority, after finalizing its investigations, sends the case to the State Prosecutor (the prosecution at the regional level) who then decides whether or not the case should be prosecuted. The decision not to prosecute a police officer can be appealed to the office of the Director of Public Prosecutions.

Appeal and remedies against wrongful conviction

169. The Administration of Justice Act generally guarantees the right of appeal to the High Court in criminal cases. According to the provisions on appeal in criminal cases, both the convicted person and the Public Prosecutor have a right of appeal as a general rule. In petty crime cases an appeal will only be allowed on the basis of a permission obtained from the Appeals Permission Board.

170. An individual who has been found guilty in a criminal trial and who alleges to be the victim of a miscarriage of justice may submit a petition for resumption of the case to the Special Court of Indictment and Revision. The Special Court may decide that the case shall be resumed, if new evidence is produced. This may be the case if it is considered likely that the new evidence might have caused the acquittal of the accused or the application of an essentially more lenient provision of the Criminal Code, if it had been available at the

original trial. It may also be resumed, if it is proven that false or falsified evidence was submitted or heard by the trial court, and it is considered likely that such an offence may have caused or contributed to the conviction. Finally, it may be resumed if in other respects special circumstances exist, which make it overwhelmingly likely that the available evidence was not judged correctly.

171. If the resumption of the case results in the acquittal of the convicted person or the application of a more lenient provision of the Criminal Code, the victim of the wrongful conviction is entitled to compensation. The compensation covers economic damage as well as non-pecuniary damage. The compensation may be reduced or denied if the behaviour of the victim gave reason to the conviction.

Remedies against wrongful detention or coercive measures during criminal investigations

172. According to the Administration of Justice Act, suspects who have been subjected to arrest, detention or other coercive measures during a criminal investigation are entitled to compensation, if formal charges are not brought against him or her. The compensation covers pecuniary damage as well as non-pecuniary damage. Persons who are completely discharged by the courts are also entitled to compensation. The compensation may be reduced or denied, if the behaviour of the suspect gave reason to employ the measures. Persons, who have been subjected to coercive measures without being suspects may also be entitled to damages depending on the particular circumstances. An application for damages must be submitted to the Public Prosecutor. If the Public Prosecutor refuses to award damages, the applicant may demand that the case be brought before a court by the Public Prosecutor. The applicant is entitled to a counsel appointed by the court free of charge. The Court may, however, decide that the applicant shall bear the legal costs if the application is rejected. In 1987, Denmark ratified the European Convention on the Compensation of Victims of Violent Crimes.

Effective international remedies

173. An individual who is a victim of a human rights violation, which falls under the European Convention on Human Rights may after having exhausted all effective Danish remedies submit a complaint to the European Court of Human Rights (see art. 34 of the Convention, the so-called right of individual petition). If the case is accepted by the European Court of Human Rights, the Court may hand down a binding judgement against the Danish State. Denmark accepts the right of petition and the competence of the Court. The European Court of Human Rights is competent to award compensation to an individual who has been subject to a human rights violation, which falls under the Convention in so far as the individual is unable to get adequate compensation from the State otherwise (see art. 41 of the Convention).

174. In relation to six international treaties, Denmark has accepted that individuals, who claim that any of their rights enumerated in the relevant treaty have been violated and who have exhausted all effective domestic remedies, may submit written communications to the appropriate Committee for consideration.

The relevant treaties are the following:

- The International Covenant on Civil and Political Rights;
- The International Convention on the Elimination of All Forms of Racial Discrimination;
- The Convention on the Elimination of All Forms of Discrimination against Women;
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- The Convention on the Rights of the Child;
- The Convention on the Rights of Persons with Disabilities.

175. An individual submitting a complaint to an international Court or a Committee may also be eligible to legal aid partly or fully covered by public funding.

176. Denmark has extended a standing invitation to all special mandate holders of the UN Human Rights Council.

C. Framework within which human rights are promoted at the national level

General framework

177. The Danish Government is responsible for the fulfilment of Denmark's obligations under human rights instruments to which Denmark is a party and for the preparation of reports due under the different instruments (see under F).

178. For a description of the division of responsibilities in the fulfilment of Denmark's obligations between the Parliaments, the administrative authorities and the Courts, see section D.3.

National and regional parliaments and assemblies

179. As explained under B.3, regional and municipal councils and administrations are responsible for the implementation of social services, health care and education. The regions and municipalities are therefore crucial in the delivery of concrete services impacting on particularly economic, social and cultural rights as part of their delivery of welfare services.

180. Every municipality is obliged to establish advisory boards for issues regarding disabled and elderly persons, respectively. The aim of the boards is to ensure a regular dialogue on issues pertaining to these particular groups. The municipalities are further encouraged to establish advisory boards concerning issues of socially vulnerable persons and integration.

181. The Danish Institute for Human Rights has launched a project in 2016 focussing on human rights in the municipalities. The project aims, amongst other things, to assist in identifying human rights issues and practices with a view to strengthening the human rights focus of the municipal administration. The project has a particular focus on children, homeless and socially vulnerable persons as well as on the impact of digitalisation of public administration.

National human rights institution

Danish Institute for Human Rights (DIHR)

182. Since its establishment in 1987, the Danish Institute for Human Rights has undertaken activities relating to human rights, including dissemination of information, both to the public and to professionals.

183. DIHR is established by law (Act no. 553/2012) with the purpose of promoting and protecting human rights in accordance with the UN Paris Principles. In 2014, DIHR was appointed the national human rights institution of Greenland. The mandate of DIHR thus extends to Denmark and Greenland, but not the Faroe Islands. Since 2001, the institute has been accredited A-Status under the Paris Principles.

184. DIHR's general duty is to promote and protect human rights in Denmark and abroad in times of peace and during armed conflicts, in particular by:

- (a) Undertaking monitoring of and reporting on the human rights situation in Denmark;
- (b) Conducting human rights analysis and research;
- (c) Advising parliament, government and other public authorities and private stakeholders on human rights;

- (d) Promoting the coordination of and assistance to civil society organisations' work with human rights;
- (e) Implementing and promoting education in human rights;
- (f) Providing information on human rights;
- (g) Ensuring library facilities regarding human rights;
- (h) Contributing to the implementation of human rights nationally and abroad.

185. Further, it is part of DIHR's mandate to promote equal treatment of all persons without discrimination on the grounds of gender, race or ethnic origin by:

- (a) Providing assistance to victims of discrimination in pursuing their complaints about discrimination, without prejudice to the right of victims and of associations, organisations or other legal entities,
- (b) Conducting independent studies on differential treatment;
- (c) Publishing reports and submitting recommendations on questions regarding differential treatment.

186. DIHR has also been appointed Denmark's National Equality Body in relation to race and ethnicity (since 2003) and in relation to gender (since 2011). Furthermore, DIHR is appointed by the Danish Parliament to promote and monitor the implementation of the CRPD in Denmark.

187. DIHR is obliged to submit an annual report to the Danish Parliament on the activities of the Institution and the development of the human rights situation in Denmark.

188. Following the ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) in 2004, Denmark designated the Danish Parliamentary Ombudsman as the National Preventive Mechanism (NPM) of Denmark in 2007. The Danish NPM concluded agreements with the DIHR and the Danish Institute Against Torture (DIGNITY) on formal collaboration with civil society organisations in order to strengthen the Ombudsman's monitoring activities. DIHR also participates in OPCAT inspections in Greenland upon request from the NPM (see also D.3.1).

189. DIHR is a self-governing and independent public institution. It is headed by a Board. The Board comprises 13 members, who are appointed in their personal capacity. The Board must ensure that one member is associated with an organisation engaged in areas in the areas of importance to ethnic minorities and to equal treatment of women and men, respectively. The Disabled Peoples Organisations Denmark (Danske Handicaporganisationer) nominates one member of the Board.

190. Following a public announcement, the Board sets up the Council of Human Rights, which is composed to reflect prevailing views among civil society organisations working with human rights. The Council discusses the overall guidelines for the Institution's activities and follows DIHR's activities. The Council can submit proposals to the Board regarding new activities and assess the progress of past activities.

191. DIHR also has an international mandate and supports other national human rights institutions by providing capacity development. DIHR aims to ensure that other human rights institutions are able to fulfil their mandate and remain independent with a high degree of credibility. DIHR also aims to enhance the recognition and roles of national human rights institutions in various international human rights systems. In this light, DIHR has been involved in developing an accreditation system to verify that only accredited institutions are granted access to UN meetings.

Related national institutions

National Council for Children (Børnerådet)

192. Denmark has established a National Council for Children which is an independent institution funded by the state to safeguard the rights of children and young people. The

council provides advice to the Government and the Parliament on children's issues and speaks out in the public debate on behalf of children. The tasks of the council include drawing attention to areas in which children's rights are not sufficiently protected in legislation and administrative practice. Through the Government funded website (Børneportalen), the council also provides guidance to children and young people on different types of counselling available to children and young persons. The website also aims to better inform children and young people of their rights including the rights provided by the UN Convention on the Rights of the Child.

Helpline for children (Børnetelefonen)

193. The Government provides financial assistance to a toll free telephone helpline (Børnetelefonen), which is operated by the NGO "Børns Vilkår" working to improve the conditions of life for children and young people. The helpline offers advice on all kinds of issues, including information regarding their rights.

Dissemination of human rights instruments

194. Danish translations of binding international agreements concluded by Denmark as well as Danish legislation adopted in connection with the conclusion of international agreements are published in the Official Gazette. The Universal Declaration of Human Rights has been widely distributed in the official languages of Denmark, the Faroe Islands and Greenland. The International Covenants on Civil and Political and on Economic, Social and Cultural Rights and the ECHR were at the time of ratification distributed to the ministries and government departments. In connection with the incorporation of the ECHR in 1992 an updated translation of the Convention was published as an annex to the incorporation act.

Promotion of human rights awareness through educational programmes and Government-sponsored public information

195. The promotion of human rights awareness is crucial to making human rights an integral part of all aspects of society. Special efforts are made to enhance such awareness through education in human rights on in the public educational system. The Danish Institute for Human Rights equally seeks to promote knowledge of human rights, for instance through cooperation with different educational institutions.

Early Childhood education

196. In Denmark, one of several purposes of the Act on Day-care, early childhood education and care (ECEC) is for the ECEC facilities to ensure, that children have a physical, mental and aesthetical child environment that promotes their welfare, health, development and learning. Furthermore, ECEC facilities shall give children co-determination, co-responsibility and an understanding of democracy. As part of this objective, day-care facilities shall contribute to developing children's independence, skills in entering into committing social relations and solidarity with and integration in the Danish society. The creation of a proper child environment is an integral part of the pedagogical activities. The child environment shall be assessed from a child's perspective and the children's experience of the child environment shall be included, taking into account the children's age and maturity. Thus, emphasis is placed on children being involved in matters that concern themselves, cf. the UN Convention on the Rights of the Child, paragraph 12.

Primary and lower secondary school

197. It is mandatory for the Danish public schools to ensure that the pupils acquire knowledge and skills regarding human rights. The educational objectives for the Danish public school are provided for in the Act on the public primary and lower secondary school. The aim of the Danish public school system is to prepare the pupils for participation, co-responsibility, rights and duties in a society of freedom and democracy. Consequently, the educational platform must inhabit freedom of mind, equality and democracy – all values that derive from human rights.

Upper secondary school*General upper-secondary education*

198. Citizenship education, i.e. human rights and non-discrimination are specific goals for upper-secondary education in the legislative acts and the curricula. The educational programs as well as the daily life of the entire school shall be based on freedom of opinion, equality and democracy, and shall enhance the students' knowledge of, and respect for, fundamental freedoms and human rights, including gender equality.

Vocational upper secondary education and training

199. The Danish vocational education and training (VET) is governed by the Vocational Training Act. The curriculum for the vocational education and training is decentralized to the individual schools. The plans for promotion and development of the education for democratic citizenship and human rights in the VET schools is left to each individual school, but human rights will typically be a part of the curriculum in Danish and Social Studies.

University

200. The executive order on the Social Education Programme as well as the executive order on the Teacher Education Programme stipulate that all students must have knowledge about relevant international human rights conventions, including the Convention on the Rights of the Child. The executive order on the Teacher Education Programme further states that students must have historic/philosophic perspectives on human rights, including knowledge about the relations between human rights, religion and democracy.

Raising human rights awareness among public officials and other professionals

201. The Danish Institute for Human Rights produce information both in general and on specific human rights issues, which are directed at public officials and other professionals. DIHR also carries out a number training programmes on human rights. A number of other associations, such as Djøf (an association of academics within law, business and political science) carry out courses on different aspects of human rights.

Promotion of human rights awareness through the mass media

202. Freedom of expression and of the press is safeguarded by the Constitution as well as legislation. The press and other mass media regularly bring forward important human rights issues for discussion and play a key role in facilitating public debate.

Role of civil society, including non-governmental organisations

203. Civil society, including human rights defenders, plays a key role in the realisation of human rights in Denmark. NGO's promote diversity, disseminate knowledge, stimulate debate on policies and priorities, contribute proposals to public consultations, engage in concrete voluntary work and promote social cohesion.

204. Denmark has a strong and vibrant civil society. A study conducted in 2017 shows that more than 41% of the Danish population is engaged in voluntary civil society activities. The Government in 2017 launched a civil society strategy "Strategy for a stronger Civil Society" which aims to enhance citizen participation in civil society activities, improve the framework conditions for civil society organisations and strengthen knowledge on developments and tendencies within civil society work.

Budget allocations and trends

205. Human rights are mainstreamed in all areas of national public administration. Funding is therefore not allocated specifically to human rights issues, but will be integrated in various other items, such as education, health care, social welfare and courts administration.

Development cooperation and assistance

206. Denmark has been providing development assistance since the 1950s. Since 1977 Denmark has every year committed at least 0,7% of Gross National Income to development assistance in line with the UN target. The Danish development cooperation contributes to realising the global ambition of the Sustainable Development Goals for the world's development towards 2030. The development and humanitarian strategy "The World 2030" underlines Denmark's ambitions in this regard.

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

D. Reporting process at the national level

208. With a view to strengthening the Danish reporting in relation to international human rights obligations, Denmark has established a Human Rights Committee. The main objective of the Committee is to ensure systematic follow-up on recommendations from the international human rights system, including to coordinate and prepare the reporting under the treaties as well as the common core document. All relevant ministries are represented in the Human Rights Committee, which meets quarterly or as required. The secretariat of the Committee is placed within the Ministry of Foreign Affairs.

209. The Faroe Islands and Greenland provide input, often in the form of separate sections, to the reports regarding issues, which fall under their competence. The Faroe Islands and Greenland also participate in the subsequent oral presentations at the treaty bodies.

210. The participation of entities outside of government is encouraged during the reporting processes to the various treaty bodies. Consultations are held with the National Human Rights Institution and NGO's in the preparation process.

211. In relation to the Universal Periodic Review in 2016, the Government undertook a number of public initiatives with a view to engaging the general public in the Danish reporting. Public hearings were arranged in cooperation with the National Human Rights Institute in different parts of the country, including Greenland. A similar hearing was arranged on the Faroe Islands. Public inputs for the report were encouraged through a video message distributed via social media. The draft Danish report in 2016 was also subjected to a public hearing. The Danish Institute for Human Rights provided a compilation and translation into Danish of the 199 UPR-recommendations.

E. Other related human rights information

212. The Danish Institute for Human Rights (DIHR) is engaged in developing the relationship between human rights and the Sustainable Development Goals. Following the adoption of the 2030 Agenda for Sustainable Development (SDG), DIHR conducted a comprehensive mapping of human rights provisions against the 17 Goals and 169 targets of the Agenda. This mapping was launched as an interactive database in seven languages in 2016. The database provides a comprehensive overview of the interlinkages between the SDGs and human rights provisions. DIHR also published guidance and analysis for a human rights-based approach (HRBA) to the Follow-up and Review of the SDGs (2016), as well as to Data and Monitoring (2017).

213. DIHR has furthermore worked to foster the capacity of NHRIs on an HRBA to the SDGs. DIHR had an instrumental role in drafting the Mérida Declaration of the role of in implementing the 2030 Agenda and in establishing the GANHRI Working Group on Sustainable Development, which the Institute currently chairs. DIHR's staff has conducted a variety of capacity-building workshops with NHRIs, government actors, and civil society.

III. Information on non-discrimination and equality and effective remedies

Protection against discrimination

214. The basic assumption of equality before the law is a key principle in all spheres of Danish law. The Constitution does not contain a general prohibition on discrimination, but discrimination is addressed in specific areas in the Constitution as well as in supplementary legislation. Article 25 of the International Covenant on Civil and Political Rights also contains a general non-discrimination principle.

215. Furthermore, Danish law applies an unwritten, but legally binding administrative equality principle (forvaltningsretlig lighedsgrundsætning) prohibiting unequal treatment because of gender, race, colour, national or ethnic origin, faith or sexual orientation etc. This principle is binding on public employers, public employment services and all other public bodies. This means that public authorities are obligated to perform equal treatment not only if mandated by specific acts on equal treatment but in all cases based on the administrative equality principle.

216. According to the Act on Processing of Personal Data of 2000, public authorities and business entities may not register information concerning racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, health or sex life, unless specific conditions apply.

217. Denmark has adopted a number of acts concerning equal treatment in specific areas, as explained below.

Efforts to promote equal rights and prevent discrimination within specific areas and efforts towards vulnerable groups

Gender equality

218. Equality between and equal opportunities for men and women are key objectives in Denmark. The Danish regulation regarding gender equality is formed by international commitments and in particular EU legislation. The Danish regulation is laid out in legislation, but within the labour market the collective agreements play a significant role.

219. The Act on Gender Equality concerns the area of gender equality outside the labour market. The aim of the Act is to promote equality between men and women, including equal integration, equal influence and equal opportunities. Furthermore, the aim of the Act is to address direct and indirect discrimination as well as harassment and sexual harassment. The Act is applicable to acts and services provided by public authorities as well as to access to and delivery of goods and services within the private sector.

220. The Act obliges public authorities to mainstream gender issues, which means that they shall aim for gender equality within their area of work and incorporate issues of gender equality in all planning and decision making. The Act also allows for affirmative action.

221. A victim of discrimination, including harassment and sexual harassment, may raise the issue with the Board of Equal Treatment (see D.3.2). Victims may be granted compensation.

222. The Act on Equal Treatment of Men and Women in relation to employment and the Act on Equal Pay focus specifically on gender equality within the labour market. Both acts implement EU legislation in this respect. The Act on equal Treatment of Men and Women in relation to Employment obliges public and private employers to treat men and women equally in all aspects of employment.

223. The Act on Equal Pay aims at ensuring that employers afford men and women an equal wage for the same work or work of equal value — taking into account all the elements and aspects of the remuneration. According to the Act, employers shall maintain gender based statistics on remuneration.

224. The Act on Insurance, Pension and Similar Financial Services ensures the right to equal treatment of men and women within the sphere of private insurance schemes, such as life insurances as well as within labour market pension schemes, financed through contributions from employees and employers.

225. In Denmark, employment conditions and wage are typically agreed in individual contracts or through collective agreements between the parties (see also D.3). Collective agreements may, to a certain extent, deviate from the acts on Equal Treatment of Men and Women in relation to employment and on Equal Pay, as long as the collective agreements are in accordance with the standard required by EU legislation and other international obligations. Denmark is obliged to ensure that employees are afforded the protection envisaged in the EU legislation, but may leave the detailed regulations to the parties.

226. For a victim of discrimination in employment related matters, the options depend on whether the claim is based on legislation or an individual contract on the one side or whether the claim is based on a collective agreement. Cases based on legislation and individual contracts are handled by the courts or by the Board on Equal Treatment. Cases based on collective agreements are handled by specialised arbitration, the Labour Court or through boards established by the parties.

227. The Department for Gender Equality under the Minister for Equal Opportunities is responsible for the issue of gender equality. The Minister for Equal Opportunities presents an annual Perspective and Action Plan to the Parliament describing the overall framework and initiatives on promoting gender equality in Denmark and internationally. In addition, all public authorities are obliged to report to the Minister on their efforts on gender equality and gender mainstreaming every second year. Furthermore, action plans have been launched on specific issues, such as on violence in the family, trafficking and honour related conflict and negative social control. Finally, proposed legislation is screened for gender equality issues before being presented to Parliament.

Equal rights for lesbian, gay, bisexual, transgender and intersex persons (LGBTI)

228. In 2012, Denmark allowed same-sex marriage. Before 2012, same-sex couples had been recognized through registered partnerships since 1989. In relation to Danish family law, a female couple can both be parents from a child's birth. Same sex couples have the same rights in relation to adoption as heterosexual couples.

229. Denmark has introduced a simple administrative procedure allowing transgender persons to seek gender identity recognition through the adoption of Act No. 752 of 25 June 2014. Persons who have the experience that they belong to the opposite gender can be allocated a new civil registration number⁵³ in accordance with the experienced gender. In order to be allocated a new civil registration number the person in question submits a written statement expressing that the wish for a new civil registration number is due to an experience of belonging to the opposite gender. After a reflection period of 6 months, the applicant will need to confirm the application in writing. The applicant must be above 18 years of age at the time of the application.

230. The minister for equal opportunities is responsible for coordinating the government's LGBTI policies. An inter-ministerial working group has been established to exchange knowledge and best practices and to coordinate and develop policies. The inter-ministerial working group comprises nine ministries.

231. The government will launch an action plan on the security, well-being and equal opportunities of LGBTI persons in 2018. In the action plan, the government wishes to strengthen support measures for LGBTI persons with ethnic minority backgrounds; promote openness and inclusion in the labour market; fight prejudice among youths and promote openness in education; fight homophobia and transphobia in sports and public places; support victims and survivors of violence in homosexual relationships; and

⁵³ Civil registration numbers are gender specific — odd numbers are for women, even number for men.

strengthen knowledge, counselling, support for transgender persons and knowledge on intersex conditions.

232. The Parliamentary Health Committee in March 2016 decided that transgender is not to be considered a mental illness, and the term ‘transgender’ will thus no longer be listed as a mental illness.

233. According to the Criminal Code, it is considered an aggravating circumstance, if a crime has been motivated by the race, colour, national or ethnic origin, faith or sexual orientation of another person.

234. The Criminal Code also prohibits publicly, or with the intent of dissemination to a wide group, the issuing of a statement or other communication threatening, humiliating or degrading persons of a particular group on account of their race, colour, national or ethnic origin, faith or sexual orientation. When determining the penalty, the courts must consider an act of propaganda as a particularly aggravating circumstance. A violation of the act is punishable by a fine or imprisonment for a term not exceeding 2 years.

Equal rights for persons with disabilities

235. While a number of Danish laws take into account the need for exceptions in cases of persons with disabilities, two main acts regulate this area.

236. Disability is a prohibited ground of discrimination in the Danish Act on Prohibition of Discrimination on the Labour Market. The act applies to employers, persons engaged in guidance and training activities and persons laying down provisions and decision-making on the access to engage in self-employment. The Act also contains an obligation for employers to modify the work place arrangements in order to accommodate an employee with a disability, unless such modifications prove to be extraordinarily burdensome.

237. The Act on Social Services aims to accommodate the needs of people with reduced physical or mental ability. As regards adult persons with reduced physical or mental ability the aim of the Act is also to ensure a combined and holistic effort contributing to the social functioning, development possibilities and prospects for an independent daily life of the person. Support and assistance in accordance with the Act on Social Services may include personal assistance, different types of assistive technology as well as offers of accommodation.

238. The Parliamentary Ombudsman can investigate complaints against decisions made by public authorities and their treatment of citizens of all ages and cases in all areas — including disability. The Ombudsman may also take up cases on his own initiative and carry out investigations on the work of public authorities. The Ombudsman monitors questions and issues on equal treatment of persons with disabilities.

239. In accordance with article 33 in the Convention on the Rights of Persons with Disabilities, the Danish Parliament has nominated the Danish Institute for Human Rights as the independent body monitoring the implementation of the convention in Denmark.

240. The Ministry for Children and Social Affairs has the overall responsibility for coordinating the policies regarding disabled people, but other ministries share the responsibility for developing policies. Therefore, the policy area rests on the principle of sector accountability, meaning that all ministries must consider disability policy aspects when developing policies within their own scope of responsibility.

241. Denmark ratified the UN Convention on the Rights of Persons with Disabilities in 2009. Questions have been raised as to whether Denmark has a sufficient legal framework to protect persons with disabilities against discrimination outside the labour market. Currently, the government is considering and examining the need for further anti-discrimination laws with a focus on the protection of person with disabilities outside the labour market.

Indigenous peoples

242. Greenland is a part of the Kingdom of Denmark and the Greenlandic people is a people pursuant to international law with the right to self-determination.

243. The establishment of the Self-Government system for Greenland in 2009 is in itself an illustration of the Kingdom of Denmark's efforts to strengthen the rights of indigenous peoples. The Self-Government system came into force on 21 June 2009, with the Act on Greenland Self-Government replacing the former Greenland Home Rule Act of 29 November 1978.

244. A principal objective of introducing Self-Government has been to facilitate the transfer of additional authority and thus responsibility to Greenlandic authorities.

245. The Self-Government Act is based on an agreement between Naalakkersuisut (Government of Greenland) and the Danish Government as equal partners. The Act affirms that the Greenland Self-Government authorities exercise legislative and executive power in the fields of transferred responsibility. The Greenland Self-Government authorities comprise a democratically elected assembly — Inatsisartut (Greenland Parliament) — as well as an administration led by Naalakkersuisut (Government of Greenland). In respect of the Unity of the Realm and special provisions in the Danish Constitution, responsibility for the following fields may not be transferred: The Constitution; nationality; the Supreme Court; foreign, defense and security policy as well as exchange rate and monetary policy.

246. The Act furthermore recognizes the Greenlandic language as the official language in Greenland and describes Greenland's access to independence, stipulating that if the people of Greenland take a decision in favor of independence, negotiations are to commence between the Danish Government and Naalakkersuisut regarding the introduction of independence for Greenland.

247. For more information on Greenland, see below in section 5.

National minorities and Self-Government arrangements

248. The Faroe Islands' Home Rule was established in 1948, and in 2005 a new Self-Government arrangement came into force. For more information on the Faroe Islands, see below in section 4. The Self-Government arrangements on the Faroe Islands and in Greenland are not based on ethnic or linguistic criteria. Accordingly, the populations of these territories are not recognized as national minorities.

249. For historical reasons, the German minority in Denmark is characterized as a national minority.

250. Denmark ratified the Council of Europe's Framework Convention for the Protection of National Minorities on 22 September 1997 and it entered into force on 1 February 1998. Since that time, Denmark's minority rights provisions have undergone two monitoring cycles under the Framework Convention. Denmark has declared that the provisions of the Framework Convention apply only to the German population of South Jutland and have no wider application.

Discrimination on the ground of ethnic origin and race

251. The Constitution contains a number of provisions, which provide protection against discrimination in specific contexts, such as in relation to civil and political rights.

252. The Criminal Code provides protection against discrimination on the ground of among other things ethnic origin or race. It is considered an aggravating circumstance, if a crime has been motivated by the race, colour, national or ethnic origin, faith or sexual orientation of another person.

253. The Criminal Code also prohibits publicly, or with the intent of dissemination to a wide group, the issuing of a statement or other communication threatening, humiliating or degrading persons of a particular group on account of their race, colour, national or ethnic origin, faith or sexual orientation. When determining the penalty, the courts must consider an act of propaganda as a particularly aggravating circumstance. A violation of the act is punishable by a fine or imprisonment for a term not exceeding 2 years.

254. In addition to the Criminal Code, three acts protect against discrimination on the ground of ethnic or racial origin.

255. The Act on the Prohibition of Discrimination on the Labour Market prohibits direct and indirect discrimination on the grounds of gender, race, colour, religion or belief, political opinion, sexual orientation, age, disability or national, social or ethnic origin within the labour market. The prohibition against discrimination is relevant in all phases of employment. Both public and private entities are covered by the act. A person whose rights have been violated can be awarded compensation.

256. The Act on Ethnic Equal Treatment implements parts of Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. The Act prohibits discrimination on grounds of race or ethnic origin. The Act is applicable in the context of social protection, including social security and health care, social benefits, education and access to and supply of goods and services, including housing, which are accessible to the public. The law does not apply in areas covered by the act on prohibition against discrimination in the labour market etc. or to the practise of activities of a purely private nature.

257. Complaints regarding differential treatment on the grounds of ethnic origin and race can be made to the Board of Equal Treatment (see D.3.2).

258. Furthermore, the Act on the Prohibition of Differential Treatment on the Grounds of Race contains provisions prohibiting differential treatment on the ground of race, colour, national or ethnic origin, religion or sexual orientation in the performance of commercial or public activity. This Act prohibits discrimination in the context of social protection, such as for social security and health care, social benefits, education as well as access to and delivery of goods and services available to the public. The act does not apply to issues covered by the Act on the Prohibition of Discrimination on the Labour Market, nor to the practice of activities of a purely private nature. A violation of the act is punishable by a fine or imprisonment for a term not exceeding six months.

259. The application of the Act on the Prohibition of Differential Treatment on the Grounds of Race is monitored by the Danish National Police as part of a nationwide monitoring setup in the area of hate crimes.

260. Complaints regarding differential treatment on the grounds of ethnic origin and race can be made to the Board of Equal Treatment (see D.3.2).

261. The issue of discrimination based on ethnic origin falls under the competence of the Ministry of Immigration and Integration. Denmark does not have an overall strategy for the promotion of equal rights for ethnic minorities, but the Ministry of Immigration and Integration supports initiatives to combat discrimination and to strengthen ethnic equal treatment in society as well as in public discourse.

262. The Council for Ethnic Minorities advises the responsible minister (Minister for Immigration and Integration) on issues of relevance to refugees, immigrants and integration in Denmark. The Council furthermore comments on new political initiatives and has the right to comment on general issues relating to ethnic minorities. The Council is working to find long-term solutions to the existing challenges in the Danish integration efforts. By being active in consultations on new bills and through participation in a number of fora that work strategically with integration. The Council is part of a number of committees in the field of integration, both at the municipal level, nationally and internationally. The Council consists of 14 members in total. Five members, including the chairman, are appointed by the Minister. Four members that permanently represent the four largest municipalities and finally five members are selected from a representative council that represents every municipality in Denmark.

263. The Ministry of Immigration and Integration monitors the progress in combatting discrimination and promoting equal treatment through the National Integration Barometer, which was launched 2012 and monitors the development towards nine national and six local objectives for the integration efforts. Each objective is measured by 1–3 indicators on integration. These indicators cover employment, education, Danish language skills, responsible citizenship, equal treatment, self-determination, recipients of public benefits, vulnerable neighbourhoods and crime.

264. According to the National Integration Barometer, the share of immigrants and descendants of immigrants who have experienced discrimination due to their ethnic origin has fallen from 45% in 2013 to 43% in 2016.

Immigrants, including asylum seekers and refugees

Asylum seekers

265. The asylum legislation adopted in Denmark and the administration hereof is based on Denmark's international obligations, including the UN Refugee Convention of 1951, the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and the Convention on the Rights of the Child.

266. According to the Danish Aliens Act, a foreign national who applies for protection in Denmark must be offered accommodation while his or her case is examined by the asylum authorities and until a final decision has been reached. If the asylum application has been refused, the foreign national will be offered accommodation until he or she has been returned from Denmark.

267. A foreign national whose asylum application is under examination or has been rejected has the right to receive the necessary health care whilst in Denmark. The treatment must be urgent or pain reducing and the costs of such treatments are covered by the Immigration Service.

268. Asylum seeking children under the age of 18 have the right to health care on the same basis as Danish children.

Integration of refugees and foreigners re-united with a family member

269. The Integration Act places the responsibility of integration of immigrants with the municipalities. The Integration Act sets out the legal framework for integration in Denmark and provides the overall regulation on the integration of newly arrived immigrants; including their rights and duties.

270. The Danish Government aims to strengthen the integration process through practical labour market acquaintance, as this is the best modality to achieve regular employment and integration in general. The Integration Act and the Act on Danish Courses for Adult Aliens and Others aim to improve the integration into the labour market. A combination of better opportunities for newcomers to the labour force, including financial incentives directed at local authorities, language course providers, employers and individual immigrants contribute to the success of this effort.

271. Furthermore, the establishment of Integration Councils in the municipalities, which offer ethnic minorities increased involvement and influence in the local communities, is an important element of the Integration Act.

272. Once granted residence permit, the Danish Immigration Service will assign an asylum seeker to a municipality. The municipalities are responsible for the integration effort and must offer newly arrived refugees and foreigners reunited with a family member an "integration program", consisting of a Danish language course and offers of active involvement, aimed at labour market involvement:

- Guidance and upgrading of competencies;
- Job training and internship;
- Employment with a wage subsidy;
- The offer of guidance and upgrading consists of short counselling and educational activities, specifically arranged projects or training/educational courses, ordinary training/educational courses and specific qualifying courses aimed at participation in the labour market;
- The contents of the integration program are laid out in an integration contract, which will remain in place, until the immigrant obtains a permanent residence permit. The contract is concluded between the local municipality and the individual immigrant or

refugee. Moreover, the immigrant or refugee must sign a declaration on integration, which aims to underline his or her responsibility for the integration into the Danish society.

273. In March 2016 the government concluded accords with the Social Partners (the trade unions and industry organisations) agreeing on more than 50 initiatives aiming at improving integration programs under the guiding principle “work from day one”. Another main objective with the accords is to provide the municipalities with a more flexible and more cost-effective legal framework to handle the integration effort.

274. Distribution of refugees throughout the 98 municipalities is based on an allocation scheme ensuring that refugees are not concentrated in small areas with a view to avoid creating “parallel societies”. Efforts are made to match individual competences and local demands for labour, when refugees are transferred from asylum centres to municipalities.

Migrant workers

275. The Danish employment policies and measures aim at contributing to ensuring a well-functioning labour market with the participation of national as well as migrant workers in Denmark. This takes place in the form of a number of measures in relation to both unemployed and employed persons who are looking for a job or wishing to undergo training or education. The employment measures apply to all unemployed citizens irrespective of whether they are receiving unemployment benefits or other benefits.

276. All citizens, hence including migrant workers/international citizens in Denmark, are entitled to assistance in search for employment. This assistance is provided either at the local “employment centre” or at “Workindenmark” centers. Workindenmark organizes workshops free of charge with an introduction to job search for foreign job seekers. A wide range of vacancies in the English language directed at international citizens can be found on Workindenmark’s homepage.

277. Furthermore, the International Citizen Service (ICS) helps newcomers to start a life in Denmark smoothly. ICS provides help with the authority registration process, information and guidance about working and living in Denmark.

278. Migrant workers are entitled to welfare benefits in Denmark. A number of criteria apply, particularly concerning the social benefits. The criteria may affect the right and access to the benefit and/or the size of the benefit. For social benefits, the migrant must be a legal resident. Additionally, there are a number of terms of employment and other criteria (e.g. age requirements, and in some cases, income dependence) in relation to the eligibility for social benefits.

IV. The Faroe Islands

General information about the Faroe Islands

279. The Faroe Islands are located in the North Atlantic, covering a total land area of 1 399 square kilometers, a sea area of 271 000 square kilometers.

280. The Faroe Islands are a self-governing part of the Kingdom of Denmark. The Faroe Islands are members of the UN, the Council of Europe, OECD and NATO inter alia, as a part of the Kingdom of Denmark. Furthermore, the Faroe Islands have associated membership in the three UN agencies — IMO, FAO and UNESCO.

A. Demographic, social, cultural and economic characteristics

281. By September 2017 the total population was 50 318. Out of the 28 municipalities, the most populous is the capital, Tórshavn, with approximately 21 000 inhabitants. As of January 2017 the population density was 36 inhabitants for every square kilometer.

282. The majority of the Faroese population is made up of native Faroese people (originally of Norwegian and Celtic descent). The largest group of non-Faroese inhabitants,

some 7% of the total population, come from Denmark. People of other nationalities make up less than 3% of the total population, although they represent more than 80 different countries. Faroese is spoken as a first language.

Table 1: Population

	2012	2013	2014	2015	2016
Total Population	48 204	48 062	48 153	48 617	49 142
Men	25 034	24 932	24 894	25 113	25 392
Women	23 170	23 130	23 259	23 504	23 750
<17	12 448	12 365	12 331	12 378	12 389
18–64	28 318	28 065	27 944	28 107	28 357
>65	7 438	7 632	7 878	8 132	8 396
Growth Rate	0.40%	-0.05%	0.57%	1.02%	1.27%

Source: Statistics Faroe Islands.

283. According to the 2011 Census, there were 33,018 Christians (95.44%), 23 Muslims (0.07%), 7 Hindus (0.02%), 66 Buddhist (0.19%), 12 Jews (0.03%), 13 Baha'i (0.04%), 3 Sikh (0.01%), 149 others (0.43%), 85 with more than one belief (0.25%) and 1,397 with no religion (4.04%) in the Faroes.

284. The majority of the population, approximately 80%, belongs to the Evangelical Lutheran church, which is the Official Church of the Faroe Islands.⁵⁴ There are several other religious communities, the largest of which is the Plymouth Brethren, with approximately 13% of the total population belonging to them. Other religious communities are the Roman Catholic Church, the Salvation Army, the Pentecostal Movement, Seventh Day Adventists and the Jehovah's Witnesses.

285. Statistics on birth and deaths.

Table 2: Statistics on births and deaths

<i>Year</i>	2015	2016
Number of live births	607	686
Number of deaths	380	380

286. The infant mortality rate (deaths within the first year of life pr. 1000 live births) varies from year to year due to the small number of births.

Table 3: Infant Mortality Rate

	2010	2013	2014	2015	2016
Infant Mortality Rate	4.6	1.6	3.1	0.0	2.9

Source: Chief Medical Officer in the Faroe Islands

287. Life expectancy in the Faroe Islands is high. 79.9 years for men and 84.7 years for women.

⁵⁴ Faroese authorities assumed responsibility on Church Affairs in 2007.

Table 4: Life expectancy

	2012	2013	2014	2015	2016
Life Expectancy	81.2	81.4	81.7	81.9	82.1
Men	78.7	79	79.3	79.6	79.9
Women	83.8	84	84.2	84.5	84.7

Source: Statistics Faroe Islands.

288. The fertility rate in the Faroe Islands is currently 2,6 and thus the highest in Europe.

Table 5: Fertility rate

	2012	2013	2014	2015	2016
Fertility Rate	2.6	2.5	2.6	2.4	2.6

Source: Statistics Faroe Islands.

289. According to the 2011 Census, there were 17 441 households in the Faroe Islands at the time. The average household size is 2–3 persons while 6% were single parent households.

Table 6: Information on households

<i>Single Parent Households</i>	<i>1044</i>	
• headed by women	834	(79.9%)
• headed by men	210	(20.1%)

Source: Statistics Faroe Islands.

Social and economic characteristics

290. Fishing has been the main source of income for the Faroe Islands since the late 19th century. Fish and fish products — including farmed fish — represent between 90 and 95% of total value of the exports of goods, and around 20% of the GDP. Other industries include shipping and offshore services, IT and telecommunications, tourism and creative industries.

Table 7: Key economic figures

<i>Employees in number (Nov. 2016)</i>	<i>25 534 (total), 13 156 (men), 12 378 (women)</i>	
Per capita income (2015)	304 352 DKK	
Unemployment in % (Sep'17)	2.4	
Gross domestic product (2015)	16 663.3 million DKK	
GDP per capita (2015):	34 212 DKK	
Gross National Income (2015)	17 133.0 million DKK	
Total Consumer Price Index (ultimo 2016)	117.3	

291. The Faroe Islands is a welfare society and as such, a large amount of government expenditure is allocated to health, education and social security. From 2010 to 2013, the government spent between 68–72% of the general expenditure on the aforementioned areas.

Table 8: Government expenditure

	2010	2011	2012	2013
General Government Expenditure	7 279.1	7 431.5	7 548.6	7 739.6
Housing and Community Amenities	83.6	89.3	96.7	98.7

	2010	2011	2012	2013
	1.1%	1.2%	1.3%	1.3%
Health	1 007.4	1 047.9	1 044.7	1 082.8
	13.8%	14.1%	13.8%	14.0%
Education	1 230	1 179.5	1 112.6	1 214.5
	16.9%	15.9%	14.7%	15.7%
Social Security	2 882.7	2 949.6	2 938.3	2 863.2
	39.6%	39.7%	38.9%	37.0%

Source: Statistics Faroe Islands.

*in million DDK.

292. The Faroe Islands have not set an official poverty line, but Statistics Faroe Islands estimate people being “at risk of poverty” if they have a median income below 60% of the median income.

Table 9: Households at risk of poverty

	2011	2012	2013	2014	2015
Households at Risk of Poverty (%)	9	10	10.3	10.8	10.6
Single Adult	34.2	38.7	40.6	40.4	41.4
+ child 0–5	63.2	59.5	68.4	69.1	63.8
+ child 6–17	30.4	34.9	35.8	36.7	39.4
Two Adults	5.1	6.5	7.2	12	11.6
+ child 0–5	9.7	10	9.9	9.4	8.3
+ child 6–17	4.7	6.9	5.2	5.1	5.7

Source: Statistics Faroe Islands.

293. In 2015, 80% of the population 18 years and older had an annual disposable income between 100 000 DDK and 500 000 DDK. Income in the Faroe Islands is relatively equal between men and women. However, women have a higher representation in the lower part of the income scale. Of the annual disposable income, 34% of the population is women with an income between 100 000 DKK and 250 000 DKK. The corresponding figure for men is 26%. As for the annual disposable income between 250 000 DKK and 500 000 DKK, women represent 4%, while the corresponding figure for men is 13%. Part of the population with an annual disposable income of more than 500 000 DKK was 4% in 2015. In the highest income scale, 3% of the number of persons are women, although women make up only 0.16% of the highest income scale.

Table 9a: Distribution of annual disposable income in the population 18 years and older

(DKK, thousands)	2011	2012	2013	2014	2015
Male					
0–100	10	9	9	8	7
100–250	29	26	26	26	26
250–500	11	14	14	15	15
500+	4	3	4	4	4
Female					
0–100	12	10	10	10	8
100–250	34	33	33	33	34
250–500	2	4	4	5	5

(DKK, thousands)	2011	2012	2013	2014	2015
500+	0	0	0	0	0
Population, Total	100	100	100	100	100

294. According to the Chief Medical Officer of the Faroe Islands, the only prevalent sexually transmitted disease in the Faroe Islands is Chlamydia. From 1997 to 2016, there were no cases of Syphilis, 10 cases of Gonorrhea and 4 of HIV/AIDS, while since 2012 to 2016 there have been 782 positive tests for Chlamydia. The number of new cases of other communicable diseases have been limited since 2012.

295. The main causes of death in the Faroe Islands are cancer and heart and circulatory system diseases. The number of homicides and suicides is low and these causes of deaths are grouped under "Other" in the table below. In the ten-year period from 2007 to 2016 there have been three homicides in the Faroe Islands. The suicide rate is also low compared to the other Nordic countries. According to the Chief Medical Officer, the official number of suicides for residents living in the Faroes has varied between 1 and 3 per year since 2012. In 2015 three suicides were registered of which one was a foreigner, i.e. not a resident in the Faroes.

Table 10: Main causes of death

	2011	2012	2013	2014	2015
Total Deaths	383	398	365	385	379
Infectious and parasitic diseases	8	11	12	22	16
Diseases in the nervous system and sense organs	35	36	19	20	18
Respiratory system diseases	28	47	33	33	25
Accidents	7	15	11	19	13
Cancer	126	95	97	94	96
Heart and circulatory system diseases	99	118	94	105	104
Other	80	76	99	92	107

Source: Statistics Faroe Islands.

Primary and secondary education

296. The Faroe Islands education system is largely compatible to the Danish system. Education is compulsory for 9 years between the ages of 6–7 and 16. The enrolment rates for primary and secondary schools are 100%. There are approximately 7000 pupils and 700 teachers in public schools, giving a ratio of 1:10.

297. Upper secondary education begins at the end of compulsory education and covers typically the 16–19-year-olds. After upper secondary education, higher education is offered at the University of the Faroe Islands and the Centre of Maritime Studies and Engineering. In 2014 there were 714 students enrolled in the University of the Faroe Islands. The Centre of Maritime Studies and Engineering has over 175 students. In addition, a vocational academy education is offered at the vocational college.

Table 11: Education

	2010/11	2011/2012	2012/2013	2013/2014	2014/2015
Primary Education	7 098	7 191	7 145	7 142	7 162
Boys	3 684	3 742	3 716	3 417	3 462
Girls	3 414	3 449	3 429	3 725	3 700

	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010
Secondary Education	1 292	1 321	1 602	1 444	1 496
Men	582	597	907	669	698
Women	710	724	697	775	798

Source: Statistics Faroe Islands.

298. The aim is to have a 100% literacy rate among children and adults. This does however not mean that all children and adults are efficient readers.

B. Constitutional, political and legal structures

299. The political system is parliamentary democracy. The legislative assembly, the Løgting, consists of 33 elected members serving for a period of four years by popular vote as a single constituency. The Faroese government currently consists of eight members, including the Head of Government known in Faroese as løgmaður.

300. At present seven parties, and one independent MP, are represented in the Løgting. A distinctive feature of Faroese politics is the fact that they divide across two axes. There is the classic socio-economic left-right divide, and then there is also a union-independence divide.

301. In the 2015 General Election the voter turn-out was 88,8 % of the total electorate of 36 458 voters.

Table 12: Election results for 2011 and 2015

Party (with Faroese name)	2011		2015	
	Seats	% of vote	Seats	% of votes
Union (Sambandsflokkurin)	8	24.7	6	18.8
People's (Fólkaflokkurin)	8	22.5	6	18.9
Social Democrats (Javnaðarflokkurin)	6	17.8	8	25.1
New Self-rule (Nýtt Sjálvstýri)	1	4.2	2	4.0
Republic (Tjóðveldi)	6	18.3	7	20.8
Progress (Framsókn)	2	6.3	2	7.0
Centre (Miðflokkurin)	2	6.2	2	5.5

302. At the general elections in September 2015, the representation of women in Parliament rose from 21.2% to 30.3%. Furthermore, women's representation in executive power increased from 1 out of 8 cabinet seats to 4 out of 8 cabinet seats.

303. In 2015, the two Faroese seats in the Danish Parliament were won by Tjóðveldi and Javnaðarflokkurin.

304. Since the introduction of the Home Rule System in 1948, Faroese authorities have taken over legislative and administrative power in almost all domestic affairs. Through the Act on the Assumption of Matters and Fields of Responsibilities of 2005, the possibilities available to the Faroese authorities to unilaterally assume areas of competence were expanded significantly. According to the Act responsibility for the following fields may not be transferred: The Constitution; nationality; the Supreme Court; foreign, defense and security policy as well as exchange rate and monetary policy.

305. The Faroe Islands have assumed competence in a wide range of areas, including e.g.: the conservation and management of living marine resources within the 200-mile fisheries zone, external trade relations, taxation and customs, protection of the environment,

sub-surface resources, energy, transport,⁵⁵ communications, social security, the penal code, administrative law, data protection law, culture, education and research.

306. Pursuant to the Act on the conclusion of agreements under international law adopted by both the Danish and the Faroese Parliament in 2005, the Faroese Government has full powers to negotiate and conclude agreements on behalf of the Kingdom of Denmark, where such agreements relate solely to matters, in which Faroese authorities have assumed legislative and administrative powers e.g. fisheries and trade agreements.⁵⁶

307. The Danish Government appoints a High Commissioner (Rigsombudsmand) to represent the Danish Government in the Faroe Islands. The High Commissioner has an office in Tórshavn and works as the link between Danish authorities and the Faeroese authorities, except in areas where Danish authorities are present in the Faroe Islands (police, justice, defense etc.).

308. The Faroe Islands are not encompassed by Denmark's membership of the EU, but there are bilateral agreements with the EU on trade, fisheries and research cooperation.

309. Faroese society is founded on the Scandinavian welfare model. Citizens and residents are entitled to a range of publically financed services such as social security, healthcare and education.

310. The 28 municipalities are an important feature of the Faroese political system. Local councils are publicly elected for four-year terms. They have taxation powers of their own and provide a substantial part of the public services, such as sanitation, primary schools, childcare and elderly care.

311. The areas concerning administration of justice, including the establishment of courts of law; the police; the prison and probation service have not yet been assumed by the Faroese authorities and are therefore still areas under the authority of the central Danish Government.

312. The Juridical Court of the Faroe Islands is a first tier court under the Danish court system.

313. The Faroese Administration of Justice Act corresponds to the Danish Administration of Justice Act with some modifications, e.g. that Faroese is the main language, but the Danish language can also be used. The Administration of Justice Act is currently being reviewed. Amendments are needed in order to bring the Act up to date and a working group has been initiated between Faroese and Danish authorities.

314. The responsibility for the Faroese Penal Code was transferred to Faroese authorities on 1 March 2010. This means that Faroese authorities now can amend the Penal Code on their own as they deem fit. The Faroese Government is currently working on amending the Penal Code to make sure that it meets present day standards. As the Penal Code is amended, the amendments will be made in Faroese language.

315. The Faroe Islands Police is a police district within the Kingdom of Denmark. As regards remand custody, the Faroe Islands has a detention with a capacity of 14 detainees. The detention is also used as a prison for persons who receive short sentences, while persons with long sentences must serve their sentences in Denmark.⁵⁷ If a young person must be taken into alternative custody in a secure institution, it will be possible to transfer that person to a suitable institution in Denmark. However, this is seen as a serious intervention into the young person's life and such a transfer will only be contemplated in cases involving crimes of a certain seriousness.

⁵⁵ With the exception of air transport.

⁵⁶ The Act does not apply to agreements affecting defence and security; agreements which shall also apply to Denmark; or to agreements to be negotiated within an international organization of which the Kingdom of Denmark is a member.

⁵⁷ Prison sentences less than 18 months long are usually served in the detention, while persons with longer sentences usually serve their sentence in Denmark.

316. The crime rate in the Faroe Islands is generally low. It is estimated to be 25% lower than in the other Nordic Countries.

Table 12: Reported criminal offences

	1995	2005	2010	2016
Reported criminal offences, total	1 057	975	929	605
Sexual offences	40	28	24	22
Crime of violence	63	71	82	80
Theft	425	477	421	226
Vandalism	370	275	250	158
Other offences	159	124	152	119

Source: Statistics Faroe Islands.

General framework for the protection and promotion of human rights

317. The human rights provisions in the Danish Constitution apply to the Faroe Islands (see D.1 above). With some exceptions, the international human rights conventions ratified by Denmark apply to the Faroe Islands. For further specification, please refer to 2.C.

318. The European Convention on Human Rights has been incorporated into Faroese law. Discrimination is prohibited by several acts in the Faroes. The Gender Discrimination Act prohibits discrimination due to gender and the Danish Act prohibiting racial discrimination also applies for the Faroes. Discrimination on the grounds of race, national or ethnic origin, faith and sexual orientation is punishable according to section 266 B of the Faroese Criminal Code. Furthermore, the Act on Discrimination on the Labour Market prohibits discrimination due to disability. Currently a Bill on a general discrimination ban on the Labour Market is being processed in the Faroese Parliament.

319. The Faroese Ombudsman institution was established in 2000. The responsibilities of the Ombudsman extend to all of the Faroese public administration and the municipalities. The Danish Parliamentary Ombudsman has jurisdiction in areas not taken over by Faroese authorities. Since 2014, the Parliamentary Ombudsman has been tasked with monitoring the rights of children and young people in the Faroe Islands — including in public and private institutions.

V. Greenland

General information about Greenland

320. Greenland covers an area of 2 166 086 square kilometres (410 449 km² being ice-free area).

321. Almost half the population live in the capital Nuuk and the other three main cities on the west coast, while the other half live in 18 towns and 120 villages or settlements. There are no roads between the towns on the coast. In order to get around locally, you can travel with fixed wing planes, helicopters or by sea. From Nanortalik in the South to Sisimiut in the North-west you can sail the whole year, while travel from Sisimiut towards the north can only take place, when the sea is not frozen. Ships sail to towns and settlements along the coast carrying passengers as well as cargo.

322. Greenland is a self-governing part of the Kingdom of Denmark. Greenland is a member of the UN, the Council of Europe, OECD and NATO inter alia, as a part of the Kingdom of Denmark. Following a referendum in 1982, Greenland withdrew from the EU and is now associated to the EU under the Overseas Association Decision. Greenland has partnership agreements with the EU, including on fisheries.

A. Demographic, social, cultural and economic characteristics

323. The population of 55 860 as of January 2017 (29 493 men and 26 367 women). 17 600 live in the capital Nuuk.

Table 1: Population

	2011	2012	2013	2014	2015	2016	2017
Total	56 615	56 749	56 370	56 282	55 984	55 847	55 860
Women	26 673	26 708	26 532	26 552	26 428	26 304	26 367
Men	29 942	30 041	29 838	29 730	29 556	29 543	29 493

Source: <http://bank.stat.gl/BEEST1>.

324. Approximately 88% of the population is Greenlandic Inuit of ethnicity. 98.2% of the population are Danish citizens, of which 89.5% were born in Greenland. The rest of the population was almost exclusively born in Denmark. The population density is 0.14 per km² of ice-free area with 48 248 people living in towns and 7 356 people in settlements. The official language is Greenlandic. The official language is the West Greenlandic dialect (Kitaa), but there are two other dialects spoken — Avanersuaq in North and Tunu in the East.

325. The life expectancy rate is 69.7 years for men and 74.1 years for women (2015). The total fertility rate is 2.01 per woman aged 15–49 years old.

326. Infant mortality rate was 14 deaths per 1,000 live births in 2015.

327. Selected communicable diseases.

Table 2: Reported Infectious Diseases in number of persons

	2009	2010	2011	2012	2013	2014	2015
Meningitis	12	10	10	7	8	-	-
Hepatitis	-	-	2	2	9	-	-
Tuberculosis	63	116	112	91	93	99	81
HIV positive	4	3	1	2	3	2	-
AIDS	-	-	-	-	1	-	-
Gonorrhea	1 103	1 237	1 355	1 432	1 273	1 532	1 528
Chlamydia	2 943	3 002	3 225	3 601	3 253	3 456	2 978

Source: National Board of Health and Statistics Greenland.

328. The 10 years of primary school are compulsory and the literacy rate is estimated to be 100 % for adults.

Table 3: Education in Greenland

	2010	2011	2012	2013	2014	2015
Totals						
Starters	1 698	1 923	1 877	1 797	2 017	1 992
Drop-outs	906	824	973	969	1 039	957
Completions	694	828	885	865	932	1 002
Vocational education						
Starters	861	960	899	858	908	938
Drop-outs	579	473	575	485	488	469

	2010	2011	2012	2013	2014	2015
Completions	334	392	428	304	420	472
Mid-range training						
Starters	609	682	699	714	834	777
Drop-outs	254	261	276	346	411	389
Completions	284	325	354	363	410	391
Higher education						
Starters	228	281	279	225	275	277
Drop-outs	73	90	122	138	140	99
Completions	76	111	103	99	102	136

Source: <http://bank.stat.gl/UDEISC11A>, <http://bank.stat.gl/UDEISC11C> and <http://bank.stat.gl/UDEISC11D>.

329. In 2015 the gross domestic product (GDP) of Greenland was DKK 14 938 billion (USD 2.66 billion) in constant prices, the average per capita income was DKK 237 972 and the unemployment rate was 9.1% of the population. The rate of inflation was 0.3% through 2016.

Table 4: Expenditure of General Government Sector

	2010	2011	2012	2013	2014	2015
Total	9 413	9 347	9 746	10 056	10 140	10 122
General public services	1 157	1 124	1 134	1 147	1 176	1 200
Defense	98	93	117	99	115	169
Public order and safety	524	600	611	698	687	647
Economic affairs	1 014	980	1 048	1 024	1 025	982
Environmental protection	149	128	104	209	200	209
Housing and community amenities	376	302	407	359	291	237
Health	1 294	1 323	1 403	1 380	1 398	1 398
Recreation, culture and religion	332	352	351	388	408	393
Education	1 929	1 865	1 887	1 952	1 991	1 963
Social protection	2 540	2 579	2 674	2 801	2 849	2 924

Source: <http://bank.stat.gl/OFEFUNK>.

*In DKK million.

330. The main part (88%) of the export of Greenland is fish and shellfish, making the Greenlandic economy sensitive to changes in fish stocks and international price fluctuations. A majority of Greenland's export are from cold-water shrimp, followed by halibut and other fish (namely cod and crabs). At present, only one mine is operating in Greenland. Another important part of the Greenlandic economy is the annual block grant of approximately DKK 3.68 billion (2015-figure: USD 593 mio) allocated to Greenland from the Danish State.

Table 5: Employment by Trade — Number of main employed persons in average per month

	2011	2012	2013	2014	2015
Total	25 489	25 501	25 461	25 167	25 620
Fishing, hunting & Agriculture	3 415	3 532	3 548	3 640	4 085

	2011	2012	2013	2014	2015
Mining and quarrying	137	143	128	110	124
Manufacturing	242	233	235	225	234
Electricity and water supply	410	390	392	382	380
Construction	1 872	1 952	1 872	1 720	1 844
Wholesale	3 009	3 086	3 045	2 918	2 890
Hotels and restaurants	785	756	806	742	762
Transportation	2 616	2 629	2 583	2 499	2 445
Business activities	1 344	1 426	1 500	1 422	1 332
Public administration & service	10 052	9 804	9 895	9 826	10 307
Other industries	817	844	865	890	914
Activity not stated	789	705	591	792	301

Source: <http://bank.stat.gl/AREBFB1>.

331. Reported criminal offences.

Table 6: Reported criminal offences

	2012	2013	2014	2015	2016
Reported criminal offences, total	5 078	4 406	4 385	3 959	4 333
Sexual offences	302	332	349	300	386
Crime of violence	941	920	911	882	973
Theft	3 655	2 951	2 925	2 627	2 809
Vandalism	669	588	594	526	544

Source: Statistics Greenland.

B. Constitutional, political and legal structure

332. Greenland is a self-governing part of the Danish Kingdom. The Home Rule Act of 1978, which was replaced by the Self-Government Act of 2009 enabled Greenland to take over the responsibility for almost all internal matters of the country. By virtue of the Self-Government Act, Greenland can gradually expand its self-government in a range of areas.

333. At present Greenland has taken over for instance the regulation on hunting, fishing, taxes, expropriation, primary schools and high schools, the labour market, electricity, water and heating supplies as well as natural resources. In respect of the Unity of the Realm and special provisions in the Danish Constitution, responsibility for the following fields may not be transferred: The Constitution; nationality; the Supreme Court; foreign, defense and security policy as well as exchange rate and monetary policy.

334. Pursuant to the Self-Government Act of 2009, the Government of Greenland has full powers to negotiate and conclude agreements under international law on behalf of the Kingdom of Denmark where such agreements relate solely to matters for which internal powers have been transferred to the Greenland Authorities.⁵⁸

335. The executive power rests with the Government of Greenland (Naalakkersuisut) elected by the Greenlandic parliament (Inatsisartut). The head of government is the Premier, usually the leader of the majority party in Parliament. The Naalakkersuisut will often consist of around nine members.

⁵⁸ The full powers do not apply to agreements affecting defence and security; agreements which shall also apply to Denmark; or to agreements to be negotiated within an international organization of which the Kingdom of Denmark is a member.

336. Denmark appoints a High Commissioner (Rigsombudsmand) to represent it on the island. The High Commissioner has an office in Nuuk and works as the link between Danish authorities and the Naalakkersuisut, except in areas where Danish authorities are present in Greenland (police, justice, defence, etc.).

337. Administratively, Greenland is divided into five municipalities: The municipalities are Kommuneqarfik Sermersooq around the capital Nuuk; Kommune Kujalleq around Cape Farewell; Qeqqata Kommunia north of the capital along the Davis Strait; Kommune Qeqertalik and Avannaata Kommunia in the northwest. The northeast of the island composes the unincorporated Northeast Greenland National Park.

338. Legislative power is vested in the Inatsisartut, which is made up of 31 members elected by direct, popular vote to serve four-year terms by proportional representation.

339. Greenland has a multiparty system, which is constituted as shown below in table 7 after the most recent election.

Table 7: Election to the Greenlandic Parliament. November 28th, 2014 Party

	<i>Votes</i>	<i>Percent</i>	<i>Mandates</i>	<i>Elected Women</i>
Total	29 201	100	31	13
Atassut	1 919	6.5	2	-
Demokraatit	3 469	11.8	4	2
Inuit Ataqatigiit	9 783	33.2	11	8
Siumut	10 108	34.3	11	3
Partii Inuit	477	1.6	-	-
Partii Naleraq	3 423	11.6	3	-
Outside parties	22	0.1	-	-

Source: <http://bank.stat.gl/SAELANST>.

340. Greenland elects two representatives to the Danish Parliament, out of a total of 179. In 2015, the seats were won by Inuit Ataqatigiit and Siumut.

Table 8: Elections to the Danish Parliament Since 2001

	<i>Atassut</i>	<i>Siumut</i>	<i>Inuit Ataqatigiit</i>	<i>Demokraatit</i>	<i>Partii Naleraq</i>	<i>Outside Parties</i>	<i>Poll</i>
2001	5 137	6 029	7 172	-	-	4 917	61.6
2005	3 781	7 775	5 785	4 924	-	843	59.6
2007	4 097	8 075	8 347	4 586	-	-	64.4
2011	1 706	8 374	9 587	2 831	-	-	57.5
2015	1 528	7 854	7 914	1 852	1 058	-	50.4

Source: <http://bank.stat.gl/SAEFOLK>.

341. Administration of justice is an area, which has not been taken over by Greenland. The area is thus covered by Danish law with certain adjustments made for Greenland. Greenland's judicial system has two courts of first instance: the District Courts and the Court of Greenland depending on the type of case, whereas the High Court of Greenland hears cases as the second instance. Decisions made by the High Court of Greenland may be brought before the Supreme Court subject to the permission of the Appeals Permission Board.

General framework for the protection of and promotion of human rights

342. The human rights provisions in the Danish constitution apply to Greenland (see D.1 above). With some exceptions, the international human rights conventions ratified by Denmark apply to Greenland. For further details, see the overview of human rights obligations in 2.C. The Danish Government is responsible, from an international law perspective, for upholding human rights protection in Greenland, also in areas where internal powers have been transferred.

343. The European Convention on Human Rights has been incorporated into Greenlandic law. There is no general prohibition on discrimination on the grounds of race, ethnic origin, age, religion, sexual orientation and disability in Greenland. The Act on the Prohibition of Differential Treatment on the Grounds of Race etc. (see H.2.6.), however, applies to Greenland. Gender discrimination is prohibited by the Greenlandic Act on Equality of Men and Women, which also establishes the Council of Gender equality. The mandate of the Council includes examining on its own initiative or by request, measures relating to gender equality. Discrimination in the form of hate speech on the grounds of race, national or ethnic origin, faith and sexual orientation is punishable according to section 100 of the Greenlandic Criminal Code.

344. The Greenlandic Parliament has an Ombudsmand (Ombudsmanden for Inatsisartut). The Ombudsman can hear complaints regarding all areas of public administration under the Self Government administration and the municipalities. The Ombudsman can start investigations at his own initiative and can undertake general investigations. The ombudsman can thus also hear complaints about discrimination in the public administration. The Danish Parliamentary Ombudsman has jurisdiction in areas not taken over by Greenland.

345. The Human Rights Council of Greenland was established in 2014. The Council is politically independent, but the government provides secretariat services. The mandate of the Council is to monitor and report on the human rights developments in Greenland. The Council has 18 members appointed by various institutions and organizations in Greenland.

346. The Danish Institute for Human Rights is the National Human Rights Institution for Greenland. The Institute gives advice to the Greenlandic government and parliament on human rights issues, for instance in relation to the preparation of new legislation. The Institute works closely with the Human Rights Council of Greenland in furthering human rights in Greenland.
