



Economic and Social Council

Committee on Economic, Social and Cultural Rights

Pre-sessional working group

List of issues in relation to the sixth periodic report of Denmark

Addendum

Replies of Denmark to the list of issues

A. General information

Reply to the issues raised in paragraph 1 of the list of issues

1. In Denmark, the law is generally applied in a way that is in accordance with the international conventions that Denmark has acceded to. Thus, in cases where there is doubt as to the proper interpretation of a national rule, the courts and other authorities must as a general rule interpret the national rules in such a way as to avoid any conflict with Denmark's international obligations (the so-called "interpretation-rule"). Furthermore, the courts and other authorities must as a general rule presume that the legislature did not intend to act in contravention of Denmark's international obligations. Accordingly, the courts and the authorities must as far as possible seek to apply the national rules in a way as to avoid a violation of international obligations (the so-called "presumption-rule").

2. The absence of an explicit reference to the Covenant can however not be taken to mean that the Courts have not considered it. Thus, it is not possible to provide a complete specification of cases in which domestic courts interpreted Danish legislation in conformity with the State party's obligations under the Covenant. However, an explicit reference to the Covenant has, *inter alia*, been made in the following Supreme Court Judgements:

- Judgment of 17 September 1998, case no. 286/1997, regarding the deprivation of a lawyer's right to practice law because of outstanding public debt.
- Judgment of 26 April 2006, case no. 17/2005, regarding a Danish unemployment scheme containing a wage ceiling.
- Judgment of 15 February 2012, case no. 159/2009, regarding refugees' right to state benefits.

3. As these judgments have currently not been translated, a copy of the judgments in Danish can be submitted upon request.

Reply to the issues raised in paragraph 2 of the list of issues

4. The Government is committed to providing the framework for a fully independent national human rights institution and this is reflected in the Act on the Danish Human Rights Institute (DIHR). The Act establishes DIHR with a view to further protect human rights in accordance with the Paris Principles for national human rights institutes. The Act also contains a broad and non-exhaustive description of the mandate of DIHR, as well as a provision for the board of DIHR to prepare a regulation for the institution. Following recommendations from The Global Alliance of National Human Rights Institutions (GANHR) the regulation of the DIHR was amended in 2018 with regard to the processes for selection and dismissal of board members. It was not considered necessary to amend the Act with a view to further specify the mandate, as the description of the mandate in the Act was seen to accommodate the current tasks of the DIHR.

Faroe Islands

5. The task force appointed by the Minister of Foreign Affairs and Trade to examine and make recommendation on National Human Rights Institutions (NHRI) models that could fit the Faroese society handed in its report and recommendations in May 2017. However, hitherto the Government has not taken a position vis-à-vis these recommendations.

B. Issues relating to general provisions of the Covenant (arts. 1-5)

Maximum available resources (art. 2)

Reply to the issues raised in paragraph 3 of the list of issues

6. Denmark has one of the lowest degrees of income inequality among the countries of the Organisation for Economic Co-operation and Development (OECD), although income inequality in Denmark has increased since the mid-90s roughly along the same path as the OECD average. In the table below is shown inequality indicators on equivalised disposable income. The table shows that income inequality has increased from 2011-17. It should be noted that real disposable income increased among most income groups, although the increase was higher among high-income earners than among those with lower incomes.

	2011	2012	2013	2014	2015	2016	2017
Gini coefficient:	27.7	27.4	27,9	28.3	28.8	29.0	29.3

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. www.statbank.dk/ifor41 .

Calculations are based on Statistics Denmark's income register. In this register Equivalised Disposable income among other include imputed rent and have a narrow definition of the family compared to other international data – leading to slightly higher estimates of gini than similar Eurostat and OECD figures for Denmark.

7. 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 2011-2017 the share has increased. A large part of the increase is due to the fact that more young people are enrolled in education, but also a large in-flow of immigrants combined with lower cash-benefits for unemployed immigrants has contributed to the increase in relative poverty. In the table below the proportion of the population living below 50% of the median disposable income is shown:

	2011	2012	2013	2014	2015	2016	2017
Proportion	7.3	7.0	7.3	7.6	7.7	8.3	8.8

Note: www.statbank.dk/ifor11p Calculations are based on Statistics Denmark's income register. In this register Equivalised Disposable income include imputed rent and have a narrow definition of the family compared to other international data – leading to slightly higher estimates of inequality than similar Eurostat and OECD figures for Denmark.

8. Denmark has a high level of government consumption, amounting to 25% of GDP. 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. In the table below expenditure of general government is shown (Government consumption, total in DKK billion):

	2013	2014	2015	2016	2017
General public services	40.7	40.6	41.1	41.8	42.7
Defence	24.7	22.8	22.6	22.0	24.2
Public order and safety	18.1	18.3	18.8	19.1	19.0
Economic affairs	28.0	28.3	28.8	28.2	29.8
Environmental protection	6.4	6.6	6.5	6.2	6.5
Housing and community amenities	1.8	1.5	1.6	1.9	2.1
Health	149.3	153.1	157.5	161.5	165.5
Recreation, culture and religion	22.2	22.6	22.9	23.2	23.8
Education	90.5	96.2	96.9	95.5	96.4
Social protection	120.2	120.8	121.9	124.8	125.7
Total	501.9	510.9	518.6	524.2	535.6

Note: 100 DKK is approximately 15,048 USD as of the 5th of April 2019.

Greenland

9. Greenland has persistently had an income inequality which averages the countries of the OECD, while income inequality of the OECD average has increased slightly since the mid-90s. The table below on inequality indicators on equivalised disposable income shows that income inequality has been stable from 2013-17:

	2013	2014	2015	2016	2017
Gini coefficient:	34.3	34.3	33.9	33.9	34.3

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.

10. Greenland does not operate with an official national poverty line. The share of the population living below 50% of the median disposable income in Greenland is one of the lowest among OECD countries. Over the period 2013-2017 the share has increased slightly. In the table below the proportion of the population living below 50% of the median disposable income is shown:

	2013	2014	2015	2016	2017
Proportion	10.1	9.8	9.6	10.0	10.3

11. Greenland has a very high level of public expenditure, indeed probably the highest in the world (apart from the similar economy of Nunavut), amounting to just under 40% of GDP. As in Denmark, 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. In the table below is shown expenditure of general government (Government consumption, total in DKK mio.):

	2013	2014	2015	2016	2017
General public services	1146.8	1176.0	1199.6	1232.2	1363.6
Defence	99.0	115.2	169.4	188.9	211.5
Public order and safety	698.0	687.0	646.6	844.6	859.1
Economic affairs	1023.7	1024.8	981.7	985.9	1148.8
Environmental protection	208.6	199.6	209.2	232.8	177.8
Housing and community amenities	358.9	290.6	237.4	277.4	289.6
Health	1380.4	1398.5	1398.4	1452.1	1555.3
Recreation, culture and religion	388.0	408.1	392.5	428.4	446.2
Education	1951.7	1990.7	1963.4	1956.6	1996.9
Social protection	2801.0	2849.1	2924.1	2903.5	3038.6
Total	10056.0	10139.6	10122.3	10502.6	11087.4

Note: 100 DKK is approximately 15,048 USD as of the 5th of April 2019.

Faroe Islands

12. The Faroe Islands have a very low degree of income inequality. In the table below inequality indicators on equivalised disposable income is shown.:

	2011	2012	2013	2014	2015	2016
Gini coefficient	21.6	22.6	22.7	22.6	23.3	22.8

13. The Faroe Islands have not set an official poverty line as such, but the figures in the table below show the proportion of the population living below 50% of the median disposable income:

	2011	2012	2013	2014	2015	2016
Proportion	3.9	4.1	4.1	4	3.9	3.4

14. The Faroe Islands are a welfare society and as such a large amount of government expenditure is allocated to health, education and social security. In the table below expenditure of general government, expenditure by function and sector is shown (in DKK mio.):

	2014	2015	2016	2017
Total Expenditure	8001	8212.5	8599.9	8931.1
1 General Public Services	733.6	804.7	687.7	694
2 Public order and safety	171.4	173.3	178.7	178.2
3 Economic Affairs	1224.2	1227	1278.1	1205
4 Environment protection	191.1	188.7	193	210
5 Housing and Community Amenities	100.2	124.9	177.6	163.4
6 Health	1110.7	1140.7	1184	1300.3
7 Recreation, Culture and Religion	261	272.1	371.9	423.6
8 Education	1329.7	1306.5	1397.4	1540.7
9 Social Protection	2879.1	2974.5	3131.5	3215.9

Source: Statistics Faroe Islands

Note: 100 DKK is approximately 15,048 USD as of the 5th of April 2019.

Reply to the issues raised in paragraph 3 (a) of the list of issues

Income distribution											
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Income disparities											
Gini-coefficient	24.6	25.5	26.0	24.7	26.4	26.4	26.0	26.6	27.1	27.9	27,8
Low income group - Number of 1000 people											
All	289	314	334	333	346	358	343	362	383	399	426
Children	55	66	70	65	64	63	51	52	54	57	68
Low income group - Share of population (%)											
All	5.4	5.8	6.2	6.1	6.4	6.6	6.2	6.5	6.9	7.1	7.6
Children	4.7	5.5	5.9	5.4	5.4	5.3	4.4	4.5	4.8	5.0	6.0
Median income											
DKK											
2016 level	206,600	209,800	208,300	204,300	214,900	210,700	208,100	211,200	214,600	217,800	221,400
Source: Ministry for Economic Affairs and the Interiors 2018 report on distribution and incentive https://oim.dk/publikationer/2018/sep/fordeling-og-incitamenten-2018/ Note: 100 DKK is approximately 15,048 USD as of the 5th of April 2019.											

Reply to the issues raised in paragraph 3 (b) of the list of issues.

15. The requested data on tax revenue is represented in the table below, which displays both total taxes and smaller components thereof, as proportions of both GDP and public revenue.

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Pct. of GDP										
Public Revenue	52.8	52.7	52.8	53.2	53.2	53.3	55.1	52.1	51.5	51.3
Taxes, in total	44.9	45.1	45.2	45.3	46.0	47.1	49.8	47.3	46.4	46.1
- Personal taxes ¹⁾	20.4	21.3	19.8	19.9	19.9	22.1	23.3	22.3	21.0	20.9
- Labour market-contribution	4.5	4.6	4.5	4.4	4.3	4.3	4.3	4.3	4.3	4.3
- Corporation tax ²⁾	2.6	1.9	2.3	2.2	2.6	2.8	2.8	2.8	2.9	3.0
- Pension yield tax	0.5	0.5	2.0	2.1	2.3	1.0	2.7	1.1	1.6	1.5
- Value added tax	9.7	9.7	9.5	9.6	9.6	9.4	9.4	9.4	9.5	9.5
- Various indirect taxes	7.0	6.8	6.9	6.9	6.9	7.2	7.0	7.0	6.9	6.6
- Various taxes ³⁾	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Pct. of public revenue										
Taxes, in total	85.1	85.7	85.6	85.1	86.4	88.4	90.4	90.9	90.0	89.7
- Personal taxes ¹⁾	38.7	40.4	37.4	37.4	37.4	41.4	42.3	42.9	40.7	40.6

- Labour market-contribution	8.4	8.8	8.5	8.2	8.1	8.0	7.8	8.2	8.4	8.4
- Corporation tax ²⁾	4.8	3.6	4.3	4.1	4.9	5.3	5.2	5.4	5.6	5.9
- Pension yield tax	1.0	1.0	3.8	3.9	4.3	1.9	4.9	2.2	3.1	2.9
- Value added tax	18.3	18.5	17.9	18.0	18.0	17.6	17.0	18.1	18.4	18.6
- Various indirect taxes	13.3	12.9	13.1	13.0	13.0	13.5	12.7	13.5	13.3	12.8
- Various taxes ³⁾	0.5	0.5	0.6	0.6	0.6	0.6	0.5	0.6	0.5	0.5

Source: Statistics Denmark and in-house calculations

1) Including income taxes, taxes on real property, estate duty and gift tax, motor vehicle weight duty from households as well as several other personal taxes.

2) Including corporation tax revenue from hydrocarbon producing taxpayers

3) Including media license and more.

Reply to the issues raised in paragraph 3 (c) of the list of issues

16. Rates of taxes are represented in the table below:

Pct.	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Personal taxes										
- Lowest marginal tax	42.08	40.90	40.88	40.87	40.26	40.11	40.29	40.30	40.26	39.52
- Middle marginal tax	57.31									
- Highest marginal tax	62.83	56.06	56.06	56.06	56.23	56.22	56.45	56.44	56.43	56.49
Corporation tax	25	25	25	25	25	24.5	23.5	22	22	22
VAT	25	25	25	25	25	25	25	25	25	25

Source: Ministry of Taxation

17. Percentage of the total revenue from personal income taxes collected from the richest decile of the population is represented in the table below:

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
26.9	27.5	26.8	25.8	27.9	27.4	27.7	27.8	28.4	29.0	28.9

Source: Ministry of Taxation

Reply to the issues raised in paragraph 3 (d) of the list of issues

18. In 2009 public consumption as a percentage of GDP peaked at almost 28%, see the table below. . Since then public consumption as a percentage of GDP has been gradually decreasing and has reached a level of approximately 24½ per cent of GDP in 2017, which is around the same level as in the 1990's and early 2000's.

19. Public consumption on health as a percentage of GDP has been relatively stable since 2007 and accounts for approximately 7.75% of GDP in 2017, whereas public consumption on social protection has decreased by almost 1½ percentage-points since 2009 and accounts for 6.25% of GDP in 2017. Public consumption on education has been fluctuating between approximately 4.5 and 5% of GDP since 2007, see the table below:

Public consumption expenditure											
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017

Per cent of GDP											
Public consumption in total	24.3	25.1	27.9	27.4	26.6	26.5	26.0	25.8	25.5	25.0	24.6
- employment	0.5	0.6	0.6	0.8	0.9	0.8	0.8	0.8	0.7	0.7	0.7
- education	4.3	4.4	4.9	4.9	4.8	4.8	4.7	4.9	4.8	4.5	4.4
- social protection	6.5	6.8	7.6	7.4	6.8	6.8	6.7	6.6	6.5	6.4	6.2
- health	7.1	7.2	8.1	7.9	7.7	7.8	7.7	7.7	7.7	7.7	7.6
- housing	0.2	0.2	0.2	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1
- culture	1.2	1.2	1.2	1.2	1.2	1.2	1.1	1.1	1.1	1.1	1.1
- other (residual)	4.6	4.8	5.3	5.1	5.1	5.0	4.8	4.6	4.6	4.4	4.4

Note: Based on groups from the classification of the functions of government (COFOG)
Source: Statistics Denmark and own calculations

Reply to the issues raised in paragraph 3 (e) of the list of issues

20. Real public consumption has been gradually increasing since 2007 except for at relatively large decrease in 2011 and a smaller decrease in 2013.

Public consumption expenditure	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
(Billion DKK) (2017-prices)											
Public consumption in total	504.8	517.6	529.8	532.6	522.4	526.9	524.7	527.6	531.0	532.0	535.6
- employment	11.2	11.5	12.0	15.3	17.0	16.4	16.5	16.3	15.4	15.6	15.2
- education	89.2	90.5	93.4	94.9	94.8	95.4	94.6	99.4	99.2	96.9	96.4
- social security	135.0	140.0	143.9	144.7	134.7	135.5	135.1	134.2	135.0	136.6	135.9
- health	146.4	149.5	153.4	152.8	150.6	155.2	156.0	158.1	161.2	163.9	165.5
- housing	3.4	3.7	3.4	2.5	1.8	1.7	1.9	1.6	1.7	1.9	2.1
- culture	24.1	23.8	23.4	23.3	23.9	23.2	23.2	23.4	23.4	23.5	23.8
- other	95.4	98.7	100.3	99.1	99.5	99.5	97.3	94.7	95.0	93.6	96.8

Note: Based on groups from the classification of the functions of government (COFOG).
Source: Statistics Denmark and own calculations.
Note: 100 DKK is approximately 15,048 USD as of the 5th of April 2019.

Climate Change

Reply to the issues raised in paragraph 4 of the list of issues

21. Denmark has not yet decided its contribution to the Green Climate Fund which will be subject to parliamentary approval. Denmark's interpretation of new and additional financial resources pursuant to Article 4.3 can be found in the latest Biennial Report and National Communication submitted to UNFCCC. Hereby follows that newly committed (for reporting on commitments) or disbursed (for reporting of disbursements) finance for climate change adaptation or mitigation activities within the reporting period that was not reported to UNFCCC in the previous report are considered new and additional. This definition allows a

transparent, comprehensive and comparable reporting of climate finance provided to developing countries.

22. Denmark sees the achievement of climate change and the broader Sustainable Development Goals (SDGs) as closely linked and strongly interdependent, and seeks to identify and support activities in developing countries that address multiple objectives as identified by these countries, including strong co-benefits between climate and broader sustainable development activities.

Business and human rights

Reply to the issues raised in paragraph 5 of the list of issues

23. All Danish companies are expected to respect international guidelines such as the OECD Guidelines for Multinational Enterprises and the UN Guiding Principles on Business and Human Rights (UNGPs). The OECD Guidelines are aligned with the UNGPs and provide expectations from states on responsible business conduct and are supported by the implementation mechanism of National Contact Points (NCP). The OECD NCP in Denmark is the Mediation and Complaints-Handling Institution for Responsible Business Conduct and deals with specific instances relating to the OECD Guidelines. The institution was established by Act no. 546 of 18 June 2012. The institution is a non-judicial body that enables companies, organisations and public authorities to resolve disputes regarding infringements of, for example, human and labour rights, international environmental standards or corruption.²⁴ Due diligence is a key concept in the OECD Guidelines and entails the identification and prevention of potential adverse impact. Due diligence is a process and not a specific standard that companies have to implement. It requires companies to identify risks of adverse impacts on society on issues covered by the Guidelines and on that basis take steps to address such risks. The NCP undertakes promotional activities to raise awareness of what due diligence and responsible business conduct entails. Some of these activities include development of Danish sector specific guidance, conferences or dialogue meetings with companies and stakeholders. In specific instances where a party claim infringement of the OECD Guidelines, the NCP will try to establish a framework for mediation, dialogue and conflict resolution. Dialogue is emphasised as a constructive and effective way to identify satisfactory solutions to complex issues in a global context.

25. Since 2009 and pursuant to the Financial Statements Act Section 99 a, large Danish companies have had an obligation to report on corporate social responsibility (CSR), also known as the comply or explain model. The regulation was revised in 2015 due to the new EU-directive on non-financial reporting from 2014. Companies that are covered by the statutory requirement must publish a brief description of their business model, CSR policies on human and social rights, environmental and climate impact, and corruption. Moreover, the companies must account for how CSR-policies are implemented as well as details about applied due diligence processes, if the company has practices of such processes in place. Furthermore, details about companies' management of risks, non-financial key performance indicators and assessment of achieved results of its CSR-initiative as well as future expectations must be reported.

26. In October 2018, the Government launched a Council for Corporate Responsibility and SDGs. The Council is the official multi-stakeholder platform for discussions and actions in support of business-driven corporate social responsibility and achieving the SDG's by 2030. The Council was launched by the Minister of Business Affairs, the Minister for Finance and the Minister for Employment with the purpose of actively contribute to better framework conditions to support companies in working strategically with their social responsibility and the SDGs. The Council's work is based on two tracks of objectives:

- Promoting social responsibility in Danish companies.
- Promoting new sustainable business models and corporate social responsibility in global production.

27. The two tracks include addressing i.e. sustainable business models, digital opportunities to strengthen corporate social responsibility in global supply chains and the retention of vulnerable groups in the labour market.

Non-discrimination (art. 2(2))

Reply to the issues raised in paragraph 6 of the list of issues²⁸. Denmark finds it most appropriate to rely on specific acts for the protection against discrimination in different areas. For a full overview of the anti-discrimination legislation, reference is made to the Core Document. Most recently, in May 2018 the Parliament adopted a bill on cross-sectoral prohibition of discrimination of all persons with disabilities. The law makes it illegal for both public and private service providers to discriminate on the basis of disability outside the labour market. The bill supplements the anti-discrimination bill that already exists in the labour market. It is the view of Denmark that the anti-discrimination legislation does comprehensively protect individuals from discrimination with regards to their enjoyment of the rights ensured in the Covenant. Further, Denmark holds the view that enacting general, open-ended anti-discrimination legislation would risk moving the authority to determine which criteria justify objectively grounded differential treatment from the legislature to the judiciary.

Reply to the issues raised in paragraph 7 of the list of issues²⁹. Discrimination on the basis of race, colour, national or social origin, religion or sexual orientation etc. is punishable according to Section 100 of the Greenland Criminal Code (Act no. 306 of 30 April 2008) which entered into force on 1 January 2010. The principles in the guidelines issued by the Director of Public Prosecution in Instruction no. 2/2011, are followed by the Chief Constable of Greenland. During the period 2013-2017, one case concerning violation of Section 100 of the Greenland Criminal Code has been recorded. The case resulted in dismissal of charge. Furthermore, The Danish Act no. 289 of 9 June 1971 on Prohibition against Discrimination on the Basis of Race applies to Greenland according to Royal Order no. 27 of 4 February 1972.

Reply to the issues raised in paragraph 8 of the list of issues

30. A proposal for a Faroese Constitution was introduced in the 2017/18 assembly of the Faroese Parliament. However, in accordance with Section 15(3) in Act no. 103 of 26 July 1994 the proposal lapsed, since the proposal was not finalized by the end of the assembly. The proposal has not been re-introduced in the current assembly of the Faroese Parliament. Elections to the Faroese Parliament will be called at the end of August 2019. Currently it is not certain whether a proposal for a Faroese Constitution, including provisions on non-discrimination, will be introduced after the election.

Reply to the issues raised in paragraph 9 of the list of issues

31. To measure the development in equal treatment the Ministry of Immigration and Integration conducts an annual nationwide survey (the National Integration Barometer) since 2012. The National Barometer in 2012 showed that 45% of immigrants and descendants of non-Western origin have experienced discrimination due to their ethnicity. The proportion of immigrants and descendants who have experienced discrimination because of their ethnic background had increased to 48% in 2018.

32. As mentioned in the sixth periodic report a number of initiatives aimed at prevention of discrimination, tolerance and ethnic equal treatment have been supported by the Government. This includes among others 10 projects financed by funds from the public fund promoting "citizenship and ethnic equal treatment" in 2015. These projects have focused on the fight against ethnic discrimination and the promotion of active citizenship among refugees and immigrants in Denmark. The projects have included dissemination of information on Danish democracy and participation in democratic processes and on engaging a larger share of the target group in civil society organizations. Furthermore, civil society organizations have been supported in their efforts to reach out for more members from the target group.

Equality between men and women (art. 3)

Reply to the issues raised in paragraph 10 of the list of issues³³. For all publicly listed companies, the proportion of women on boards has increased from 9.6% in 2012 to 15.9% in 2017. These figures do not include board members elected as employee representatives. Including employee representatives, the proportion of women on the boards has increased from 16.3% in 2012 to 19.8% in 2017.

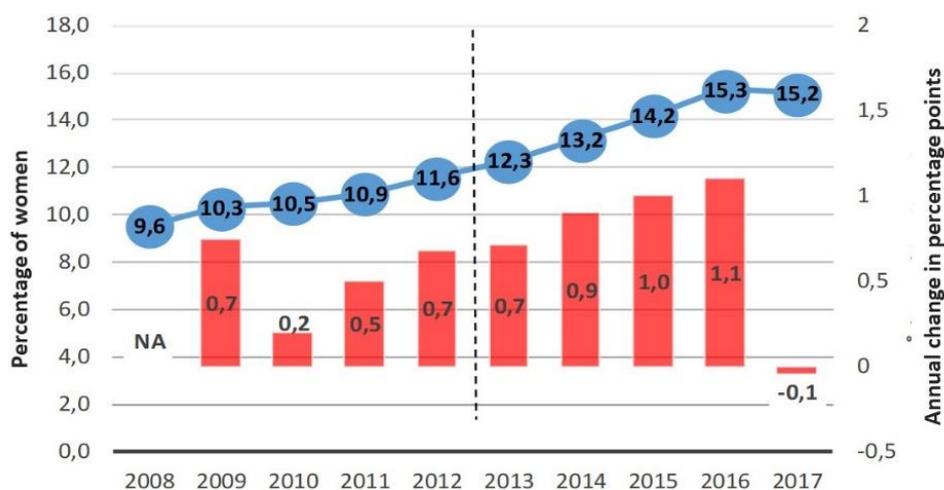
34. The proportion of female board members incl. foreigners in listed companies. incl. and excl. employee-elected, is shown in the table below:

Public listed companies

Board member elected by:	January 2012	January 2013	January 2014	January 2015	May 2016	August 2016	August 2017
General Meeting (%)	9.6	9.7	11.8	14.7	16.9	15.9	15.9
General meeting and employee (%)	16.3	16.2	17.4	19.5	20.7	20.1	19.8

35. For companies covered by the legislation from 2013, which was around 1.600 companies in 2017, the proportion of women elected into company boards increased from 9.6% in 2008 to 15.2% in 2017.

36. Proportion of women elected by the general meeting in the board of directors during the period 2008-2017 for companies covered by the statutory requirement in 2016 is shown in the graph below:



37. As can be seen in the figure above, there has been a positive development in the proportion of women board members elected at the general meeting since 2008. The annual growth shows that there has been a slightly higher growth after the statutory requirement came into force. The annual growth for female board members was on average 0.5% between 2008 and 2012, while the annual growth in women board members was 0.7% from 2012 to 2017.

38. The Government has taken several initiatives in the recent years to reduce the vertical and horizontal gender segregation in the labour market – in addition to what has already been mentioned in the sixth periodic report – including:

- Development of inspirational material sharing good practices on promoting balanced participation of women and men in management. The material was developed in corporation with companies and relevant organizations.
- The Government is working with the recruitment industry on a set of new guidelines on promoting balanced participation of women and men in management and boards in recruitment.
- Research into possibilities of benchmarking or ranking private companies by their success in promoting balanced participation of women and men in management and boards.
- Several initiatives to further encourage and facilitate academic careers by women.
- A broad campaign to attract and retain more male pedagogues in day care institutions for children aged 0-6 years.
- A role model campaign called Lead the Future, where 32 female leaders from a number of leading Danish companies share their personal stories to inspire young women to choose a career in leadership.

39. Occupational segregation starts long before men and women enter the labour market as it is closely linked to educational segregation. The Government's efforts to reduce gender-stereotyped educational choices include:

- Cooperation with different relevant stakeholders on attracting more women to IT subjects.
- A conference on girls and understanding of technology to provide inspiration for promoting girls' interest in technology.
- A social media campaign launched together with the IT Union and IT Universities addressing some of the stereotypes about women in IT and introducing female role

models working within IT in order to create a debate about gender stereotypes and to encourage young women to study IT.

- From the 2018/19 academic year, a trial program to enhance understanding of technology in compulsory programs at municipal primary and lower-secondary schools was initiated.

40. Following a new strategy of the IT University of Copenhagen to attract more female applicants, the number of female students enrolled in its software development program almost doubled, from 12 to 22%.

Reply to the issues raised in paragraph 11 of the list of issues

Sharing domestic and care responsibilities

41. The Government would like to mention that unpaid care work in the sense that (primarily) women have the *main* responsibility for child- and eldercare in an informal sector is largely unknown in Denmark. The reason for this is the general provision of affordable and accessible child-care facilities as part of the Welfare Model with a municipal obligation to provide child-care to children from the age of 6 months. Similarly, the municipalities provide eldercare in the form of nursing homes and support to elderly citizens in their own home.

42. With regards to the work-life balance for families, the Act on Maternity Leave provides for an equal right to parental leave for mothers and fathers as well as maternity leave and paternity leave. During leave periods the parents are entitled to state benefits at the same level as sick leave pay (4385,83 DKK per week, appr. 660 USD) if they meet the employment criteria.

43. Furthermore, most collective agreements will include a right to pay during all or part of the leave periods. In this case, the employer will then receive the state benefit as compensation for the pay during leave.

44. In 2018, the Government and the social partners launched an awareness-raising campaign in cooperation with a “role model companies” for fathers’ right to parental leave to encourage fathers to increase their uptake of parental leave. The campaign has reached over a million people on social media and has sparked dialogue and debate about fathers’ use of parental leave.

45. It is the Government’s belief that a more equal share of parental leave between the mother and the father – besides a closer tie between the father and the little child and a greater shared responsibility for upbringing the child between the parents – will result in a more equal distribution of household work and improve opportunities for women to pursue a career and to increase lifelong income and thereby also address gender stereotypes.

46. Data shows that between 2008 and 2018, the time fathers spend with their children (on active care days) has increased with 48 minutes, from 1 hour and 27 minutes to 2 hours and 15 minutes. In comparison, mothers in 2018 spent 2 hours and 55 minutes with their children (on active care days).

Negative social control

47. There is a range of initiatives targeted at preventing negative social control among ethnic minorities. As a part of the national action plan for prevention of honour related conflicts and negative social control from 2016, a task force has been established that advises local governments on how to take strategic measures to prevent honour related conflicts, including negative social control. Local government employees working with honour related conflicts and negative social control are also continuously up-skilled by the Agency for International Recruitment and Integration under the Ministry of Immigration and Integration.

48. The organisation RED Counselling (formerly Ethnic Minority Youth) has since 2002 offered free and professional counselling on honour related conflicts, including negative social control, to youths and young adults, parents and professionals. RED Counselling is funded by the Government.

49. A “National Corps of Dialogue Creators” have since 2009 travelled around to different schools and residential areas and entered into dialogue with youngsters and parents about subjects such as honour, shame and negative social control. The corps consists of 30 youngsters and parents who themselves have experienced honour related conflicts or negative social control. Through conversations with the participants about how to navigate between cultural norms and individual rights, the corps participates in preventing honour related conflicts and negative social control.

III. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Right to work (art. 6)

Reply to the issues raised in paragraph 12 of the list of issues

50. The Reform of the Disability Pension and Flexi-job Scheme (2012) seeks to increase employment by restricting the access to disability pension and instead providing assistance to enter education through rehabilitation teams in the municipality, while ensuring that individuals with a lasting and significantly reduced working capacity enter the flexi-job scheme.

51. A flexi-job allows a person to only work a few hours a week – providing him or her with a stepping stone to start working more. Many private businesses need employees that can work a few hours a week. Flexi-jobs, where a person works up to ten hours a week, have become a success in this context. Today, more than 30,000 persons have flexi-jobs while entry into the permanent disability scheme has declined. The Flexi-job Scheme ensures that more people remain in the workforce despite a reduced working capacity.

52. In November 2018 the Parliament settled on a political agreement targeting employment and education of persons with disabilities to ensure that even more focused efforts are made in this area. The Government has set a strategic goal to ensure concrete results. In 2025, another 13,000 persons with greater disabilities should have moved from public subsidies into employment.

53. Discrimination on the Labour Market on the basis of disability is covered by the Act on Prohibition of Differences of Treatment in the Labour Market. The Act both protects against direct and indirect discrimination on the basis of disability.

54. According to the Act an employer may not subject workers to differences of treatment on the basis of disability in dismissal . It also includes the situation where the dismissal is based on reduced work capacity related to disability. Persons whose rights have been infringed through violation of the Act may be awarded compensation.

Reply to the issues raised in paragraph 13 of the list of issues

55. In March 2016 the government concluded talks with the social partners (employers’, employees’ and local authorities’ organizations) involving further initiatives aiming at improving cost-effectiveness and the outcome of employment and integration programs.

56. The guiding principle of the accords agreed on is ‘work from day one’. In example it calls for a better screening of refugees’ competencies, combining employment and language classes, tying refugees’ allocation to job opportunities and for enhancing flexibility in providing housing.

57. When the agreements came into force (July 2016), only 11% of the newly arrived were considered ‘ready for a job’ and 27% were doing traineeships or wage subsidy programs. Since then, the starting points have been:

- everybody is considered ‘ready for a job’ and
- everyone must acquire real workplace experience (for example traineeships or work with wage subsidies) within one month after arrival to the municipality.

58. Another key measure is the introduction of a new and more efficient job and training program the so-called integration training program (Integrationsgrunduddannelse (IGU)). Hereby new arrivals are gradually - over the course of two years - brought into regular employment, although they initially may not possess the skills and productivity required to qualify for a job on a regular wage level and working conditions. This model includes a so-called apprentice pay and ensures that working is combined with training.

59. Over the past 2.5 years the key indicators of bringing newly arrived into work have improved significantly. The rate of newly arrived considered as ‘ready for a job’ has risen from 11 to 17% (Nov 2018). The rate of newly arrived doing traineeships or work with wage subsidies has risen from 27 to 34% (Nov 2018). Additionally, the rate of refugees with three years of residence in regular employment has improved from 23 to 43% from the second quarter of 2016 to the fourth quarter of 2018. And more than 1,955 refugees have now been employed in the IGU.

60. As a consequence of the success of the IGU, the government and the social partners have decided to extend the program for another three years until the end of June 2022.

Reply to the issues raised in paragraph 14 of the list of issues

61. According to The Employers’ and Salaried Employees’ Act an employer shall pay compensation to a salaried employee if the employee has been continuously employed in the enterprise concerned for at least 1 year prior to the notice of termination and the dismissal is not considered to be reasonably justified by the conduct of the employee or the circumstances of the enterprise.

62. This Act only applies in cases where the person concerned is engaged in work of a particular kind, is employed by the employer for more than eight hours a week on average and occupies a position in which he works under the instructions of the employer. According to the act the term “salaried employees” means:

- shop assistants and office workers employed in buying and selling activities, in office work or equivalent warehouse operations,
- persons whose work takes the form of technical or clinical services (except handicraft work or factory work) and other assistants who carry out comparable work functions,
- persons whose work is wholly or mainly to manage or supervise the work of other persons on behalf of the employer,
- persons whose work is mainly of the type specified in (a) and (b).

Right to just and favourable conditions of work (art. 7)

Reply to the issues raised in paragraph 15 of the list of issues

63. There are no official data on how many workers are covered by a collective agreement

in Denmark. According to the Confederation of Danish Employers more than eight out of ten workers are covered by collective agreements in Denmark. Thus, Denmark is one of the countries in the world that has the highest collective coverage.

64. Workers not covered by a collective agreement will often be hired under similar terms as workers who are covered by collective agreements. It is possible for workers not covered by collective agreements to take industrial actions.

Reply to the issues raised in paragraph 16 of the list of issues

65. In general, there are very few cases regarding equal pay in Denmark. A report from the DIHR from 2014 found that in the period between 2000 and 2014, the Board of Equal Treatment has heard 31 cases about equal pay and a smaller number of judgments have been decided by the civil courts. Furthermore, there are a small number of decisions issued by the industrial arbitration tribunals and an unknown number of industrial dispute settlements.

66. The Act on Equal Pay prohibits gender discrimination with regards to pay, and the Government's continued efforts regarding equal pay and occupational segregation are conducted in a dialogue with the social partners in recognition of the fact that the promotion of equal pay takes place at the workplace and through collective bargaining.

67. In April 2018, new collective agreements were concluded for the public sector (both at local, regional and state level). In these agreements funds were allocated specifically to strengthen equal pay and raise the level of pay for low-income groups. The Government has no immediate plans to review the current legislation on gender-segregated pay statistics.

Greenland

68. In 2013, Greenland adopted the Gender Equality Act (Inatsisartut Act No. 3 of 29 November 2013 on equality between men and women), which prohibits gender based discrimination, including in the labour market. According to County Council Act no. 5 of 20 May 1998 on the Greenland Equality Council, Greenland has set up a politically independent Gender Equality Council, whose task is to promote equality between men and women in Greenlandic society, and to help set the agenda in society regarding equality.

69. The Greenlandic labour market is liberally regulated by collective agreements between the social partners (employers' and workers' associations) with limited interference from the government. Salaries in Greenland are determined by collective agreements, but must not violate the law, including the Gender Equality Act.

70. According to Statistics Greenland, the average taxable income for men was 224,896 DKK (approx. 33,842 USD) in 2012, whereas it was 163,344 DKK (approx. 24,580 USD) for women; a difference of 27.4%. In 2017, the average taxable income for men was 261,957 DKK (approx. 39,419 USD) whereas it was 194,147 DKK (approx. 29,215 USD) for women; a difference of 25.9%. The wage gap has thus decreased by 1.5% from 2012 to 2017. The gap, though decreasing, is still substantial. This is somewhat due to the fact that traditionally male dominated jobs generally have higher salaries than traditionally female dominated jobs. Though, between 2012 and 2017 the number of women with an education higher than high school level has increased by 16.2%, whereas the number for men in the same period has only increased by 7.4%. The number of women with a Vocational Training has increased by 11.7% (compared to 6.8% for men), a Bachelor Education by 14.4% (0.7% for men) and a Master Degree by 40.4% (10.4% for men). Higher education means higher salaries and better opportunities for work.

71. According to Section 10 of the Gender Equality Act, "...any employer who employs men and women must treat them just by hiring, transferring, promoting, dismissing and giving them equal pay and working conditions."

Faroe Islands

72. The Faroe Islands do not have an Act of Equal Pay as such, but in the Act on Gender Equality Section 4 it is stated that employer shall provide equal pay as well as equal benefits for men and women, and this also applies for work which is estimated to have equal value.

73. There are no plans to review the Act in relation to make it compulsory for companies to provide gender-segregated pay statistics at this moment. However, the government has plans to encourage companies to have an active gender policy plan.

Right to social security (art. 9)

Reply to the issues raised in paragraph 17 of the list of issues

74. When the entitlement to unemployment benefits expires the person still has a right to work, to an adequate standard of living and may also, according to their means, be entitled to social assistance (cash benefits).

75. In 2010, the unemployment benefit period changed from a 4-year period to a 2-year period and as a result two temporary schemes were subsequently made. The two schemes being "Special Education Benefit" (Særlig uddannelsesydelse) and "Labour Market Benefit" (Arbejdsmarkedsydelse).

76. In 2013 about 19,300 persons' entitlement for unemployment benefits expired. 57% of those surpassed to receive Special Education Benefits afterwards.

77. In 2014 about 34,100 persons's entitlement for unemployment benefits expired. 76% of those surpassed to receive Special Education benefit or Labour Market Benefits afterwards.

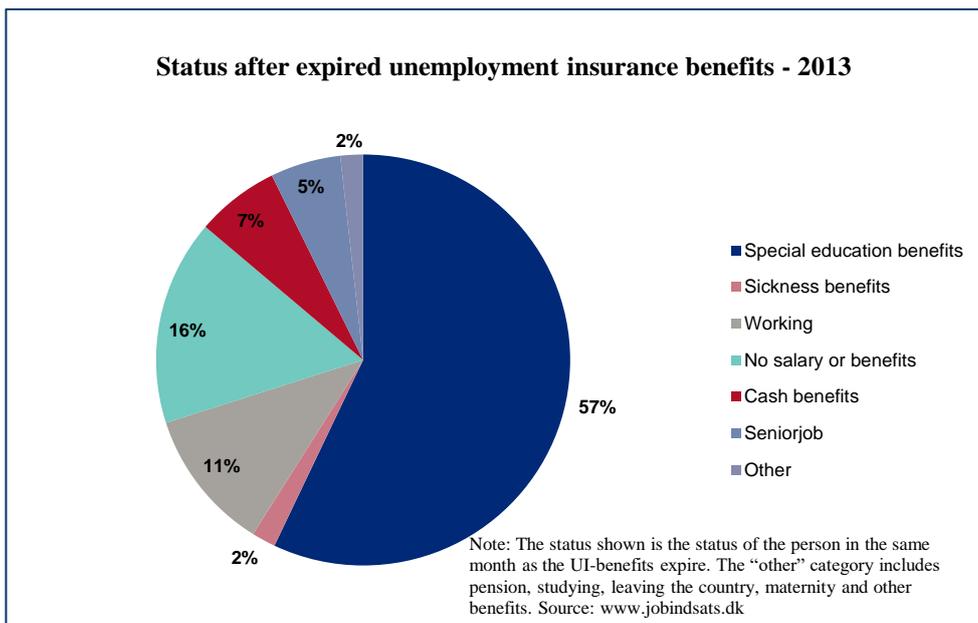
78. The two temporary schemes are now phased out, as the 2-year benefit period is fully phased in today. Unemployed people who have exhausted their period of entitlement to unemployment benefits may, according to their means, be entitled to social assistance..

79. From 2017 it is possible to extend the unemployment benefit period based on:

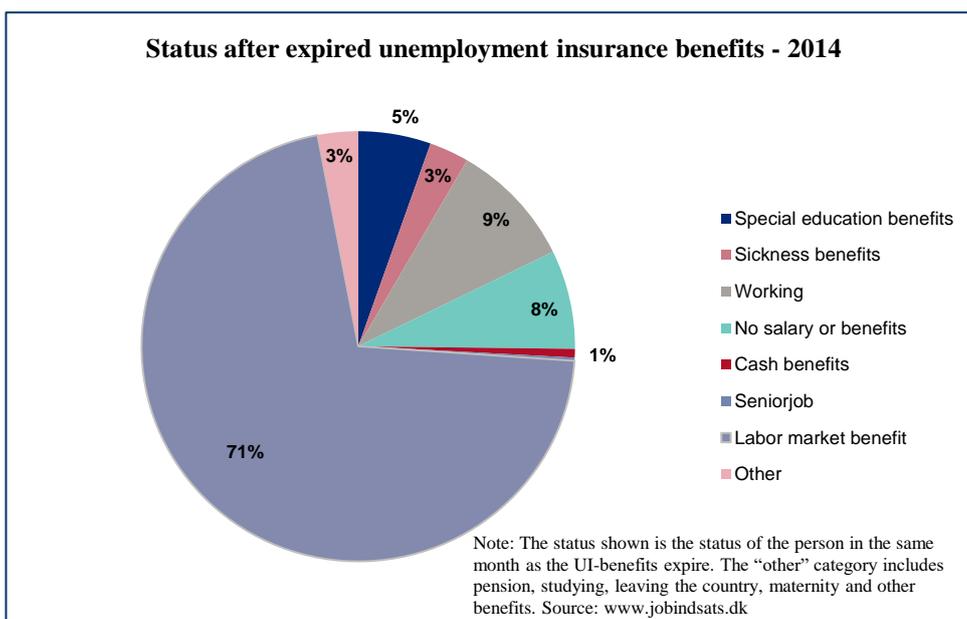
- Hours that the person has worked since the person started receiving unemployment benefits, and
- Income not taxable at source (B-indkomst) which are not included in the calculation of an independent company's profit or loss.

80. Each working hour, up to a maximum of 962 hours, extends the benefit period by two hours, and must be used within a period of 18 months.

81. In 2013 there were about 19,300 people whose entitlement for unemployment benefits expired. The graph below shows that 57% of those surpassed to receive a temporary benefit (Education Benefits) afterwards. Please note that the status shown is the status of the person in the same month as the UI-benefits expire. The "other" category includes pension, studying, leaving the country, maternity and other benefits.



82. In 2014 there were about 34,100 people whose entitlement for unemployment benefits expired. The graph below shows that 76% of those surpassed to receive a temporary benefit (Education Benefits or Labour Market Benefits) afterwards.



Reply to the issues raised in paragraph 18 of the list of issues

83. According to the Unemployment Insurance Act, Section 53 a, periods of residence in Denmark is a requirement for entitlement to unemployment benefits. The required period is 5 out of the latest 12 years before applying for unemployment benefits and will affect new claims for unemployment benefits from 1 January 2019.

84. In 2020 the required period will be 6 out of the latest 12 years and from 1 January 2021 the required period will be 7 out of the latest 12 years. Periods of residence in other Member States in the EU will be taken into account as though they were periods of residence

in Denmark. Moreover, certain periods of residence abroad are equated to periods of residence in Denmark.

85. The purpose of the additional requirement of residence is among others to ensure that recipients of unemployment benefits have a strong connection to Denmark, to get more foreign nationals and Danish nationals into the Labour Market instead of receiving public benefits and to a larger degree integrate foreign nationals into the Danish community. The requirement of residence apply equally to both Danish and foreign nationals.

86. Persons who are not entitled to unemployment benefits can, according to their means, be entitled to social assistance or integration benefits (.

Reply to the issues raised in paragraph 19 of the list of issues

87. The 2013 reform has not lead to the abolishment of any disability pensions granted before or after 1 January 2013. Individuals affected by the 2013 reform are thus limited to persons who apply for disability pension and persons whom the municipality considers to be on a trajectory that could lead to disability pension.

88. Since the 2013 reform, persons considered to be on a trajectory that could lead to disability pension are assigned to the individually tailored rehabilitation and support programs, while persons who can work for a few hours a week are assigned a flexi-job rather than a disability pension, if their ability to work can realistically be expected to improve within a reasonable period of time.

89. A person assigned to a flexi-job will receive an unemployment allowance (roughly equivalent to the level of social assistance) until an appropriate flexi-job is found. During the actual employment in flexi-job the person receives normal wages plus a flexible job wage subsidy. A person assigned individually tailored rehabilitation and support programs will receive a resource rehabilitation allowance, which is equivalent to the level of social assistance.

90. Within completion of the individually tailored rehabilitation and support programme (with a duration of 1-5 years), the municipality must make an assessment of the outcome and the need for additional initiatives.

91. If the person is considered to be eligible to a flexi-job, another individually tailored rehabilitation and support programme or disability pension, the person's case is discussed in the interdisciplinary rehabilitation team once again.

92. The rehabilitation team consists of representatives from the employment sector, the health sector (municipal and regional), and the social affairs sector, as well as the educational sector when the person is under the age of 30 without professional education or training.

93. Rehabilitation teams are established in all municipalities. With regard to the individually tailored rehabilitation and support programs, these are implemented as well. The benefits are a fair income considering that they are either a temporary income or an ongoing subsidy to persons in a flexi-job to compensate for the reduced ability to work.

94. The criteria of "inability to work again" is considered met when the reduction of work ability is permanent and has such an extent that the person, regardless of opportunities in support programs and employment in a flexi-job, will not be able to become self-sufficient by income-generating work.

95. The individually tailored rehabilitation and support programme can only be assigned when the ability to work realistically can be expected to improve. If the ability to work is very low or non-existing, and there is no potential to improve it, the criteria for disability pension is met.

96. The inability to work again must be documented. In most cases it is documented through information about a person's health together with information about the person's resources, personal competences and professional competences as well as information about efforts to improve a person's ability to work. In a smaller amount of cases the information about a person's health in itself documents that the inability to work again is apparent.

97. Persons under the age of 40 can be granted a disability pension if their ability to work is significantly and permanently reduced and it is obviously futile to try to improve the person's ability to work.

Protection of the family and children (art. 10)

Reply to the issues raised in paragraph 20 of the list of issues

98. As stated in the sixth periodic report several of the requirements for obtaining family reunification can be suspended if particular reasons apply, usually when Denmark's international obligations require a suspension. Denmark would like to clarify that requirements will always be suspended if Denmark's international obligations require a suspension.

99. In the report the rules regarding reunification with a spouse are described. Denmark remarks that these rules were changed on 1 July 2018. Thus, it is no longer a requirement that the couple's attachment to Denmark is stronger than their attachment to any other country. Instead four out of six requirements have to be met: the sponsor has a high proficiency in Danish, was employed in Denmark for 5 years or more, or has spent 6 years or more in education in Denmark; the family member speaks English or some Danish, has been employed for 3 out of the preceding 5 years, or has spent 1 year or more in education comparable to Danish higher education or vocational training. In addition, other general requirements have been tightened, e.g. dwelling must not be situated in certain ghetto-like areas. None of the requirements apply if Denmark's international obligations require a suspension, e.g. if the spouse in Denmark has been recognised as a refugee or acquired subsidiary protection status.

100. An unaccompanied minor will have a personal representative appointed as soon as possible after entering Denmark to serve his or her best interest. Among other things, the representative will inform the minor on relevant matters in relation to the minor's situation, e.g. on the possibility of obtaining family reunification. However, the representative may not offer legal support in regard to the actual assessment of the unaccompanied minors asylum claim. During the processing of the asylum case the unaccompanied minor is also informed of the possibility of tracing family members through the Immigration Service and through the Red Cross Tracing Program, if the minor does not have any contact to his or her family.

101. An unaccompanied minor, who is granted residence permit according to Section 7 (1) or (2) of the Aliens Act (refugee status or subsidiary protection status) or Section 9 c (3) of the Aliens Act concerning unaccompanied minors, does not receive specific guidance on the possibility of obtaining family reunification when granted residence permit. Guidance on the possibility of obtaining family reunification can however be found online in English and Danish. If an unaccompanied minor requests information regarding family reunification, e.g. during the asylum interview, the unaccompanied minor will of course receive guidance on the possibility of obtaining family reunification.

102. If granted temporary subsidiary protection according to Section 7 (3) of the Aliens Act, an unaccompanied minor receives a written guidance on the possibilities of obtaining family reunification with parents or siblings. The reason for this specific guidance is due to the legal limitations for adults with temporary subsidiary protection status in obtaining family reunification.

Reply to the issues raised in paragraph 21 of the list of issues

103. The Government has access to extensive statistical data on the prevalence of domestic and gender-based violence from a number of surveys. 104. The National Institute of Public Health (NIPH) has conducted three studies (2005, 2010 and 2017) estimating the prevalence of intimate partner violence (IPV), sexual harassment and rape based on data from health interview surveys and data from registers. The NIPH has published the results of its work in a number of reports analysing the development over time. Furthermore, a crime victim survey (CVS) is conducted annually. The survey is based on a national representative sample of 16 to 74 year-old residents in Denmark and covers all forms of physical violence and rape. These statistical data inform the development of policies to combat gender-based violence and domestic violence including the national action plans.

105. In September 2018, The National Police has enacted an array of hashtags that enables the police to sort data by the relationship between victim and perpetrator. It is possible to hashtag all penal cases and all cases regarding violence. As it is an array of hashtags, its use relies on the police officer registering the penal case, which is not mandatory.

106. The effectiveness of the action plan on combatting violence in the family and in intimate relations is assessed by external evaluators from Rambøll Management Consulting. They were chosen for the task because they have the necessary methodological skills and sector expertise. The evaluation report will be published in 2019.

Right to an adequate standard of living (art.11)

Reply to the issues raised in paragraph 22 of the list of issues

107. Denmark recognises the right to an adequate standard of living as enshrined in Article 11 of the Covenant. For instance, Denmark has a range of different temporary accommodation facilities for homeless people; cf. Section 110 in the Consolidation Act on Social Services, which are available for the target group as subject to their own application or by referral from public authorities. However, only those who are lawfully staying in Denmark are entitled to assistance under the Act on Social Services.

108. Problems with people establishing camps in the public domain that disturbed the public order arose in 2016 and 2017. The Administrative Order of Public Order (Section 3 (4)) was since amended in 2017, criminalizing the establishment of a camp that is qualified to disturb the public order as well as the act of staying in such a camp.

109. In this context, Denmark notes that the establishment etc. of camps is only forbidden, if the camps are qualified to disturb the public order, and that the mere act of sleeping on the streets is not in itself punishable. The criminalization of camps or begging is not a criminalization of homelessness and has no effect on the possibilities of a homeless person to obtain shelter at a temporary accommodation facility. The rules regarding the criminalization of camps etc. were introduced in order to accommodate problems with people feeling unsafe in the streets because of the behaviour of the people in the camps, as they were throwing litter, committing crime etc. Thus, the purpose or effect of the rules is not to criminalize homelessness and, as such, in Denmark's opinion there is no dichotomy between these rules and actions to improve living conditions for homeless people.

110. Regarding the “data on convictions handed down in relation to these situations”, the most recent numbers are from November 2018. From 1 April 2017 (when the law was changed) until 28 February 2019, there were 453 decisions regarding the establishment of camps etc. Most of these decisions resulted in a fine. From 21 June 2017 (when the law was changed) until 20 November 2018, there were 77 decisions regarding begging.

111. Furthermore, to ensure public safety and to address disturbances of the public domain arising from begging, Paragraph 2 and 3 were added to Section 197 of the Criminal Code in 2017. Section 197(1) criminalizes begging after a warning has been given by the police. Section 197(1) has been in force since 1965. Paragraphs 2 and 3 dismiss the requirement of a warning from the police, if the begging is committed on pedestrian streets, outside railway stations, inside or outside supermarkets or on public transport. Paragraphs 2 and 3 are temporary provisions that terminates by July 2020.

112. With reference to Section 197, Denmark notes that the criminalization does not run counter to Denmark’s obligations under the Covenant. Thus, Denmark observes, that the Covenant does not impose a general prohibition against the criminalization of begging. Furthermore, Denmark notes that the Section applies regardless of nationality. Thus, it is applicable for Danish nationals as well as foreigners.

Reply to the issues raised in paragraph 23 of the list of issues

113. In 2017, the Danish Center of Social Science Research (hereafter VIVE) published a report that presents the available statistical data on homelessness in Denmark. The report constitutes a national mapping of homelessness in Denmark based on a national homeless count performed in week 6, 2017. The first overview of this kind was made in 2007, and since then the mappings have been conducted every other year.

114. In the section of the report on homeless migrants without permanent residence (i.e. unregistered but not necessarily illegal), it appears that the number of homeless migrants has increased considerably compared to the numbers in previous mappings. The estimated number was 438 persons in 2017, while it was 125 persons in 2015. However, it is worth noting that a part of this increase might reflect a more comprehensive registration. The estimated number of homeless persons with a non-migrant background was 6,635 at the time.

115. It is important to emphasize, that there is a considerable uncertainty associated with the number of homeless migrants, since the social service staff might not know the residence status of the person for whom they answer the questionnaire and because the lack of social security numbers make it difficult to check for double counting.

116. Furthermore, the report shows that the main part of the homeless migrants without permanent residence come from EU-countries (68%) while almost every fifth (17%) come from an African country. The causes of homelessness in this group differ from the group as a whole. Far fewer have mental illnesses or problems related to drug abuse or alcohol addiction. Instead, economic difficulties appear as a predominant factor within this group.

117. Of the homeless migrants, 198 (45%) slept in the street and 153 (35%) slept in a shelter. Many of the persons who slept in the street also occasionally used shelters. A large majority (88%) are registered in Copenhagen. Less than 1% are registered in rural communities. A large majority (89%) are men, and most (57%) are between 30 and 49 years old.

118. In this context, it is worth noting, that only those who are lawfully staying in Denmark are entitled to assistance under the Consolidation Act on Social Services.

119. With the 2018-2021 Action Plan against Homelessness DKK 154 mill. (USD appr. 23.2 million) were allocated to 10 initiatives directed towards combating homelessness.

Among other things, the initiatives must contribute to the dissemination of the Housing First-approach in general, and to the development and testing of a new Housing First-approach aimed in particular towards young persons. Furthermore, over DKK 70 mill. (USD appr. 10.6 million) were dedicated to investment funds, which are intended to support the local authorities in investing in more pre-emptive, comprehensive and coherent social services for homeless persons. In addition, financial means were allocated towards the formation of national guidelines on the subject of combating homelessness.

120. The above initiatives are directed towards homeless persons in general and thus not in particular towards homeless migrants. However, Section 2 of the Consolidation Act on Social Services states that any person who is lawfully staying in Denmark is entitled to assistance under this Act.

121. With regard to the central issue of sufficient shelter capacity and accessibility, an analysis has been initiated as part of the 2018-2021 Action Plan. The purpose is to examine the opportunities to amend the conditions (legal, economic, etc.) of temporary accommodation facilities (shelters), cf. Section 110 in the Consolidation Act on Social Services, with an aim to optimize the prospects of the efforts to help the users of these shelters to get their own residence and thrive there.

122. Therefore, a focus point in the 2018-2021 Action Plan is to ensure and support a better flow at the facilities, which in turn should lead to better availability at the temporary accommodation facilities. By helping homeless persons towards a more stable living situation, more spaces will become available.

123. Two important conditions, that need to be continued is, that i) admission to accommodation facilities may be subject to the applicant's own application and ii) that the principals at the accommodation facilities decide on admission. This means that a homeless person in the target group who is in urgent need of help can receive this help instantly, without initially involving the local authorities in their case. The temporary accommodation facilities compose an important service and safety net for some of the most marginalized adults in the Denmark. It is therefore crucial to preserve the so-called principle of self-attendance, since this enhances the accessibility of the temporary accommodation services.

Faroe Islands

124. The Faroe Islands do not collect statistical data on homelessness at the moment, but the Ministry of Social Affairs is currently assessing how best to proceed in order to collect reliable statistical data according to the ETHOS typology, as developed by the FEANTSA (European Federation of National Organisations Working with the Homeless) and the EOH (European Observatory on Homelessness).

Reply to the issues raised in paragraph 24 of the list of issues

125. The Government's strategy and the agreed initiatives contain new demands for people living in parallel societies while at the same time offering new ways to gain from all the possibilities that the Danish society offers.

126. The government's effort against parallel societies has four main focuses:

- Tearing down and renovating vulnerable neighbourhoods.
- Stronger enforcement of who can or cannot live in vulnerable neighbourhoods
- Stronger police efforts and higher penalties in order to fight crime and create more security
- A good start in life for all children and young people

127. The social housing sector in Denmark provides universal access to adequate housing with a reasonable rent and offers residents democratic influence on their own housing conditions. The allocation of social housing to citizens follows Article 14 of the European Convention on Human Rights, which guarantees rights and freedoms without discrimination on any ground such as sex, race, colour, language, religion or other beliefs, etc. Allocation of social housing is processed by seniority on a waiting list, municipal assigning (anvisningsret) or allocation based on prioritised criteria in relation to local conditions (kombineret- og fleksibel udlejning), which does not contain discrimination based on ethnic origin or citizenship.

128. Differentiation in allocation can only be decided based on objective and factual criteria that follow proportional means in relation to pursuing current official goals. Regarding “initiatives against parallel societies” only 2% of the social housing stock will be affected by such objective and factual criteria, for instance criminal background. Individuals who are rejected based on the objective and factual criteria will have the right, through seniority on a waiting list, to apply to social housing outside areas affected by these objective measures of differentiation in allocation.

Reply to the issues raised in paragraph 25 of the list of issues

129. Ritual slaughter of animals is possible in Denmark provided the animal is sedated prior to slaughter. A ban against slaughter without prior sedation was introduced in Denmark by Administrative Order no. 135 of 14 February 2014 Concerning Slaughter and Killing of Animals. In a period of more than 10 years prior to the introduction of the ban against slaughter without prior sedation, no Danish slaughterhouses had applied for permission to perform ritual slaughter of animals without prior sedation. Although a number of other countries have a similar ban on slaughter without prior sedation, import to Denmark of meat from animals slaughtered according to religious rituals without prior sedation is possible. Thus, there is access in Denmark to meat from animals slaughtered without prior sedation.

Right to health (art. 12)

Reply to the issues raised in paragraph 26 of the list of issues

130. The Danish healthcare system is universal and based on the principles of free and equal access to healthcare for all citizens. Healthcare is provided on the basis of the individual needs of patients, including immunization and maternal care.

131. The Parliament has adopted a law that non-residents in Denmark will be charged payment for emergency hospital treatment that he or she may receive under temporary stay in Denmark after 1 July 2019. These persons will also be charged for the subsequent non-emergency hospital treatment in cases, where it is not considered reasonable to refer the person to treatment in his or her home country. However, in case of emergency no persons will be denied hospital treatment in the public healthcare system with reference to payment claims. No payment will be charged for acute births and for treatments of children under the age of 18. The law does not change the fact that the treatments can still be provided free of charge, when the responsible Danish Region considers it reasonable, e.g. treatment of unregistered migrants.

132. Foreign nationals without legal residence in Denmark are not covered by the national health insurance system. Instead, expenses for their healthcare are covered by the Immigration Service, provided that the healthcare is necessary and unpostponable and/or pain-relieving. Furthermore, provided that the residence of the foreign national is known by the Immigration Service, the foreign national is not married to a person resident in Denmark and that the foreign national is not entitled to healthcare assistance within other legislation than the Aliens Act.

133. A treatment is considered necessary if it is pain relieving or unpostponable, and is considered unpostponable if the treatment cannot be postponed as the condition otherwise may cause non-insignificant risks of permanent injury, or the development of severe progression of the disease or a chronicity of the condition.

134. Expenses for emergency hospital treatment are currently covered by the Danish Regions. Children without legal residence in Denmark are entitled to the same healthcare as children who are residents of Denmark. The Government finds that foreign nationals without legal residence in Denmark are adequately covered by the health care system described above.

Reply to the issues raised in paragraph 27 of the list of issues

135. One of the most important and fundamental rights in the health care system is the patient's right to autonomy and self-determination and the right to choose to receive or reject medical treatment. This applies to both the somatic health care system and the mental health care system as well as to treatment in both the public health care system and in private hospitals or institutions.

136. The right to consent to medical treatment is statutorily protected under Section 15 of the Health Act and is known as informed consent in Denmark. Informed consent includes both a right to receive information about the offered medical treatment as well as a right for the patient to consider and to accept or refuse the suggested treatment based on information given by a healthcare professional.

137. There are three conditions for an informed consent to be valid: Disclosure, voluntariness and capacity:

- Disclosure requires that the healthcare professional provides information necessary for the patient to make an autonomous decision and to ensure that the patient adequately understands the information provided. The disclosure must contain information about the disease process, benefits and burdens of recommended treatment and consequences of refusal of treatment. The full list of information provided for the patient is listed in the Health Act.
- Voluntariness refers to the patient's right to freely exercise his decision-making without being subjected to external pressure such as coercion or unfair persuasion.
- Finally, the patient must have the ability (capacity) to make decisions. The patient needs the ability to both understand the information provided and make a decision based on a rational processing of the information.

138. An informed consent can be given either orally or in writing. In case of a major medical procedure, such as surgery, it may be required to give consent in writing. If a patient changes his or her mind, a given consent can be withdrawn at any time.

139. An important exception to the fundamental right to consent is the use of coercive measures on patients in psychiatric care. The use of coercive measures can only be allowed when the law specifically permits it. The rules describing coercive measures can be found in the Mental Health Act. According to the Mental Health Act, coercive measures such as involuntary admission to mental health facilities, can only be used if the patient is insane or suffers from a similar condition. It also requires that not admitting the patient would mean that patient would not be cured that the mental health of the patient would not significantly improve, or that the patient would pose a threat to himself or to others.

140. The Mental Health Act also describes the conditions under which other coercive measures can be applied, such as compulsory treatment and belt restraint. The Mental Health Act does not allow private hospitals or institutions to use coercive measures in psychiatric

care. Only hospitals or institutions in the public health care system are allowed to use such measures.

141. The Government aims to reduce the overall use of coercion. In May 2015, the Mental Health Act was amended with the aim of improving treatment for people with mental illness and ensuring a reduction in the use of coercive measures. In order to ensure quality in the use of necessary coercive measures and limit the duration of physical restraints, the new rules stipulate a minimum frequency of medical supervision and continuous assessment of whether restraint should cease or continue. Furthermore, the amendment states that belt restraint must only be used for short periods of time.

Right to education (art. 13)

Reply to the issues raised in paragraph 28 of the list of issues

142. In general, the Teacher Training College focus on providing knowledge and tools for the teacher training students on how to plan lessons and their pupils' educations as a whole, by adapting their teaching to the individual student's needs, learning processes and prerequisites. The communities in Greenland are scattered around a vast amount of space, and most towns and settlements are not connected by roads. People travel primarily by boat or plane depending on the season. These fairly isolated communities vary in size, which means that you will find small communities with only a few children in the local school and bigger towns with schools accommodating up to 400 pupils. As there are many forms and types of disabilities, but often only one pupil on each school with a specific disability, it is not possible to train all of the teacher training students in all specific disabilities e.g. hearing disability or blindness. Pupils with greater disabilities are therefore often accommodated with a special care person or referred to a special school with specialised personnel.

Cultural rights (art. 15) (art. 15)

Reply to the issues raised in paragraph 29 of the list of issues

143. The legislation and institutional infrastructure in the field of culture and the general objectives of cultural policy are based on the principle of freedom of expression aimed at offering and encouraging everyone living in or visiting Denmark to take an active part in cultural life in its broadest sense. In other words, the ambition is to raise awareness of cultural diversity.

144. The Arts Foundation, an independent arms-length body, supports a large number of projects across all art forms. Several of these promote and raise awareness of the cultural diversity of the Danish society. Moreover, a number of independent theatres in Denmark work actively with ethnic minorities to promote diverse cultural expressions.

145. Overall, the education system is aimed at promoting and raising awareness of cultural diversity. The Vocational Education and Training system (VET) is based on a dual base alternating between theoretical and practical learning. The students have the opportunity to get the practical education by apprenticeship or intern school-based practical education. It is based on a close cooperation between VET-schools and companies and a very active involvement of employer's organisations and trade unions at all levels of the system.

146. The VET Act states that it is important that VET also contributes to developing the students' interest in and ability to participate actively in a democratic society which also includes awareness about minorities. The VET education is open for all, if the required admission is honoured. Usually, it requires completion of compulsory education and a school leaving certificate obtaining the minimum grade 2.0 in Danish and Math, or the student starts on-

the-job training in a business enterprise in case they have signed a training agreement with the enterprise.

147. In 2018, a broad majority of parliamentary parties entered into an agreement to increase the search for and implementation of vocational training, which also includes a strengthened effort in primary school. At the same time, a more coherent educational program and an attractive teaching environment are ensured. The focus to improve the VET education implicates also the awareness about minorities in the VET education.

148. The Public School Act concerning primary and lower secondary schools provides the overall framework for the public school. The first paragraph states that the public school must give pupils an understanding of other countries and cultures.

149. In January 2019, the Government reached an agreement with a broad range of parties concerning a reform package, fine-tuning the 2014 reform of the public school (primary and lower secondary school). The agreement states that “the unity of the realm” between Denmark, Greenland and the Faroe Islands is an important part of both the shared history and the present. Therefore, the parties agree that knowledge of the unity of the realm must be strengthened by adding it as a topic on the “history cannon” which lists mandatory topics to be covered in the history subject in the public school.

Reply to the issues raised in paragraph 30 of the list of issues

150. 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, cf. also paras. 243-248 in the Core Document.

151. Reference is made to the Supreme Court ruling of 28 November 2003. The ruling states that the Thule Tribe does not constitute a distinct tribal or indigenous people within or in addition to the Greenlandic people in the sense of the ILO Convention no. 169.

152. Greenland continuously seeks to promote and protect the rights of its people. In this regard, reference is made to Inatsisartut Act no. 7 of 19 May 2010 on Language Policy, which acknowledges that Greenlandic - the official language of Greenland - consists of three main dialects spoken in East and West Greenland and in Thule, hereby acknowledging some of the linguistic differences in Greenland.