

# DENMARK

Date of admission to UN: 24 October 1945.

## TREATIES AND REPORTS TO TREATY BODIES

**Land and People:** Denmark has submitted a core document (HRI/CORE/1/Add.58) for use by the treaty bodies. The report prepared by the government contains demographic and statistical data as well as information on the system of government, the court system, jurisdictions related to human rights, remedies, compensation and rehabilitation, and human rights guaranteed in the constitution and law.

The Constitution establishes the framework for the protection of civil, cultural, economic, political and social rights. The basic assumption of equality is the major principle in all spheres of law. The Equal Status Council was established in 1978 to promote equality between women and men and to examine circumstances — either on its own initiative or in response to applications from individuals — relating to equality. However, the Council has no power to sanction discrimination. The Act on the Prohibition of Differential Treatment on the Grounds of Race 1971 is aimed at eliminating all forms of racial discrimination and the Criminal Code has been amended to prohibit statements or the communication of information that threatens, insults or degrades a group of people on account of race, colour, national or ethnic origin, religion or sexual orientation. The Board of Ethnic Equality Act 1993 established a mechanism to combat unequal treatment in all its aspects and to ensure that all ethnic groups in society are given equal opportunities. International human rights treaties are not automatically incorporated into domestic law but provisions of these conventions are applicable before the courts and administrative authorities. The European Convention on Human Rights has been incorporated as an ordinary statute in order to provide an explicit basis for its application.

### Economic, Social and Cultural Rights

Signed: 20 March 1968; ratified: 6 January 1972.

Denmark's third periodic report (E/1994/104/Add.15) is scheduled for consideration at the Committee's April/May 1999 session; the fourth periodic report is due 30 June 1999.

*Reservations and Declarations:* Paragraph (d) of article 7.

### Civil and Political Rights

Signed: 20 March 1968; ratified: 6 January 1972.

Denmark's fourth periodic report was due 1 November 1995.

*Reservations and Declarations:* Paragraph 3 of article 10; paragraphs 1, 5 and 7 of article 14; paragraph 1 of article 20; declaration under article 41.

**Optional Protocol:** Signed: 20 March 1968; ratified: 6 January 1972.

*Reservations and Declarations:* Paragraph 2 (a) of article 5.

**Second Optional Protocol:** Signed: 13 February 1990; ratified: 24 February 1994.

### Racial Discrimination

Signed: 21 June 1966; ratified: 9 December 1971.

Denmark's 14<sup>th</sup> periodic report is due 8 January 1999.

*Reservations and Declarations:* Declaration under article 14.

Denmark's 13<sup>th</sup> periodic report (CERD/C/319/Add.1) was considered by the Committee at its August 1997 session. The report prepared by the government includes information on: the Integration Committee, which is related to the situation of Bosnian refugees and immigrants; state funding for associations of immigrants; labour and employment conditions and prospects for immigrants; the government's employment policy; laws on propaganda to prevent Denmark from becoming a sanctuary for the dissemination of Nazi and racist propaganda; housing, health services and education; police training and the relationship between police and ethnic minorities; the Board for Ethnic Equality; and, implementation of the Convention in Greenland.

The Committee's concluding observations and comments (CERD/304/Add.35) noted that there are no significant factors or difficulties hindering effective implementation of the Convention in Denmark. The Committee welcomed: legislative measures to combat ethnic discrimination, in particular in the labour market; efforts made to facilitate the integration of immigrants and refugees; efforts made to ensure that the composition of the police service reflects the diversity of the population, including persons of non-Danish ethnic origin; improvements in the human rights training of police; and, the allocation of special funds to assist the operation of ethnic associations, cultural and information activities for and about immigrants and refugees, and development of integration projects.

The principal subjects of concern identified by the Committee were: lack of information on the allocation of housing and requirements to attend special schools; the fact that, with regard to racist organizations and incitement to racial violence, the prosecuting policies focus too much on propaganda activities while treating other means of disseminating racist ideas as minor offences; the fact that there is a lenient attitude towards the dissemination of racist ideas over radio; the fact that organizations using racist propaganda to incite racial discrimination are not declared illegal and are not prohibited; information indicating discriminatory practices, especially with respect to employment, housing and bank loans; the discriminatory effect on some residents arising from rigid application of the 1981 law on names; the lack of information on protection and remedies and the right to seek reparation or satisfaction; the insufficiency of information on the population of Thule which was displaced from traditional hunting grounds and places of settlement.

The Committee recommended that the government:

- ▶ introduce measures to implement fully the provisions of article 4 and reconsider the procedure and practice of licensing radio transmissions;
- ▶ include in the next report information on judgements on cases arising from article 4 of the Convention;
- ▶ review measures for guaranteeing the economic and social rights of non-Danish residents, with particular attention given to the right to work and housing;
- ▶ include in the next report information on implementation of article 6 (protection, remedies, satisfaction, reparation) in Denmark, Greenland and the Faroe Islands;