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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC,
SOCIAL AND CULTURAL RIGHTS

List of issues to be taken up in connection with the consideration of the third
periodic report of Denmark concerning the rights covered by articles 1-15 of the
International Covenant on Economic, Social and Cultural Rights
(E/1994/104/Add.15)

I. GENERAL INFORMATION

A. General legal framework within which human rights are protected

1. Please indicate the status of the Covenant and other human rights instruments in the Danish legal system.
2. Can reference be made directly to the Covenant in asserting one's rights in Danish courts?
3. What is the Danish Government's position regarding the recommendations of the World Conference on Human Rights concerning the elaboration of an optional protocol to the International Covenant on Economic, Social and Cultural Rights?

B. Information and publicity concerning the rights covered by the Covenant

4. What measures are being taken in the country to acquaint the public and State officials, especially officials of law enforcement agencies, with the rights enshrined in the Covenant?
5. To what extent did Danish non-governmental organizations participate in the preparation of the third periodic report?
6. Are the inhabitants of Greenland aware of their rights according to the Covenant? Is it possible for them to study the Covenant in their native tongue?

II. ISSUES RELATING TO THE GENERAL PROVISIONS
OF THE COVENANT (arts. 1-5)

Article 1: The right of self-determination

7. Describe the legal procedures (other than indirect negotiations) for resolving disputes between the home rule Government of Greenland and the central authorities with regard to human rights.

Article 2: Non-discrimination

8. Describe the judicial practice regarding the application in Denmark of the laws prohibiting discrimination against women, minorities and foreigners.

III. ISSUES RELATING TO SPECIFIC RIGHTS RECOGNIZED
IN THE COVENANT (arts. 6-15)

Article 6: The right to work

9. Describe the labour market reforms being implemented by the Government and the way in which those reforms are affecting the exercise in Denmark of the right to work (para. 39).

10. Describe specific steps taken within the framework of the Government's programme of "active measures" to bring more people into employment (para. 40).

11. Describe the results of the vocational training reform that began on 1 January 1994 (para. 43). In particular, what impact has the reform had on the level of unemployment, particularly among women and the youth?

12. Describe how the Act on leave (para. 58) is implemented in practice.

Article 7: The right to just and favourable conditions of work

13. Is the absence of minimum wage legislation not a source of conflict on the labour market (para. 62)?

14. Paragraph 62 of the report refers to the absence of minimum wage legislation in Denmark, whereas paragraph 63 refers to a fixed minimum wage rate. Are these provisions not mutually contradictory?

15. Explain why no statistics are kept on differences between wages in the private and public sectors (para. 67).

16. Describe current judicial practice regarding cases connected with working conditions (para. 68).

17. Provide up-to-date information on occupational accidents and diseases (para. 75).

Article 8: Trade union rights

18. Provide brief, up-to-date information on the implementation in Denmark of ILO Convention Nos. 87, 98 and 151 (para. 79).
19. Many countries that, like Denmark, consider the right to strike to be a natural right, nonetheless have legislation governing the specific procedures for the exercise of that right. In the case of Denmark there is no such legislation. Is the Danish Government not considering elaborating such legislation (para. 83)?
20. Provide statistics on the numbers of labour disputes during the past five years.

Article 9: The right to social security

21. Paragraph 91 of the report states both that “in principle, everyone is paid the same amount of old-age pension” and that “the pension is ... earnings-related”. What is the actual situation?
22. Provide up-to-date figures for pension rates and state how they relate to the subsistence minimum (para. 97).
23. Who determines the composition of the category of the “terminally ill” and how is the determination made? Does Denmark allow the practice of euthanasia (para. 117)?
24. According to paragraph 126 of the report, “children under 18 years of age will, as a general rule, qualify for compensation for loss of supporter”. Are there cases where this rule does not apply?
25. According to paragraph 128 of the report, “parents [have] an obligation to maintain their children up to the age of 18”. Is there an obligation upon adult children over 18 years old to help maintain their parents when they are no longer capable of working?
26. Describe the measures taken in recent years to improve the situation of the “socially excluded” (para. 143).
27. Do social benefits differ with respect to adoptive and biological parents?

Article 10: Protection of the family, mothers and children

28. Explain, in relation to the concept of “family”, what is meant from the point of view of Danish law by the expression “registered partnership”. Does it mean unmarried but registered couples (para. 157)?
29. What is the incidence of domestic violence against women and what measures are in place for the protection of women and for legal redress where necessary?
30. What is meant by the “(entitlement) to get an individual action plan” for those who are over 25 years of age (para. 161)?
31. Describe the differences in the respective rights of separated or divorced mothers and fathers, to spend time with their children (para. 164).

32. Provide up-to-date figures concerning the Government's system of child allowances (para. 174).
33. Describe the amended legislation on child labour (para. 184).
34. Provide figures for the employment of children and young people during the past few years (paras. 186-190).
35. Provide information on juvenile delinquency and measures for the social rehabilitation of young offenders. What is the rate of suicide among Danish youth?

Article 11: The right to an adequate standard of living

36. Provide up-to-date figures for the standard of living of different income brackets of Danish society (paras. 191-200).
37. Why are there more women than men receiving social benefits (para. 201)?
38. Provide up-to-date figures for the number of malnourished, socially excluded people (para. 210).
39. Provide up-to-date figures on the housing situation in Denmark, including data on housing quality (para. 236).
40. Why does Denmark keep no statistics on homelessness (para. 245)?
41. Is thought being given to the possibility of introducing laws laying down the right to housing (para. 253)?

Article 12: The right to physical and mental health

42. Provide up-to-date information on the population's state of health (para. 289).
43. Provide up-to-date figures for the Government's health budget and the percentage it represents in relation to the overall State budget (para. 292).
44. Describe the legislation aimed at protecting the mentally ill and at improving psychiatric care in general.
45. How serious is the problem of HIV/AIDS considered to be in Denmark? State the numbers of persons suffering from AIDS and of HIV-infected persons and indicate what help they receive. Provide information on the measures to prevent discrimination against them, in particular, in the spheres of health care, employment, education and housing.

Articles 13-14: The right to education

46. Provide up-to-date figures (as compared with those in the report) on all types of education.

47. With reference to paragraphs 325 and 353, explain why, in private, independent schools, 85 per cent of the expenditure is publicly subsidized.

48. Provide up-to-date figures for public spending on all levels of education, including expenditure on student grants and loans (paras. 327, 341).

49. Describe progress in implementing the Government's programme "Education and Training for All" (UTA), in particular: Has the drop-out rate been reduced? Have new courses been developed? What success has there been in youth guidance regarding education? What is meant by the "transition from basic school to youth education" (para. 329)?

50. Is the programme to provide reading courses for adults still in force, and what success has been achieved in this area? What is the rate of illiteracy among adults (paras. 331-334)?

Article 15: The right to take part in cultural life

51. What was the outcome of the three-year experimental period referred to in paragraph 358 of the report? Will work continue on decentralizing management of cultural facilities?

52. With reference to paragraph 375 of the report, explain what is meant by saying that public libraries lend books to everyone "registered in the Danish National Register". What register is this? Who compiles it and how is it compiled? Does it include aliens legally resident in Denmark?

53. With reference to paragraph 384 of the report, explain who makes the "independent evaluations" of research institutes, archives, libraries and museums and how those evaluations are made. What happens if the activities of such institutions are found wanting?

54. What has happened to the "Info-Society 2000" project (para. 388)