

COMMITTEE ON ECONOMIC, SOCIAL  
AND CULTURAL RIGHTS

Thirty-third session  
Geneva, 8-26 November 2004  
Item 6 of the provisional agenda

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

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES IN  
ACCORDANCE WITH ARTICLE 16 OF THE INTERNATIONAL COVENANT ON  
ECONOMIC, SOCIAL AND CULTURAL RIGHTS

REPLIES BY THE GOVERNMENT OF DENMARK TO THE LIST OF ISSUES  
(E/C.12/Q/DNM/1) TO BE TAKEN UP IN CONNECTION WITH THE  
CONSIDERATION OF THE FOURTH PERIODIC REPORT OF DENMARK  
CONCERNING THE RIGHTS REFERRED TO IN ARTICLES 1-15 OF THE  
INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL  
RIGHTS (E/C.12/4/Add.12)

HR/CESCR/NONE/2004/6

## I. GENERAL INFORMATION

### 1. Please indicate the position of the Government as to the recommendation of the “Incorporation Committee” not to recommend the incorporation of the Covenant into the domestic law.

The Government has taken note of the recommendation of the “Incorporation Committee” not to incorporate the International Covenant on Economic, Social and Cultural Rights (hereinafter “the Covenant”) into the domestic law and the Government has decided not to incorporate the Covenant into Danish law. This decision is based on several considerations.

Firstly, the Covenant itself does not place any obligations on the States to incorporate the Covenant into the domestic law. When ratifying the Covenant, the Danish Government followed the standard procedure and assessed whether the domestic law and practice were in conformity with the provisions of the Covenant or whether any changes of the domestic law and practice were necessary prior to the ratification.

After ratifying the Covenant, the Government has also continuously taken steps to ensure that Danish law and practice is in conformity with the Covenant, for instance when drafting proposals for new legislation.

Hence, the Government is of the opinion that even though the Covenant has not been incorporated into Danish law, Denmark fully respects the provisions of the Covenant.

Secondly, the human rights conventions that Denmark has ratified, are relevant sources of law regardless of the method of implementation, as emphasised by the Incorporation Committee. Conventions that have not been specifically implemented, because harmony of norms has been ascertained, can be and are in fact invoked before and applied by the Danish courts and other law-applying authorities.

Considering that the existing state of law in Denmark ensures that the Covenant and other ratified but unincorporated UN human rights conventions are relevant sources of law and are applied by the courts and other law-applying authorities, the Government finds that it is neither legally necessary, nor politically appropriately to incorporate the Covenant into Danish law.

Incorporation would only be of symbolic character, since it would not change anything with regard to the existing state of law in Denmark, and the Government finds that laws should not be passed if they only are of a symbolic character.

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

### Article 1. Self-determination

- 2. Please indicate if the transfer of powers to the Home Rule in Greenland is based on the exercise by the people of this territory of their rights to self-determination. If so, please indicate in what manner the will of the people of Greenland was ascertained, including where it concerns the list of “non-transferable fields”, as described in the report.**

Home Rule in Greenland was introduced by Act of November 29<sup>th</sup>, 1978 based on The Home Rule Commission Report about Home Rule in Greenland.

The Home Rule Act came into force May 1<sup>st</sup>, 1979 after a referendum in Greenland January 17<sup>th</sup>, 1979. The result of the referendum was 70,1 % affirmative votes and 25,8% negative votes out of the total voting.

The proposal from The Home Rule Commission was influenced by the limitation, accepted by both parties, that the arrangement to be established would have to be in conformity with the Danish Constitution, which implies a qualitative and a quantitative limitation of transferring fields to the Home Rule Authorities. The fields that could be taken over were listed in a special appendix to the Home Rule Act.

By introducing Home Rule it was not excluded that other fields could be taken over by the Home Rule Authorities if future development should make the appendix less relevant.

Section 7 in the Act states that the central authorities of the Realm may - after negotiation with and having secured the consent of the Home Rule Authorities by statute - determine that jurisdiction in fields not listed in the schedule shall be transferred. It is mentioned that consideration should be given to the unity of the Realm and to the desirability of the Home Rule Authorities' receiving an extensive role in matters, which particularly affect Greenland interests.”

With this limitation this section of the Act has contained fields that was not directly part of the fields mentioned in the appendix, whereas the section could not contain an essential qualitative enlargement of the autonomy of the Home Rule.

- 3. Please describe the legislative and other measures taken by the State Party with a view to ensuring the right of the populations of Greenland and Faroe Islands to freely dispose of their natural resources.**

#### *Greenland*

The regulation of the Greenland mineral resources system is found partly in the Act on the Greenland Home Rule and partly in the Act on Mineral Resources in Greenland. The mineral resource system lays down that the political responsibility for the mineral resources area is a Danish-Greenlandic joint responsibility carried out by Acts from the Danish Parliament.

Reference is made to the 4<sup>th</sup> report item 1.15.

Since July 1<sup>st</sup> 1998, the administration of mineral resources activities has been carried out by the Greenland Bureau of Minerals and Petroleum. The Danish-Greenlandic joint responsibility is unchanged and the legislative power is still in the Danish Parliament.

#### *Faroe Islands*

In the Faroe Islands the field “Underground deposits of raw materials” has been transferred to special Faroese concerns according to the Home Rule Act Section 3, list B, after which the Faroese Authorities has the legislative and administrative responsibility in the field.

#### Article 2. Non-discrimination

#### **4. Please indicate to what extent the State Party has guaranteed the rights enshrined in the Covenant to non-nationals, especially immigrants and refugees.**

It is decisive to the Government that the rules concerning family reunification is non-discriminatory to non-nationals. This means that any condition for family reunification set out in the Aliens Act, is applicable to both nationals and non-nationals.

Thus it is e.g. a condition to family reunification that the person living in Denmark – regardless of his or her nationality – proves that he or she can undertake to maintain the applicant, and that he or she disposes of his own dwelling of a reasonable size.

Under an amendment of the Aliens Act of 6 June 2002, the general age limit for family reunification between spouses was raised from 18 to 24 years. The intention was to reduce the risk of forced and arranged marriages with the purpose of releasing a residence permit, since an older person is presumed better at resisting family pressure into engaging in a marriage against ones will. The Act also introduced the general rule that marriages not contracted at both parties’ desire cannot result in spousal reunification.

Until the amendment of the Aliens Act of 6 June 2002 the so-called condition of ties, which involves an assessment of the parties’ aggregate ties with Denmark compared to their aggregate ties with another country, was only enforced on non-nationals. By an amendment of the Aliens Act of 6 June 2002 the condition of ties was extended to comprise Danish nationals living in Denmark, and the condition was made stricter so that the parties’ aggregate ties with Denmark must be stronger than their aggregate ties with another country and not, as was previously the rule, merely just as strong.

According to an amendment of the Aliens Act of 27 December 2003, persons who have been Danish nationals for 28 years need not satisfy the condition of ties as a condition for reunification with a spouse. This applies whether the person obtained his or her Danish nationality by birth or by subsequent naturalisation, and whether the person has another nationality in addition to his or her Danish nationality.

Persons who have not been Danish nationals for 28 years, but who were born and raised in Denmark or arrived in Denmark as small children and grew up in Denmark and have moreover had at least 28 years of lawful – substantially continuous – residence in Denmark will in respect of the rules on non-discrimination, in practice, also be exempt from the condition of ties.

**5. Please provide information about Danish legislation and measures taken against organisations and groups advocating xenophobia and inciting to race or religious related criminal acts.**

The policies of the Danish Government for eliminating racial discrimination against non-citizens residing in Denmark include both legislation and non-legislative policies aimed at promoting equal treatment and tackle problems of discrimination and disadvantages experienced by ethnic minorities.

*Legislation*

- Section 70 of the Danish Constitution has the following wording:

“70. No person shall for reasons of his creed or descent be deprived of access to complete enjoyment of his civic and political rights, nor shall he for such reasons evade compliance with any common civic duty.”

- The Act on Prohibition against Discrimination based on Race etc. includes a prohibition of discrimination on the grounds of race, colour, national and ethnic origin, religion or sexual orientation. The act entered into force on the 1<sup>st</sup> of August 1971.

The act contains a prohibition against discrimination, within commercial and non-profit business, as regards the provision of goods and services and as regards access to certain places or events. Thus, the act prohibits any refusal to serve a person on the same terms as others because of his or her race, colour, national and ethnic origin, religion or sexual orientation. The act also prohibits any refusal to admit a person access on the same terms as others to a place, performance, exhibition, meeting or similar events that are open to the public.

The act provides for criminal sanctions for breach of the prohibition against discrimination. The protection against discrimination includes both Danish citizens and non-citizens.

- The Act on Prohibition of Differential Treatment in the Labour Market prohibits discrimination in the labour market on the grounds of race, colour, religion, political conviction, sexual orientation and national, social and ethnic origin. Furthermore, the act includes a prohibition of discriminatory job advertisements. The Act entered into force on 1<sup>st</sup> of July 1996.

Both direct and indirect discrimination are prohibited by the act.

The act provides for compensation for non-pecuniary damages in case of breach of the prohibition of unequal treatment. The act furthermore provides for criminal sanctions for breach of the prohibition against discriminatory job advertisements.

Both Danish citizens and non-citizens are protected against discrimination on the labour market by the act.

- The Act on Equal Treatment irrespective of Ethnic Origin prohibits discrimination on the grounds of race and ethnic discrimination in a number of areas outside the labour market. The act entered into force on 1<sup>st</sup> of July 2003.

Direct and indirect discrimination, ethnic harassment and instructions to discriminate are all prohibited by the act. Danish citizens and third country nationals are protected against discrimination by the act.

The act provides for compensation for non-pecuniary damages in case of breach of the prohibition of unequal treatment.

- Section 266(b) in the Danish Penal Code prohibits the dissemination of expressions of racial prejudice.

Section 266(b) implies that any person who, publicly or with the intention of wider dissemination, makes a statement or imparts other information by which a group of people are threatened, insulted or degraded on account of their race, colour, national or ethnic origin, or sexual inclination, shall be liable to a fine or imprisonment for a term not exceeding two years. When measuring out the punishment it shall be considered an aggravating circumstance if the conduct is characterized as propaganda.

- Danish administrative law is based on an unwritten general principle of equality before the law. The principle of equality law applies to all public authorities and implies, in general, that equal cases must be treated equally before the law.

#### *Non-legislative policies*

The Danish Government has in November 2003 established a national action plan to promote equal treatment and diversity and to combat discrimination as a follow up to the Durban Declaration and Programme of Action.

The overall goal of the action plan is:

- To promote equal treatment irrespective of race or ethnic origin and equity, in part by the promotion of diversity and tolerance, and
- To combat discrimination on grounds of race and ethnic origin.

The action plan gives an overview of the current situation in Denmark and existing legislation and non-legislative initiatives in the field of equal treatment. Also – and most importantly – the action plan makes recommendations on future steps to be taken, which are found to be necessary to reach the overall goal mentioned above. The Danish Government has involved national NGO's and human rights institutions in the preparation of the action plan.

The action plan is also to be seen as part of the Danish Government's policy on the integration of foreigners in Denmark and as a follow up to the Government's policy paper 'Towards a new integration policy' of 5 March 2002.

The Danish Government has allocated 2.6 and 2.5 million DKR in 2003 and 2004 to the implementation of the action plan.

As will be seen the Danish Government gives high priority to the fight against discrimination in any form.

Section 266 b of the Criminal Code prohibits the dissemination of statements or other information by which a group of people are threatened, insulted or degraded on account of their race, colour, national or ethnic origin, religion, or sexual inclination.

According to subsection 2 of Section 266 b, it shall be considered an aggravating circumstance if the conduct is characterized as propaganda. Propaganda is to be understood as systematic, intensive or continuous efforts with a view to influencing the opinion-shaping. If the statements are made as part of the activities of an organisation it points towards it being propaganda.

In addition, according to Section 80, subsection 2, it shall be regarded as an aggravating circumstance if the offence has been committed by several persons together.

In order to ensure proper and uniform enforcement, notice No. 4/1995 was issued in September 1995 stipulating that the Director of Public Prosecutions must be notified of all information on violations of Section 266 b of the Criminal Code that are refused by the police on the grounds that no offence is assumed to have been committed. The notice further stipulates that all cases in which a charge has been made must be submitted together with a recommendation concerning the question of prosecution.

Furthermore, since 1992 there has existed a system of notification to the Danish Civil Security Service concerning racially motivated crimes. As of 1 February 2002 this system has been improved. Now any supposed criminal act with a potential racist background will be reported to the Civil Security Service according to detailed guidelines. This will provide improved data for future monitoring and international reporting in the area.

As from August 2000, the Police Academy has reorganized the compulsory further training of police officers, and human rights (including the international convention on the elimination on all forms of racial discrimination) have been given a more prominent place in the education.

In connection with the three-year programme of the Council of Europe, "Police and Human Rights 1997-2000" the Danish Centre for Human Rights cooperated with the Danish Police Academy and the Council of Europe on producing and financing a video on the importance of human rights to police work in Europe.

### Article 3. Equality between men and women

#### **6. Please provide information about the progress achieved in the field of equality between men and women, in particular in the field of remuneration for work, as well as in eliminating obstacles in acceding to higher employment and professional levels.**

Securing the same rights and same possibilities for women and men is an underlying principle in Danish politic. Gender equality is a fundamental part of Danish democracy.

In Denmark efforts are made to secure women and men de facto and de jure equality. Women and men have the same rights, obligations and possibilities in all areas of society. This is also stated in the Gender Equality Act paragraph 1: "The purpose of this Act is to promote gender equality, including equal integration, equal influence and equal opportunities in all functions in society on the basis of women's and men's equal status."

Denmark will present its 6<sup>th</sup> periodic report to the CEDAW Committee in May 2004. The report will contain a thorough description of progress achieved in the field of gender equality covering the period 2000-2004.

Men and women's position on the labour market is characterised by high participation rates for both men and women. The participation rates are the highest in the EU. Moreover, the working hours for women are increasing.

However, a number of imbalances still give rise to continued action. These years the action is concentrated on equal pay, the gender segregated labour market and the relation between work and family life. These three action areas are interconnected in so far as the gender segregated labour market is the single most important reason for wage differentials between men and women.

The action in the equal pay field is very complex and takes place in a dialogue with the enterprises and the social partners in clear recognition of the fact that the equal pay action takes place at the workplaces and during the collective bargaining rounds.

In the year 2000, the National Institute of Social Research worked out a report on the wage differentials between men and women for the Ministry of Employment. This report is currently being updated to include the latest information. It is necessary that equal pay statistics for the entire labour market be constantly developed. This tool will help those who wish to work actively on bringing down wage differentials between men and women.

The difference between men and women's average hourly wages was between 9 and 16 per cent in the year 2000. There is a huge difference between the wage differential in the public and private sector and the wage differential is highest in the private sector. The wage differential has been very stable for some time but a fall in the wage differential in the private sector was observed from 1999 to 2000.

The wage differential is made up on the basis of the average earnings per hour performed. This wage concept is used by Statistics Denmark and the wage statistics of the Danish Employers' Confederation and Eurostats' statistics. The detail level and explanatory models may produce different results in the making up of the wage gap.

An analysis of equal pay on the private labour market from the summer of 2003 shows that male workers in average earn 15 per cent more than their female colleagues. In the field of salaried employees the average wage differential is 20 per cent.

Most of the differences in men and women's pay can be explained by young persons' choice of education and their subsequent career on a gender segregated labour market.



But then there is still an unexplained wage differential between men and women of 3.4 per cent among workers and 7.4 per cent among salaried employees.

### III. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)

#### Article 6. Right to work

#### **7. Please discuss the initiatives and specific measures taken in order to increase employment opportunities for immigrants and other foreign minorities.**

In the last years a number of labour market oriented initiatives have been taken to ensure quick and efficient measures for integration of persons with a different ethnic background than Danish so that an increased share of immigrants/descendants will be in employment.

#### *Initiatives in the integration field*

In March 2002 the Government issued the paper: "Towards a New Integration Policy". The paper launches four themes in the order to promote the access to work and a social life for immigrants and refugees: A short cut to the labour market, effective Danish courses, better utilization of qualifications and integration as a common concern.

In May 2002, the Government concluded an agreement with the social partners and the county/municipal parties about integration of refugees and immigrants on the labour market. This agreement is based on the Government's integration initiatives from March 2002 and stresses the common responsibility for ensuring that newly arrived foreigners are given an active start and find employment as quickly as possible – primarily through a combination of teaching in the Danish language and attachment to a workplace. One of the central elements of this agreement is that there should be a co-operation about a phased model for integration which will ensure flexibility and comprise coherent integration measures in close contact with a workplace.

On the basis of this agreement the social partners concluded an agreement in May 2003 in which they agree on common guidelines on how the changes can be implemented in actual practice on the regional labour market.

The Government has implemented the labour market oriented initiatives in the integration agenda from March 2002 and in the agreement with the social partners and the county/municipal parties through a reform in the field of integration with the following content:

- Phase 1: Reform of the Act on integration and teaching of the Danish language (Summer 2002/Winter 2002): This includes lower benefits and allowances as an incentive to find a job, committing and early individual integration contracts and state subsidies to intensive programmes for upgrading of skills and qualifications for foreigners with a high educational level. Language schools may refer students to jobs or training places and the rules for the co-operation between municipalities and enterprises have become more flexible.
- Phase 2: Reform of the Act on integration and teaching of the Danish language (Winter 2003): This includes simpler and more flexible activation offers, emphasis on

foreigners' own responsibility for their own integration, i.e. requirements as to active job search, registration with the Public Employment Service (PES) for foreigners who are directly employable and subsidies based on performance to municipalities with a view to bringing more foreigners into employment.

In the state sector, it is the Government's objective that the number of immigrants and descendants from third countries employed in the state sector should proportionately reflect their share of the labour force. The target is thus that 3.5 per cent of state employees should be immigrants or descendants from countries outside Western Europe and Northern America.

The parties in the Danish Parliament supporting the special regulation pool agreement have in 2003 for the period 2003-2006 earmarked an amount of DKK 160 million for activities in relation to enterprises, counselling etc. targeted on specific groups such as young persons, persons covered by the rules on family reunion and women with an ethnic background as well as innovative projects. In 2004 an agreement was made for the period 2004-2007, where an additional amount of DDK 91,7 million was earmarked for purposes concerning integration.

#### *Initiatives after the three-year introduction period*

Refugees and immigrants are covered by the general employment measures on expiry of the three-year introduction period. The general measures may be adapted to take into account the special conditions for refugees and immigrants.

The reform of the general employment policy in the form of the action plan "More people in employment" has introduced parallel rules for offers to unemployed persons in the Integration Act and the Act on an active employment policy. This means simplified activation offers with guidance and upgrading of skills and qualifications, enterprise practice and wage subsidies. Subsidies may be granted to upgrading of skills and qualifications in connection with recruitment in ordinary jobs. The aim of the changes – in addition to a simplification – is to harmonise integration measures and to make them more effective and also to make enterprises assume a much more central role in the integration process than today.

The Danish experiences with integration of immigrants on the labour market have been positive when combining language lessons with enterprise-oriented activities and have shown that there is a need for professionalised registration of immigrants' competencies.

The recruitment measures are strengthened as part of the implementation of the labour market reform "More people into employment" and through strengthened contact courses (personal interview with the unemployed person every three month as a minimum), the simplified tools, focus on job seeking and employment and enterprise-oriented activation.

The new simplified tools enable a step-by-step upgrading of skills and qualifications on the labour market with a flexible combination of language lessons with training, enterprise practice and ordinary employment.

A contract/action plan is worked out for every individual describing which linguistic and professional level is aimed at and which subsequent employment is relevant for the individual. At the completion of the contract the municipality has to select the person according to whether the person concerned has unemployment as a problem or whether the person has other problems than unemployment.

The recruitment measures are strengthened generally through the Internet-based Jobnet, which is a job and CV bank. Like all other unemployed persons who have a problem with unemployment, newly arrived foreigners have to submit information relevant to recruitment in the Job and CV bank at the latest one month after their registration with the PES.

Furthermore, a small number of knowledge centres for clarification of competencies will be set up. The centres will have special expertise with regard to guidance and dissemination of the most appropriate and fastest form of clarification and evaluation of the competencies that the foreigners bring with them. (The knowledge centres are expected to operate by mid 2004).

#### *Ministerial group on better integration*

In January 2003, the Government set up a ministerial group which was to come up with proposals for better integration. In June 2003, the group presented an overall vision and strategy for a better integration in three central fields: (1) a coherent and open democratic society, (2) education and training, and (3) the labour market.

Many of the total number of 114 initiatives in the Government's integration package deal with initiatives to promote employment of refugees and immigrants. These initiatives are also to ensure an effective follow-up to the legislative work and that the new framework is fully utilised by the municipal authorities, the PES system and the enterprises.

The emphasis is further on ensuring that persons with a different background than Danish perform well in the educational system. One of the initiatives is a campaign under the heading "All young persons are needed" which is to give young immigrants and descendants information about the possibilities in the educational system and on the labour market.

#### **8. With reference to paragraphs 101-110 of the fourth periodic report, please provide disaggregated statistics about the number of persons having participated in technical and vocational training programs, and about the percentage of those having thereafter obtained employment.**

Based on the statistics available, the Ministry of Employment and the Ministry of Education have prepared tables showing the results of participation in adult training. In the statement the concept "employment effect" is used to denote the percentage of people who have undertaken adult training at the AMU technical centre in Denmark or attended EUD courses, and then subsequently found employment.

The Ministry of Employment's table and explanatory text are included in the report.

In the Ministry of Education's area the results show that the overwhelming majority of people undertaking adult training of a duration of more than four weeks are already employed. The result in terms of percentage of participation in adult training ("the employment effect") is therefore nearly 100 per cent.

If the result of the "employment effect" is measured separately before and after participation in adult training the figures are relatively unchanged for the period in which the measurements were made. This does not, however, necessarily mean that the employment effect of adult training is insignificant. If the figures are compared with general unemployment levels as benchmarked by comparison to unemployment levels in the general EUD workforce for the same period, it emerges that adult training does in fact have a positive employment effect, both as an overview (table 1) and in terms of selected individual measuring parameters such as ethnicity (table 2), gender (table 3) and age (table 4).

The tables are included and specify the method of compilation and assumptions used.

Figure shows employment rate in pct. - for unemployed persons participating in active labour market policy programs - 6 month after finishing the program (program min. 4 weeks duration)

Age	Person: Danish citizen/Foreigner	MEN Empl.rate after 6 month voca./ tech. training	MEN Empl. rate after 6 month other training	WOMEN Empl.rate after 6 month voca./ tech. training	WOMEN Empl. rate after 6 month other training
0-24	Danish	46	45	35	36
	Foreigner	47	42	41	30
25-29	Danish	34	33	24	30
	Foreigner	31	29	22	23
30-39	Danish	31	31	28	33
	Foreigner	27	28	34	29
40-49	Danish	26	27	25	31
	Foreigner	23	24	30	27
50-59	Danish	20	18	18	17
	Foreigner	20	18	23	17
60-	Danish	12	14	-*	13
	Foreigner	7	17	-*	11
Total	Danish	28	26	25	28
	Foreigner	28	27	30	26

\*) Population too small to reveal any significance

The number of people unemployed over time who finished an adult training course of at least four weeks' duration at the AMU technical centre in Copenhagen – or vocational school – in the second quarter of 2002.

Unemployment is measured the quarter immediately before the start of the course, the quarter in which the course ended and one and two quarters after the end of the course.

Table 1 overview

	Number	%
<b>ONE QUARTER BEFORE START OF COURSE</b>		
employed	35,738	89.51
unemployed	41,89	10.49
<b>Total</b>	<b>39,927</b>	<b>100.00</b>
<b>QUARTER IN WHICH COURSE ENDED (2002 quarter 4)</b>		
employed	35,490	88.89
unemployed	4,437	11.11
<b>Total</b>	<b>39,927</b>	<b>100.00</b>
<b>ONE QUARTER AFTER END OF COURSE (2003 quarter 1)</b>		
employed	34,219	85.70
unemployed	5,708	14.30
<b>Total</b>	<b>39,927</b>	<b>100.00</b>
<b>TWO QUARTERS AFTER END OF COURSE (2003 quarter 2)</b>		
employed	35,351	88.54
unemployed	4,576	11.46
<b>Total</b>	<b>39,927</b>	<b>100.00</b>

Notes:

1: employed including unknown labour market affiliation

2: non-Danish or unknown ethnicity

Source: UNI-C data extracts (data extracts from multi disciplinary course register and other UVM registers at Statistics Denmark.

The number of people unemployed over time who finished an adult training course of at least four weeks' duration at the AMU technical centre in Copenhagen – or vocational school – in the second quarter of 2002.

Unemployment is measured the quarter immediately before the start of the course, the quarter in which the course ended and one and two quarters after the end of the course.

Table 2 ethnicity

	ETHNICITY				Total	
	non-Danish		Danish		Number	%
	Number	%	Number	%		
<b>ONE QUARTER BEFORE START OF COURSE</b>						
employed	1,694	85.43	34,044	89.72	35,738	89.51
unemployed	289	14.57	3,900	10.28	4,189	10.49
<b>Total</b>	<b>1,983</b>	<b>100.00</b>	<b>37,944</b>	<b>100.00</b>	<b>39,927</b>	<b>100.00</b>
<b>QUARTER IN WHICH COURSE ENDED (2002 quarter 4)</b>						
Employed	1,663	83.86	33,827	89.15	35,490	88.89
Unemployed	320	16.14	4,117	10.85	4,437	11.11
<b>Total</b>	<b>1,983</b>	<b>100.00</b>	<b>37,944</b>	<b>100.00</b>	<b>39,927</b>	<b>100.00</b>
<b>ONE QUARTER AFTER END OF COURSE (2003 quarter 1)</b>						
Employed	1,595	80.43	32,624	85.98	34,219	85.70
Unemployed	388	19.57	5,320	14.02	5,708	14.30
<b>Total</b>	<b>1,983</b>	<b>100.00</b>	<b>37,944</b>	<b>100.00</b>	<b>39,927</b>	<b>100.00</b>
<b>TWO QUARTERS AFTER END OF COURSE (2003 quarter 2)</b>						
Employed	1,653	83.36	33,698	88.81	35,351	88.54
Unemployed	330	16.64	4,246	11.19	4,576	11.46
<b>Total</b>	<b>1,983</b>	<b>100.00</b>	<b>37,944</b>	<b>100.00</b>	<b>39,927</b>	<b>100.00</b>

Notes:

1: employed including unknown labour market affiliation

2: non-Danish or unknown ethnicity

Source: UNI-C data extracts (data extracts from multi disciplinary course register and other UVM registers at Statistics Denmark)

The number of people unemployed over time who finished an adult training course of at least four weeks' duration at the AMU technical centre in Copenhagen – or vocational school – in the second quarter of 2002.

Unemployment is measured the quarter immediately before the start of the course, the quarter in which the course ended and one and two quarters after the end of the course.

Table 3 gender

	GENDER					
	Male		Female		Total	
	Number	%	Number	%	Number	%
<b>ONE QUARTER BEFORE START OF COURSE</b>						
Employed	18,716	90.05	17,022	88.92	35,738	89.51
Unemployed	2,069	9.95	2,120	11.08	4,189	10.49
<b>Total</b>	<b>20,785</b>	<b>100.00</b>	<b>19,142</b>	<b>100.00</b>	<b>39,927</b>	<b>100.00</b>
<b>QUARTER IN WHICH COURSE ENDED (2002 quarter 4)</b>						
Employed	18,383	88.44	17,107	89.37	35,490	88.89
Unemployed	2,402	11.56	2,035	10.63	4,437	11.11
<b>Total</b>	<b>20,785</b>	<b>100.00</b>	<b>19,142</b>	<b>100.00</b>	<b>39,927</b>	<b>100.00</b>
<b>ONE QUARTER AFTER END OF COURSE (2003 quarter 1)</b>						
Employed	17,698	85.15	16,521	86.31	34,219	85.70
Unemployed	3,087	14.85	2,621	13.69	5,708	14.30
<b>Total</b>	<b>20,785</b>	<b>100.00</b>	<b>19,142</b>	<b>100.00</b>	<b>39,927</b>	<b>100.00</b>
<b>TWO QUARTERS AFTER END OF COURSE (2003 quarter 2)</b>						
Employed	18,405	88.55	16,946	88.53	35,351	88.54
Unemployed	2,380	11.45	2,196	11.47	4,576	11.46
<b>Total</b>	<b>20,785</b>	<b>100.00</b>	<b>19,142</b>	<b>100.00</b>	<b>39,927</b>	<b>100.00</b>

The number of people unemployed over time who finished an adult training course of at least four weeks' duration at the AMU technical centre in Copenhagen – or vocational school – in the second quarter of 2002.

Unemployment is measured the quarter immediately before the start of the course, the quarter in which the course ended and one and two quarters after the end of the course.

Table 4 age

	Age																	
	14		[15-25[		[25-30[		[30-40[		[40-50[		[50-60[		[60-70[		[70->		Total	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
<b>ONE QUARTER BEFORE START OF COURSE</b>																		
Employed	3	100.00	37,03	92.78	5,404	88.19	11,034	88.59	9,007	90.30	5,539	88.44	902	93.37	146	100.00	35,738	89.51
Unemployed	.	.	288	7.22	724	11.81	1,421	11.41	968	9.70	724	11.56	64	6.63	.	.	4,189	10.49
Total	3	100.00	3,991	100.00	6,128	100.00	12,455	100.00	9,975	100.00	6,263	100.00	966	100.00	146	100.00	39,927	100.00
<b>QUARTER IN WHICH COURSE ENDED (2002 quarter 4)</b>																		
Employed	3	100.00	3,599	90.18	5,390	87.96	11,027	88.53	8,933	89.55	5,496	87.75	896	92.75	146	100.00	35,490	88.89
Unemployed	.	.	392	9.82	738	12.04	1,428	11.47	1,042	10.45	767	12.25	70	7.25	.	.	4,437	11.11
Total	3	100.00	3,991	100.00	6,128	100.00	12,455	100.00	9,975	100.00	6,263	100.00	966	100.00	146	100.00	39,927	100.00
<b>ONE QUARTER AFTER END OF COURSE (2003 quarter 1)</b>																		
Employed	3	100.00	3,516	88.10	5,173	84.42	10,549	84.70	8,603	86.25	5,338	85.23	891	92.24	146	100.00	34,219	85.70
Unemployed	.	.	475	11.90	955	15.58	1,906	15.30	1,372	13.75	925	14.77	75	7.76	.	.	5,708	14.30
Total	3	100.00	3,991	100.00	6,128	100.00	12,455	100.00	9,975	100.00	6,263	100.00	966	100.00	146	100.00	39,927	100.00
<b>TWO QUARTERS AFTER END OF COURSE (2003 quarter 2)</b>																		
Employed	3	100.00	3,633	91.03	5,388	87.92	10,940	87.84	8,911	89.33	5,426	86.64	904	93.58	146	100.00	35,351	88.54
Unemployed	.	.	358	8.97	740	12.08	1,515	12.16	1,064	10.67	837	13.36	62	6.42	.	.	4,576	11.46
Total	3	100.00	3,991	100.00	6,128	100.00	12,455	100.00	9,975	100.00	6,263	100.00	966	100.00	146	100.00	39,927	100.00



Notes:

1: employed including unknown labour market affiliation

2: non-Danish or unknown ethnicity

Source: UNI-C data extracts (data extracts from multi disciplinary course register and other UVM registers at Statistics Denmark)

**9. Please provide more information, including statistical data, about the levels of employment and unemployment in Greenland and Faroe Islands.**

*Greenland*

The Statistic Greenland has reported the following information:

*Labour Force*

The development of the employment in the Greenland labour market is shown in Table 1. The total wage earning is converted to a volume of employment e.g. the number of full-time employed.

Table 1

Number of employment in Greenland in 1000-persons in the years 1987\*, 1996 and 2001.

Year	1987	1996	2001
Volume of employment	24,7	25,2	27,6

\*There is no calculation for the year 1991.

**Sources:**

1987 numbers: GS Statistical Yearbook 1991 Page 204

1996 numbers: GS Statistical Yearbook 1999 Page 248

2001 numbers: GS Statistical Yearbook 2000-2001 Page 253

*Unemployment*

The development in the share of unemployed in the Greenland labour market is shown in Table 2. The percentage of unemployment is calculated on the total population between 15 and 59 years, because retirement age in the watched period was 60 year. Basis of the calculations is therefore not the actual labour force.

The total number of unemployed has increased from 7,4 to 8,2 from 1991 to 1996 whereas dropped from 8,2 to 6,2 in the latter part of the period to 2001. The total drop discovered over the 10-year-period from 1991 to 2001 reflects drop for both men and women and in all age groups except the 45- 59 years. Men in this age group had a higher percent of unemployment in 2001 than in 1991, while the percent of unemployment for women was unchanged.

Table 2.

Numbers of in Greenland in percent divided in age and sex for the years 1991, 1996 and 2001.

Year	1991	1996	2001
Men 15-19 years	3,8	...	3,2
Men 20-24 years	9,8	...	6,7
Men 25-44 years	9,9	...	7,7
Men 45-59 years	5,8	...	6,5
Women 15-19 years	3,7	...	3,3
Women 20-24 years	7,9	...	7,4
Women 25-44 years	6,9	...	6,4
Women 45-59 years	4,2	...	4,2
Unemployed at the end and in the middle of the year totally	7,4	8,2	6,2
(... there is no information)			

Sources:

1991 number: GS Statistical Yearbook 1991 Page 448

1996 number: Calculated in The Statistic Greenland Statistical Data Base in [www.statgreen.gl](http://www.statgreen.gl)

2001 number: GS Employment in Greenland 2001 – Labour market 2003:5 Side 6”

#### *Faroe Islands*

In The Faroe Islands the unemployment in November 2003 was 3,6 percent (corresponding 919 full-time employed).

- 10. With reference to paragraph 224 of the report, relating to the proposed amendment to the Act on “Active Social Policy” and the “Act of Integrated foreigners” in Denmark, please clarify if the foreigners in Denmark are treated equally as Danish citizens with respect to conditions of eligibility and levels of the starting allowance. Furthermore please provide information about the number of non-nationals receiving starting allowance and who have succeeded in getting paid employment.**

As laid down in The Active Social Policy Act conditions of eligibility and levels of starting allowance are the same for Danish citizens and foreigners. The eligibility depends on period of residence in Denmark. Any person regardless of citizenship, with less than 7 years of residence in Denmark within a period of 8 years, can obtain starting allowance, if need arises.

The level of starting allowance as well, is independent of nationality and for different categories it monthly amount to as follows (1 February 2004):

25 years of age married and cohabitants	4,493 Dkr.
25 years of age, single people	5,419 Dkr.
Below 25 years, living away	4,493 Dkr.
Below 25 years, living at home	2,233 Dkr.
One parent-family-supplement	1,355 Dkr.
Breadwinner-supplement, married and cohabitants	1,124 Dkr.

Act No. 361 of 6 June 2002 contains amendments to the Act on an active social policy and the Act on integration of foreigners in Denmark regarding the entitlement to cash benefits.

As earlier stated, the Act introduces new principles for entitlement to cash benefits so that only persons who have resided lawfully in Denmark for at least seven out of the preceding eight years are entitled to the full amount of cash benefits. This means that any person who does not satisfy the condition for entitlement to full cash benefits, i.e. residence in Denmark for at least seven out of the preceding eight years will be subject to the rules on entitlement to a lower benefit in the form of a starting allowance or introduction allowance corresponding to the amount of the starting allowance if the person concerned otherwise satisfies the conditions for receiving these allowances.

The rules laid down in the Integration Act concerning an introduction allowance correspond to the rules on cash benefits laid down in the Act on an active social policy. As a consequence, foreigners who are entitled to an introduction allowance will receive an introduction allowance which corresponds to the amount of the starting allowance as set out in the Act on an active social policy.

It follows that with the amended rules, the same rules on maintenance support will apply to newly arrived foreigners, including newly arrived refugees, as to Danish citizens who are returning to Denmark after residing abroad. The rules imply that refugees will be treated on an equal footing with Danish citizens.

This also applies to refugees who after having stayed in Denmark for at least seven out of the preceding eight years have obtained a right to full cash benefits.

It should be added that the new rules aim at promoting the Government's objective of bringing more people into employment so that fewer people will be on public support. This applies to Danish citizens as well as to newly arrived foreigners, including refugees. With these rules the Government ensures that there will be the necessary pecuniary incentives for both Danish citizens and foreigners to seek work and thus obtain employment. This means that the new rules on cash benefits will strengthen the labour market integration of refugees. At the same time, the rules in the Integration Act will take into account the special situation of refugees and

they are therefore offered a permanent dwelling, intensive courses in Danish and special activation programmes.

The new rules guarantee everyone an adequate standard of living. The new rules will guarantee every person who is entitled to support according to the new rates during the seven-year period an amount of support, which – as a minimum – corresponds to the rates for State Educational Support (SU) – which is the support basis for persons in education/training. Furthermore, the provisions laid down in Section 81 of the Act on an active social policy and Section 35 of the Integration Act continues to apply. This implies that all persons, including foreigners, to whom the new rates apply will have the right to have reasonable specific expenses covered if the payment of these expenses by the person concerned would seriously reduce the possibilities of that person and his/her family of providing for themselves in the future. Furthermore, foreigners who are covered by the Integration Act will – according to section 34 of this Act – to a certain extent have a right to have certain specific expenses covered in connection with their participation in the introduction programme.

In September 2003 there were 2080 newly immigrated foreigners under the Danish Integration Act who were receiving introduction allowance at the level of starting allowance. All persons under the Integration Act are foreign citizens. At the same time there were 435 individuals under the Act on an active social policy received starting allowance. Out of these 243 are Danish citizens, 84 are foreign citizens and for the 108 citizenship is unknown.

In November 2003 the Danish Ministry of Employment made a small analysis to see the effect of starting allowance for individuals under the Integration Act. This analysis showed that out of 10.682 individuals receiving the full amount of cash benefit in the fourth quarter of 2002 15 pct. no longer received any form of cash benefit in the 25<sup>th</sup> week of 2003. For comparison 20 pct. of 734 individuals receiving starting allowance in the fourth quarter of 2002 no longer received any form of cash benefit in the 25<sup>th</sup> week of 2003.

Regarding employment the final reported statistics are not yet available. Aggregate statistics concerning employment usually imply subdivisions and cross statistics between variables such as nationality, age, educational background et cetera.

The Danish authorities will therefore in co-operation with Local Government Denmark carefully follow the effects of the starting allowance. The first assessments are expected to be finished around the middle of 2004.

Article 8. Trade union rights

**11. With reference to the situation described in paragraphs 145-148 of the report, please provide information if the negotiated agreements were eventually accepted by the teachers' trade union or association.**

The agreement described in paragraph 145-148 has been formally approved by the main trade unions (Association of Local Government Employees' Organisations - KTO) and The Danish Central Federation of State employee 's Organisations (CFU) which among others include The Danish Teachers Organisation (DLF).

Article 10. Protection of the family, mothers and children

**12. Please provide information about the measures taken in order to combat child pornography, sexual exploitation of children and the trafficking in persons.**

*Child pornography and sexual exploitation of children*

The Danish Government attaches great importance to securing a high level of legal protection against sexual exploitation of children.

In March 2003, a legislative reform on child pornography, sexual exploitation of children and sale of children was adopted by the Parliament. With the adoption of this bill, the Danish Parliament gave its consent to the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The new legislation further meets the obligations under the EU Framework Decision on combating the sexual exploitation of children and child pornography.

The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography was ratified by Denmark on 24 July 2003.

With the legislative reform, the maximum penalty for distribution and possession of child pornography as well as for the use of porn models under the age of 18 was raised. Further, the provision on child pornography was broadened so as to include the so-called fictive child pornography. At the same time, section 223 a of the Danish Criminal Code was broadened, in order to criminalize any person who, as a client on payment, has intercourse with a person under the age of 18.

In August 2003 the Danish government also published an action plan on combating sexual abuse of children. The action plan contains a description of existing rules and regulations, initiatives and measures aimed at preventing and combating sexual abuse of children, rehabilitation of sexually abused children and treatment of sexual offenders. The action plan also contains a number of new initiatives, which aim at further strengthening the efforts in the area of protection of children against sexual exploitation.

*Chapter 1* of the action plan contains a brief summary of the content of the action plan and lists the initiatives, which the Danish government will take in the different areas covered by the action plan.

*Chapter 2* of the action plan contains summaries of recent studies, which have been conducted in the field of sexual abuse of children and *chapter 3* gives an account of the preventive rules and regulations, measures and initiatives in the area of sexual abuse of children.

*Chapter 4* of the action plan contains guidelines that aim at ensuring that people that work with children professionally, e.g. teachers, and others responsible for child related activities are able to detect signs of sexual abuse and handle a suspicion of sexual abuse correctly.

*Chapter 5* of the action plan contains a description of relevant provisions in the Danish criminal code and provisions concerning criminal procedure, which are aimed at protecting sexually abused children during the investigation and prosecution phase, e.g. rules related to the taking of a child's testimony.

*Chapter 6* of the action plan lists measures aimed at rehabilitating children who have been sexually abused and *chapter 7* of the action plan lists measures aimed at providing offenders with medical or other forms of treatment.

Finally *chapter 8* of the action plan contains a brief summary of the most recent international initiatives in this area.

As described in the action plan two national knowledge centres, which refer to the Ministry of Social Affairs, have been established in Denmark. SISO (Videnscenter for sociale indsatser ved seksuelle overgreb mod børn) and SMB (Team for seksuelt misbrugte børn).

The knowledge centres, which co-operate closely, deal with health and treatment issues as well as the social aspects of sexual abuse of children. Both SISO and SMB collect and disseminate information about sexual abuse of children and conduct studies within the field of sexual abuse of children.

SISO's main task is to collect and disseminate knowledge about sexual abuse of children especially in the context of social work. The target group of SISO is practitioners, policy makers, civil servants, academics, experts and others responsible for child related activities. One of SISO's objectives is to further co-ordination between social authorities in particular in relation to prevention of sexual abuse of children and rehabilitation of children who have been sexually abused.

SISO represents Denmark in the international "Project Child Centre". The Child Centre is the web support of a regional cooperation to raise the level of knowledge and to coordinate the activities targeting children at risk in the Baltic Sea Region.

SMB primarily focuses on health issues related to sexual abuse of children. The centre conducts studies in this area just as the centre conducts physical examinations of children, who are thought to be victims of sexual abuse.

*Trafficking in human beings*

Combating trafficking in human beings is a highly prioritised issue in Denmark. Denmark has on several occasions reinforced the national efforts in this field.

In June 2002, the Danish Government presented a bill to Parliament on new legislation concerning trafficking in human beings. With the adoption of the bill in June 2002, the Danish Parliament gave its consent to ratifying the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. The new legislation further meets the obligations under the EU Framework Decision on combating trafficking in human beings.

Both the Convention and the Protocol were ratified by Denmark on 30 September 2003.

The legislative amendments aimed at emphasising that trafficking in human beings constitutes a serious crime and at strengthening the legal protection against this crime. The amendments included the insertion of a separate provision on trafficking in human beings and an increased maximum penalty, and they also brought about better investigation possibilities concerning intervention in the secrecy of communications and extended possibilities for confiscation in trafficking cases.

The new provision is worded as follows:

“Section 262 a. (1) Any person who recruits, transports, transfers, harbours or subsequently receives a person by means, whether present or past, of

- (i) unlawful coercion pursuant to section 260;
- (ii) deprivation of liberty pursuant to section 261;
- (iii) threats pursuant to section 266;
- (iv) the unlawful creation, confirmation or exploitation of a mistake;  
or
- (v) any other undue method,

for the purpose of exploitation of that person by sexual immorality, forced labour or services, slavery or practices similar to slavery, or the removal of organs, shall be liable to imprisonment for any term not exceeding 8 years for trafficking in persons.

(2) The same penalty shall apply to any person who, for the purpose of exploitation of the victim by sexual immorality, forced labour or services, slavery or practices similar to slavery,

- (i) recruits, transports, transfers, harbours or subsequently receives a person under 18;  
or
- (ii) gives payment or other benefit to achieve the consent to such exploitation from a person having control over the victim, and to the person receiving such payment or benefit.”



*National activities specifically to combat trafficking in women*

In the recent years Denmark has reinforced our national effort to combat trafficking in women. The majority of the Danish initiatives are outlined in a national action plan that was published 2 December 2002. Download the action plan at the Ministry of Gender Equality (<http://ligestillinguk.itide.dk>)

Besides implementing a range of concrete measures the national legislation has been changed to strengthen the police's possibilities for prosecuting the backers. As already mentioned a new provision (Section 262 a) on human trafficking has been included in the Danish Criminal Code. Adding section 262 a to the Criminal Code has strengthened criminal protection against human trafficking and the criminals behind the trafficking can now be sentenced to up to 8 years imprisonment.

In the abovementioned action plan focus is on support for the victims of trafficking and prevention of the trafficking in women. The activities are as follows:

*Development of a model for the prepared return for female victims of trafficking.* The model will include elements such as:

- *Shelters for victims of trafficking in women.* During their stay in a shelter, which may normally last a maximum of 15 days, victims will have their situation clarified and their return prepared.
- *Establishment of cooperation agreements* between authorities such as the police, social services and public health authorities as well as relevant NGOs, for the purpose of preparing and implementing the return of victims.
- *Development of international networks* with Danish and non-Danish NGOs.
- *Development of embassy networks*, where relevant Eastern European embassies are to be informed about the initiatives of the Danish action plan and, in their capacity, be bridge builders in relation to the authorities of the victims' home countries.

*Establishment of teams of fieldworkers* (cultural mediators) to participate in information and consultation work as well as development of training programmes for these mediators.

*Distribution of written information material* for foreign women in prostitution.

*Compiling knowledge on how to police trafficking in women*, for the purpose of providing inspiration for the Danish efforts and allowing countries to compare experience in these matters.

*Seminars for Danish authorities and Danish NGOs* on trafficking in women and cooperation between authorities and NGOs.

*National activities during the joint Nordic-Baltic Information Campaign* against trafficking in women (2002):

- *Advertisement campaign* in the major newspapers targeted at potential clients, the general public and women in the prostitution environment.
- *Establishment of a hotline* (# 70 20 25 50, web: [www.stoptrafficking.dk](http://www.stoptrafficking.dk)) where victims of trafficking, foreign prostitutes and the Danish public can obtain information on the trafficking in women and information on the existing support for victims of trafficking.
- *Theme on trafficking in women with extensive information on the subject* at the website of the Minister for Gender Equality.

#### Article 11. Right to adequate standard of living

### **13. Please provide more information about homeless people and measures undertaken to the problem of homelessness. In particular, please provide information about measures taken by the authorities in order to deal with the problems of different categories of homeless people, such as substance abusers, alcohol abusers, persons with mental disabilities and persons released from institutions.**

During the last decade the treatment of the homeless people in Denmark has developed from stay in big institutions - which took care of the total predicament including maintenance, occupation, nursing, educational assist etc. - to the greatest possible extent of self-determination involving the user himself to have influence on his own situation.

Beside this right of self-determination the Social Reform in 1997 also gives the homeless the opportunity to take care of their own problems on a more general level, i.e. the form of the living-quarters, new initiatives which can affected the political decision. The intention is that each county has a local organization for homeless, which co-operates in a country-wide society.

The homeless are offered different forms of accommodation. This can among others consist of a fortnights stay in a big house with many single rooms, overnight accommodations in a doss house, a stay in a boarding house or in a settlement, in a common flat or separate flat. No organizations can refuse the homeless on the ground "full house", a mattress on the floor shall always be at the disposal for the homeless.

Homeless people have generally been without employment for a long time and need to become qualified for work again. Both social and vocational qualification is therefore necessary. There exist many different offers: This can consist of training, employment, housing and social counseling. In addition extensive personal, financial and family-related problems make aftercare and social-educational support necessary, for example in the form of home visits, assistance to contact with public authorities, assistance in relation to finding a flat, job seeking and the like.

The counties have the responsibilities for the dwelling house for the homeless and generally this facility is placed in connection with special infirmary and possibility for occupation. In conjunction with this institution there can be several extern flats or shared residential facilities which function as pass out organizations with pedagogic help.

The counties co-operate with the municipalities providing the best conditions for the individual homeless taken care of his total social situation. Also many private charitable organizations participate with the rehabilitation of the homeless.

The Danish Ministry of Social Affairs backs up the promotions of the conditions for the homeless people by different attempts with for instance self-determination, special training of the staff, new accommodations service and new form of living-quarters.

Actually there are in Denmark 2.258 day and night places and 1.543 day places.

**14. Please provide more information about the progress made in the implementation of the Urban Renewal projects (paragraphs 359-361 of the report). More specifically, please indicate how the rights of the residents are protected during the execution of the projects and if the level of rent is raised following renovation.**

The latest progress in the implementation of urban renewal in Denmark, is the new Act on Urban Renewal, which came into force from 1<sup>st</sup> of January 2004. By this reform a targeting of the public support to urban renewal is fulfilled. The main targets of the new act are:

- to simplify and modernize the regulations on urban renewal
- to direct the public support to the most needy buildings and areas
- to focus on the private initiative and increase private co-financing
- to remove the complicated regulations for the fixing of rent.

The rights of the residents are now protected during the execution of the renovation project in accordance with the Rent Act. Consequently, the former right of the tenants to oppose urban renewal of their residential building does no longer exist.

The rent will typically rise following the renovation, but residents have the right to receive rent allowance to compensate the rise for 10 years.

Furthermore it is compulsory to offer the residents in private rented properties permanent rehousing, if they have to leave their apartment during the renovation, or if the urban renewal process continues for more than 6 months and if the rent exceeds a certain amount pr. square meter after the urban renewal.

## Article 12. Right to health

### **15. Please provide information about the measures taken by the Government to reduce health risks due to substance abuse, tobacco smoking and alcohol abuse. More specifically, please describe the prevention programs, including youth education for healthy life style.**

The Danish Government attaches great importance to the prevention of substance abuse, tobacco smoking and alcohol abuse.

In September 2002 the Government launched a new public health programme “Healthy throughout Life – the targets and strategies for public health policy of the Government of Denmark 2002-2010.” The overall targets of the programme are to increase life expectancy, improve people’s quality of life and minimize social inequality in health.

Furthermore, the programme established targets and strategies for several risk factors, including tobacco smoking and alcohol abuse.

#### *Tobacco smoking*

Denmark has a thorough regulation when it comes to tobacco control. In 1995, the Danish Parliament passed a law on no-smoking areas. The aim of this law is to ensure that no one is forced against their will to be a passive smoker. In 2000, Parliament passed another law according to which smoking is prohibited at primary and secondary schools. In 2002, a law which banned tobacco commercials entered into force. And in September 2003, more stringent rules concerning the manufacture, presentation and sale of tobacco products were implemented.

Furthermore, in November last year the Government put forward a bill, which shall prohibit the sale of tobacco and alcohol to persons below the age of 16.

The above mentioned legal changes have been accompanied by a number of public campaigns to prevent smoking. Local tobacco addiction treatment clinics have been established in many counties and municipalities, and an increasing number of voluntary agreements concerning no-smoking areas are being established, for instance in the health sector, in many private workplaces as well as in hotels and restaurants.

The outcome is a declining number of smokers in Denmark – from 44% in 1990 to 27% in 2003.

#### *Alcohol abuse*

In Denmark the main effort to combat alcohol abuse takes place via the counties and the local authorities. Many private organisations work on a voluntary basis to combat alcohol abuse, often in close cooperation with public authorities.

It is a task of the health service to monitor developments with regard to alcohol. The health service is also the central authority responsible for the prevention of alcohol abuse, and for developing information and teaching material and preventive campaigns. Each autumn, for instance, the National Board of Health carries out an alcohol campaign concerning the recommended consumption levels.

For the last 30 years the annual consumption of alcohol per inhabitant has remained constant at approx. 12 litres of pure alcohol per person above the age of 14.

In 1998, the Parliament passed a law which banned the sale of alcohol to people below 15 years of age. Due to the fact that young people in Denmark drink more than young people in other European countries, the Government in November 2003 put forward a bill, which will raise the age limit from 15 years to 16 years. Furthermore, in the spring of 2004 the Ministry of the Interior and Health will present a proposal, which addresses the problem of early alcohol debut.

#### *Youth education for healthy life style*

With regard to youth education for healthy life style, the National Board of Health and several other public and private organisations offer advisory services, organise information campaigns and produce teaching materials on health issues such as tobacco, alcohol, drugs etc.

#### *Substance abuse*

It is the Government's view that drug abuse should be counteracted through consistent and continuing efforts to maintain and extend existing initiatives both qualitatively and quantitatively in order, to an even higher degree, to prevent the recruitment of new drug abusers, to help present drug abusers and to take firm action against drug related crime.

On this background, the Government launched an action plan against drug abuse in October 2003. The action plan called "The Fight Against Drugs" contains a number of concrete initiatives within prevention, medical and social treatment, law enforcement, treatment of criminal drug abusers and international cooperation. Also measures specifically aimed at reducing health risks due to substance abuse are included in the action plan:

The Government will carry out a quality assessment of methadone treatment as a basis for future quality assurance and quality development in line with the way this is done in other parts of the health care sector.

With regard to a minor group of drug abusers who suffer from or are threatened by serious health complications, the Government will consider giving priority to the introduction of the methadone injection scheme which is currently under trial.

Based on the evaluation of an ongoing trial with targeted health care services for the very heavy drug abusers, the Government will consider the need and the possibilities of introducing such services permanently in relevant city areas.

The Government will give priority to a vaccination scheme involving early and free-of-charge vaccination against both hepatitis A and hepatitis B and a scheme involving free vaccination of drug abusers' relatives against hepatitis B. Moreover the Government will give priority to initiatives aiming at limiting hepatitis C infection.

The Government agrees with the counties and the municipalities that initiatives for individuals with a double diagnosis – both mental disorder and abuse – should be given high priority and that primary responsibility for treatment of this group should be placed in the psychiatric treatment system. And there is agreement that – in connection with the agreement on psychiatric services for the period 2003-2006 in the health care sector – support can be given to projects that are in line with the recommendations in the report on "Initiatives for the group of heavy drug abusers".

Among its other initiatives "The Fight Against Drugs" contains a significant prevention programme: Under the heading "Drugs out of the town" the Government will seek and provide support for a three-year development project involving one municipality in each county where all local partners – municipality, police, parents, primary schools, secondary schools, associations and environments where parties are held – will be invited to commit themselves to cooperation with the aim of significantly reducing the spread of drugs in the local community.

As part of professional support for and coordination of these local initiatives the Government, through the National Board of Health, will intensify the development of basic material for local information and teaching initiatives in relation to young people and their parents and for the use of professionals who take care of information at the local level. The Government will take care of coordination with regard to the gathering and communication of experience to other towns.

"The Fight Against Drugs" has been followed up by a political agreement between the Government and a majority of the Parliament on the allocation of substantial financial resources to the implementation of action plan initiatives and an additional initiative aimed at reducing health risks (adding sterile water to the injecting equipment handed out as part of syringe- and needle-exchange programmes).

#### Article. 13 Right to education

### **16. Please provide information on the measures taken in the field of education in Denmark to promote understanding, tolerance and friendship among nations, racial, ethnic and religious groups.**

Education is compulsory in Denmark for everyone between the ages of 7 and 16. Whether education is received in the publicly provided municipal school, or at home, is a matter of choice, as long as standards are met. It is education itself that is compulsory, not school. On the other hand if the parents choose to enter their child at a school it is an obligation for the child to show up.

Concerning measures taken to promote understanding, tolerance and friendship among nations, racial, ethnic and religious groups this is included in number 2 and 3 of the overall aims of the Danish primary and lower secondary school:

*The Aims of the "Folkeskole"*

- (1) The Folkeskole shall – in cooperation with the parents – further the pupils' acquisition of knowledge, skills, working methods and ways of expressing themselves and thus contribute to the all-round personal development of the individual pupil.
- (2) The Folkeskole shall endeavour to create such opportunities for experience, industry and absorption that the pupils develop awareness, imagination and an urge to learn, so that they acquire confidence in their own possibilities and a background for forming independent judgements and for taking personal action.
- (3) The Folkeskole shall familiarise the pupils with Danish culture and contribute to their understanding of other cultures and of man's interaction with nature. The school shall prepare the pupils for active participation, joint responsibility, rights and duties in a society based on freedom and democracy. The teaching of the school and its daily life must therefore build on intellectual freedom, equality and democracy.