



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Forty-fourth session

Summary record of the 888th meeting (Chamber B)

Held at Headquarters, New York, on Wednesday, 22 July 2009, at 10 a.m.

Chairperson: Ms. Zou Xiaoqiao (Vice-Chairperson)

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*In the absence of Ms. Gabr, Ms. Zou Xiaojiao,
Vice-Chairperson, took the Chair.*

The meeting was called to order at 10.05 a.m.

**Consideration of reports submitted by States parties
under article 18 of the Convention**

*Seventh periodic report of Denmark
(CEDAW/C/DEN/7; CEDAW/C/DEN/Q/7 and
Add. 1)*

1. *At the invitation of the Chairperson, the members of the delegation of Denmark took places at the Committee table.*

2. **Ms. Abel** (Denmark), introducing the seventh periodic report of Denmark (CEDAW/C/DEN/7), said that representatives of the self-governing and autonomous territories of Greenland and the Faroe Islands would address the issue of implementation of the Convention in those regions. The Greenlandic and Faroese Governments had full and sole legislative and administrative authority for gender equality in their regions.

3. The Minister for Gender Equality had recently been transferred from the Ministry of Welfare to the Ministry of Employment, allowing the Minister the opportunity to work even harder on issues such as the gender pay gap and gender segregation in the labour market.

4. All relevant laws were assessed from a gender perspective before adoption, and targeted policy measures were implemented to ensure de facto as well as de jure equality. The Government had strengthened the gender composition provisions for boards and committees appointed by ministers. If both a man and a woman were not proposed for a committee seat, the seat must remain empty. Women currently held 41 per cent of the seats.

5. The Convention was a relevant source of law in Denmark, had been invoked before the Supreme Court, and was known among lawyers and judges. While equality had to a great extent been achieved in Denmark, outstanding issues included a gender pay gap, unequal representation in top management positions, domestic violence and trafficking. Many initiatives to teach about gender roles had been launched in schools and kindergartens.

6. Gender equality work in the ministries had shifted from a narrow focus on human resources management to a focus on policies. A set of cross-cutting gender equality goals had been formulated, which constituted the overall policy of the Government.

7. In 2005, the Government of Denmark had launched a comprehensive initiative to offer prostitutes the opportunity to choose a different life. The initiative included outreach work, telephone counselling, psychological help and training of staff working with young people at risk of choosing to live as prostitutes. The Government was working to eliminate human trafficking. An anti-trafficking centre had been established in 2007 to improve the assistance offered to victims and to collect and disseminate information on human trafficking.

8. Measures had been taken to increase representation of women in local government. The next local elections would be in November 2009, at which time the results of those measures would become apparent. The Ministry of Foreign Affairs had taken steps to promote women. In the most recent nomination round for ambassadors, 43 per cent of the newly appointed ambassadors had been women. By introducing special measures, the University of Copenhagen, the largest university in Denmark, had increased the number of female professors from 15 per cent in 2007 to 28 per cent in 2008.

9. Nearly all women in Denmark had paid work and were able to support themselves. However, migrant women had not attained such high levels of employment. The labour market was marked by gender segregation, and pay differentials between men and women persisted. Since January 2007, major enterprises had been required to provide wage statistics by gender. Educational materials on overcoming gender inequality had been made available to employers. The situation was improving, but very slowly. The Government had launched an initiative to increase the number of women in top management, using a binding approach rather than focusing on best practices. By signing on to the initiative, companies committed to developing strategies and setting ambitious but realistic goals. Cooperation between the public and private sectors was crucially important, and it was economically advantageous for companies to have women in top management.

10. To combat violence against women, the Government had developed two successive action plans. The number of women experiencing partner violence had dropped from 42,000 in 2001 to 28,000 in 2005. Future anti-violence efforts would focus on migrant women, who were particularly vulnerable and not always aware of their rights. Honour crimes and forced marriages were also being dealt with through a range of initiatives.

11. If a residence permit had been granted on the basis of marriage and the marriage had ended, the law required the authorities to pay particular attention to whether the marriage had ended because the alien had been exposed to violence. In 2008, in 29 out of 30 such cases, residence in Denmark had been maintained after the marriage ended.

12. Denmark had initiated an international campaign to promote gender equality. Gender equality was not only a goal in itself but a means to achieving other development goals. The Government of Denmark had allocated significant resources for the empowerment of women internationally.

13. **Mr. Weyhe** (Greenland) said that in June 2009, the Act on Self-Governance had entered into force. The people of Greenland had been recognized as a people under international law with the right to self-determination. The largest political party in the new Government coalition had nominated equal numbers of women and men for the election and had selected four women as ministers. The Government of Greenland consisted of four women and five men.

14. A Gender Equality Council had been set up. It planned to place gender equality ambassadors in all towns in Greenland and reinforce the gender equality debate through television and the Internet. A national conference on domestic violence was set for late 2009. The new Government intended to have professionally run battered wives' shelters in every town in Greenland.

Programmes were being planned to provide assistance for young mothers and to inform boys and girls of the consequences of becoming parents at a very young age. Since 2006, parental leave in Greenland had been 32 weeks. The Act on Gender Equality, in effect since 2003, mandated that gender equality must be implemented in business organizations. Employers which treated men and women unequally could be sentenced to pay up to 39 weeks of wages.

16. **Mr. Egholm** (Faroe Islands) said that the Faroese Act on Gender Equality ensured that women and men enjoyed the same civil, political, economic and cultural rights in the Faroe Islands. Under the legislation, the Gender Equality Commission was the primary institution to ensure that the Act was upheld. Strides had been made in increasing parental leave and gender equality in housing and social security. Planned pension reform would extend pension coverage to people outside the traditional labour market, such as housewives and entrepreneurs.

17. An independent committee established by the Government had been successful in encouraging women to participate in politics. In 2008, a reorganization of electoral districts, which had reduced their number from seven to one, thereby giving greater relative weight to voters in urban areas, had led to an increase in female representation in parliament from 9.4 per cent to 21.2 per cent. The number of women in the Government had increased from zero to 37.5 per cent. That same year, in municipal elections, the number of women on the ballots had increased from 32 per cent to 39 per cent.

Articles 1 to 6

18. **Ms. Šimonović** said that the Committee did not have a clear impression of how the Convention was being implemented in Greenland and the Faroe Islands. All parts of the country in question should be covered, and implementation should be consistent throughout. A mechanism should be established to monitor the situation.

19. Given that there had been no shadow reports from Greenland and the Faroe Islands, it would be helpful to know how active non-governmental organizations were in Greenland and the Faroe Islands and whether the Governments of those territories cooperated with them on issues of implementation.

20. Funding for cooperation with non-governmental organizations from the Government of Denmark had decreased in recent years. The non-governmental organizations which had produced shadow reports had not received funding to attend the CEDAW Committee meeting.

21. The Committee wished to know whether Denmark, Greenland and the Faroe Islands had legislation which clearly reflected the provisions of

article 2 of the Convention on the equality of men and women.

22. **Mr. Bruun** said that Nordic cooperation was very important in gender equality and Denmark, often a front runner in the field, set an example for other countries. However, it was useful to recall that implementation of the Convention was a State obligation. A State party could not discharge its responsibility in that regard simply by providing incentives or general policy recommendations. It was an interesting situation that, while the treaty responsibility lay with Denmark, the responsibility for legislation in the case of the Faroe Islands and Greenland was with those territories.

23. The question was how Denmark should implement the Convention in the most appropriate way in accordance with article 2: should Denmark change its constitution, should it incorporate the Convention, or were there other means that could be used? In the Nordic tradition, incorporation had not been used very often. That was now changing, and in several Nordic countries international conventions had been incorporated into domestic law. Since the report did not elaborate fully on that issue, he wished to know how Denmark saw its responsibility with respect to the matter. If the requisite steps could be taken together with the Faroe Islands and Greenland, that would solve the issue of competency.

24. Turning to another aspect of article 2, he asked whether Denmark had a gender equality policy in relation to public procurement, something that was not mentioned in the report.

25. **Ms. Abel** (Denmark) replied that the situation was not that Denmark did not want to be responsible for whatever happened in the Faroe Islands and/or Greenland; it was that the issue no longer fell within Denmark's jurisdiction. Denmark itself attached great importance to the Convention. Whether or not to incorporate it into domestic law was not an issue of complying or not complying, because there was in fact a choice of how to ensure its implementation. The Convention stated that the State party must ensure that its provisions were fully implemented, and Denmark had chosen the route of making certain that all of the provisions of Danish law were in accordance with the Convention. Upon ratifying the Convention the Government had carried out an assessment of whether domestic law was in conformity with the Convention,

and continued to do so, for example when drafting new laws. The Government was of the opinion that although the Convention had not been incorporated into Danish law, nothing in the Convention was not covered by the law in Denmark.

26. **Mr. Egholm** (Denmark) said that the Government of the Faroe Islands was fully committed to the Convention. Parliament had promulgated laws and regulations that derived from it and set up institutions to uphold its provisions, such as the Gender Equality Commission. The Faroe Islands had internal autonomy, governing its own internal affairs, but cooperated with Denmark in the area of international obligations.

27. With regard to non-governmental organizations, there were several active in the Faroe Islands, and they had been consulted in the course of the compilation of the report.

28. **Mr. Weyhe** (Denmark) said that the Convention was referred to in the legislation of Greenland, although not incorporated, since it was considered that the Greenlandic legislation together with the legislation that Greenland shared with Denmark constituted a framework for all the human rights guaranteed in the Convention.

29. **Ms. Abel** (Denmark) added that funding for non-governmental organizations had remained constant, or in some cases increased slightly, even as various government departments were seeing cuts in their budgets. Denmark was well aware of the importance of NGOs, that monitored the activities of government, and ensured that matters kept moving forward.

30. **Mr. Ahsan** (Denmark) explained that there were no specific rules or regulations in Denmark with regard to gender equality in public procurement. However, the stated purpose of the Gender Equality Act was to promote equality in all functions of society, and it thus followed that there must be no discrimination in the area of public procurement.

31. **Ms. Neubauer** expressed concern at the transfer of the gender equality department to the Ministry of Employment, because according to information received from other sources, it appeared that the department was now lower in the hierarchy than had been the case when it had been under the Ministry for Social Welfare. Noting that it was very important that a gender equality department should have good access to

the decision maker, she asked who was the direct superior of the department and whether the reporting relationship was directly with the minister.

32. She also had some concerns with regard to the gender mainstreaming embedded in the Gender Equality Act. She wished to know whether there were contact persons for gender equality in all the ministries, and whether all the ministries had established gender mainstreaming networks. Also, she asked how coordination between the national government and local governments with regard to gender equality policies and gender mainstreaming was implemented, what mechanisms were available and how they functioned. Did all municipalities submit reports on gender equality? She also asked how the department and the minister promoted the gender mainstreaming approach.

33. **The Chairperson**, speaking in her capacity as an expert, wondered how the minister divided his time between the two important areas of employment and gender equality. She wondered whether, if he focused on employment, he would have enough time for issues such as trafficking of women, violence against women, or the participation of women in parliament. With respect to the Faroe Islands and Greenland, she asked whether the officials there responsible for implementing the Convention and enforcing its provisions had been given training by Denmark. From alternative sources the Committee had heard it said that the Danish Government took the view that gender equality was almost achieved in Denmark, and that the Government did not need to take any more action: gender equality was now just a matter of personal choice. She wished to know whether that was truly the view of the Government, or possibly of a part of the Government, or a view held by some people outside the Government.

34. **Ms. Patten** commended the Danish Government's sustained commitment to gender equality and its enactment of some new and important laws to bring it about. Particularly noteworthy was the fact that the possibility of adopting temporary special measures was explicitly contained in Danish law, in the Consolidation Act. However, she sought clarification about the impact of the Executive Order of April 2007 which had come into force before the Consolidation Act. The report gave examples of initiatives taken under the Executive Order, such as the establishment of junior social educator positions, but she also wanted

information about instances, if any, in which the Act had actually been invoked. She also understood that the Act allowed the minister to lay down rules for cases when temporary special measures to promote gender equality could be taken without prior dispensation from the responsible ministers. She wished to know whether such rules had ever been drawn up and, if so, what the gist of them was.

35. Noting the low proportion of women in local government, she said that, of course, women might be discouraged from seeking political office by discriminatory attitudes or family and child care responsibilities. She therefore favoured some of the initiatives envisaged by the Government such as the establishment of a network of women interested in local politics. However, she felt that the main barriers were really political structures and the fact that political decision-making remained the domain of men. Thus she was not sure that a pamphlet with examples of good practice would bring the desired results in the forthcoming election. She wished to know if the adoption of temporary special measures such as quotas had been discussed and what were the obstacles, if any, to their adoption.

36. Despite the focus by the department on women in management positions, since 2003 the desired results had not been achieved and women remained grossly underrepresented on the boards of large enterprises. Evidently, the ministry's strategy based on cooperation, dialogue, and knowledge-sharing with cooperation partners in the private sector had not worked. She found the charter for women in management quite weak. Since a year had gone by since its launch, she wished to know whether the delegation was aware of any positive results from it thus far.

37. Observing that through the adoption of temporary special measures the percentage of female university professors had increased from 15 per cent to 28 per cent, she wished to know whether that result had been achieved at a State or a private university.

38. While she understood that the Danish Government did not believe in quotas, preferring binding commitments instead, she wished to know the policy of the Faroe Islands and Greenland with regard to the adoption of temporary special measures to accelerate de facto gender equality, and whether any temporary special measures had actually been adopted.

39. **Ms. Abel** (Denmark) said that the manner in which Danish Government ministries were being reorganized must be taken into account. However, despite the minor change in organization, the Department of Gender Equality would continue to function in the same manner. The Minister for Gender Equality had always headed a second ministry; thus, the current Minister was also Minister for Employment.

40. With regard to gender mainstreaming work, which had been undertaken for the first time in 2000, progress had initially been slow, but a great deal had been accomplished since then. In order for gender mainstreaming to be effective, it was necessary to have area-specific policies; at present, each ministry had its own gender equality policy. However, further improvements were necessary in several areas, such as gender analysis.

41. At the municipal level, progress on gender mainstreaming had lagged behind that achieved at the State level, although some municipalities had made notable gains. Progress was measured using an Internet-based questionnaire; all municipalities were required to report every other year on work done towards achieving gender equality, and a colour-coded, interactive map indicated how much had been accomplished in each municipality, thereby encouraging the public to take an interest in local efforts. As Danish municipalities cherished their independence, it would be difficult to centralize efforts to achieve gender equality. However, under the Gender Equality Act, every public authority was required to work towards that goal.

42. While the Minister for Gender Equality and Employment faced difficulties in dividing her time between the two areas, one of her current goals was to introduce a gender equality component into her work on employment.

43. Women were far better represented in Parliament than in local government. A committee had been established to make general and gender-equality-specific changes that would make women more comfortable with the functioning of local authorities. However, the Danish Government did not favour an approach based on quotas.

44. With regard to female representation in management and board positions, the Government had been working to establish good private sector

connections and move towards securing binding commitments to gender equality in private enterprise. An external consulting firm had been hired to evaluate the results, but it was too early to know what the results would be. A committee on good governance had been asked to propose ideas on how to increase the percentage of women on boards. In addition, companies should take special account of gender and age diversity in appointing individuals to board positions, and would be required to explain publicly and on an annual basis how that was being done.

45. Since the previous report to the Committee, there had been a marked increase in the percentage of female university professors, proving that when universities made a special effort to promote more women to professorial posts, the desired results could be obtained.

46. **Mr. Weyhe** (Denmark) said that in Greenland, public and private companies were required to include gender equality in their agendas when relevant. Furthermore, public committees and boards should have gender-neutral compensation where possible. While temporary special measures as such had not been taken to promote gender equality, a similar approach had been taken in a ban on alcohol, the aim of which was to protect women and children from exposure to violence and sexual abuse.

47. **Mr. Egholm** (Denmark) said that his Government did not consider quotas to be the way to achieve gender equality. That said, all public and private companies should be gender-balanced in terms of personnel. Although no training relating specifically to the Convention for the Elimination of All Forms of Discrimination against Women had been provided, his Government was very active in promoting knowledge of its own gender equality legislation.

48. **Ms. Awori** commended the State party's establishment of an anti-trafficking centre responsible for offering assistance to victims of human trafficking. More information on any existing links between foreign au pair workers and human trafficking would be useful. In addition, the State party should provide further details on the 14 minors identified by the Danish Red Cross as potential victims of trafficking, mentioned in its response to question 14 on the list of issues, and whether the Anti-Trafficking Centre had secured any convictions in their cases.

49. **Ms. Ameline** said that she would appreciate statistics on developments relating to prostitution and its link to trafficking in women, along with information on how the phenomenon was being addressed at the national level and whether any punitive measures were being taken against consumers of sexual services. How was the plan entitled “A new life” being implemented, and were measures being taken to prevent young women from entering the sex industry?

50. **Ms. Šimonović**, noting the remarkable decrease in domestic violence in Denmark, said that she would appreciate further clarification with regard to the data submitted on violence against women and asked whether more recent data were available. She also wondered to what extent the statistics on female victims of homicide reflected domestic violence, and whether any statistics on intimate partner violence were available. Was there a specific working group addressing the prevention of such avoidable deaths?

51. Turning to the Faroe Islands and Greenland, she would like to know whether support for victims of domestic violence, such as free emergency hotlines and shelters, were available, and whether those territories had specific legislation addressing domestic violence? Lastly, she requested information on whether orders of protection were being issued to expel perpetrators from the homes of domestic violence victims, and what type of orders could be issued under Danish law.

52. **Ms. Rasekh**, noting the State party’s achievements in implementing the Convention, observed that there had nonetheless been a rise in trafficking despite considerable Government efforts, and asked whether the reason, which had not been mentioned in the report, could be determined. There was also insufficient data on the origin of trafficked women and girls; while preventing female victims of trafficking from entering the country was important, it was also necessary to address related activities outside Danish borders in the context of prevention.

53. It would be useful to know more about the causes of prostitution, and whether specific measures to curb the demand for trafficking were being taken, such as raising awareness of the issue among male consumers of sexual services. Lastly, although efforts to reduce violence against women were commendable, there was no mention in the report of actions taken to prevent violence targeting women outside the home, such as

rape and sexual harassment in the workplace. More information on any such activities would be welcome.

54. **Ms. Abel** (Denmark) said that research into a possible link between au pair workers and human trafficking had shown that no such connection existed. An action plan to combat trafficking was in place, and her Government had begun to work on the issue in 2000. It was difficult to distinguish between prostitution and trafficking, as well as to determine whether a foreign woman was working in the sex trade voluntarily or had been forced into it; therefore, a broader category was required, one that would allow the Government to help all women working in that field, Danish and foreign. Traditional prostitution was addressed first in the Government strategy, and an action plan on prostitution was currently being implemented. Outreach work with women on the streets and establishment of crisis centres for trafficked women and prostitutes were examples of Government activities to that end. The overall aim was to offer the alternative of a different life to women, particularly young women, in the sex trade or considering going into it. Particular difficulties were posed by the fact that work in the sex trade was often tied to substance abuse.

55. While more work remained to be done, progress had been made; indeed, the Anti-Trafficking Centre had a coordinating role in the fight against prostitution, dispatching social workers to brothels after police raids in order to provide assistance to female sex workers. There were no plans to introduce new legislation or to forbid the buying of sexual services as had been done in Sweden, as that was not considered the best way to help women.

56. The amendment to the first action plan included a chapter on children. There was indeed a suspicion that the unaccompanied children found by the Danish Red Cross had been trafficked, but they had never been formally identified as such. Non-governmental organizations had been instructed to contact authorities in order to assist children in any way suspected of being victims of trafficking. Work in that regard had not been as successful as desired, but assiduous efforts were being made to improve existing mechanisms to identify trafficked children, and new structures had been put in place to that end.

57. **Mr. Tordal-Mortensen** (Denmark) said that trafficking was latter-day slavery. The focus must be on

preventive measures to stop trafficked women entering Denmark.

58. Since 2007 the Ministry of Foreign Affairs, in conjunction with the immigration services and the national police, had focused on screening visa applications in Thailand, in an effort to prevent Thai women with no legitimate reason for travelling to Denmark from entering the country. The police were positive about such an approach in the context of efforts to prevent prostitution, which was related to organized crime and thus not an easy problem to tackle. The police were focusing on identifying the men responsible for trafficking, with a view to bringing prosecutions.

59. **Ms. Abel** (Denmark) said that no updated statistics on violence were available, since the relevant database was updated only once every four years. The Government's strategy was now to focus on long-term implementation of previously adopted action plans, in particular through outreach activities to schools and young people. One particular concern was "honour" violence.

60. **Mr. Tordal-Mortensen** (Denmark) said that family members were often responsible for honour-related crime. As part of the strategy to combat such offences, local police forces reported all honour-related crime to the national police authorities in an effort to monitor the extent of the problem. Local specialized units had been set up to help the victims of such crime.

61. A holistic approach involving social measures, was required. In that connection, the police had begun to take preventive measures whereby potential aggressors were forewarned that the police were monitoring their activities. That approach had been successful.

62. **Ms. Abel** (Denmark) said that a holistic approach also involved international cooperation with countries of origin in an effort to disrupt trafficking.

63. **Ms. Patten** said that screening women who wished to travel to Denmark was an appropriate measure to combat prostitution. However, what measures had been taken to curb demand and to punish those who sought to use the services of prostitutes? Was that a Government priority?

64. **Ms. Šimonović** asked how the provisions of the Convention were incorporated in Danish law, specifically whether there was a single piece of

legislation or whether the protection provided by the Convention was reflected in separate laws, for example, legislation on employment. She asked what was understood by honour-related crime, and whether, for example, it covered violence committed by the victim's partner.

65. **Ms. Neubauer** asked whether any standard was applied for assessing the gender mainstreaming impact of new legislation; it seemed little assessment had been conducted outside the area of employment. Had gender assessment statements been prepared by parliamentary gender equality bodies in connection with recent reform measures?

66. **Mr. Bruun** noted, in connection with article 2, that Denmark implemented the provisions of the Convention through its general legislation. Yet the Convention was a dynamic instrument, and it might be preferable for its provisions to be incorporated in specific legislation. He wondered what remedies were available to aggrieved parties. With regard to public procurement, he wished to know whether equal treatment clauses were employed.

67. **Ms. Rasekh** asked whether any data were available on sexual harassment in the workplace. With reference to the assertion that there were no reports of trafficking in Greenland, an absence of reporting did not mean that the problem did not exist.

68. **Ms. Abel** (Denmark) said that the Government had conducted campaigns to combat prostitution, but had no intention of prohibiting the buying of sexual services. The Government did assess new legislation in terms of its relevance to gender mainstreaming, and was taking measures to improve its performance in that regard. However, it was Parliament, not the Government, that determined procedures with regard to parliamentary assessment. At present, no special committee existed. Lastly, the Committee would appreciate that Danish legislation was also dynamic, and in that sense there was a correlation with the dynamic aspect of the Convention.

69. **Ms. Andersen** (Denmark) said that sexual harassment in the workplace was strictly prohibited and that protection was available through the Gender Equality Board and the courts. In addition, sexual harassment with elements of cruelty would constitute a violation of the criminal law.

70. **Mr. Ahsan** (Denmark) said that in 2001 a committee established to consider the question had decided that the Convention as such should not be incorporated wholesale into Danish legislation. Nevertheless, its provisions were reflected in various pieces of legislation, such as the Act on Equal Pay and the Act on Gender Equality, and had been cited by the courts, including the Supreme Court. It was now the practice for draft legislation to be reviewed by the Ministry of Justice to ensure compliance with the Convention. Regarding public procurement, equal treatment clauses were not employed.

71. **Mr. Tordal-Mortensen** (Denmark) said that there was no definition of honour crimes. The police viewed violence with a cultural component as honour-related crime.

72. **Mr. Weyhe** (Denmark) said that trafficking and prostitution were not of concern in Greenland, since the market was simply too small.

73. **Mr. Egholm** (Denmark) said that, in the Faroe Islands, individuals claiming compensation in connection with violations of gender equality provisions could apply to the Gender Equality Commission in the Islands, and, if necessary, to the courts.

The meeting rose at 1.05 p.m.