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## **Report of the Working Group on the Universal Periodic Review\***

### **Denmark**

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\* The annex to the present report is circulated as received.

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## Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its eleventh session from 2 to 13 May 2011. The review of Denmark was held at the 2nd meeting on 2 May 2011. The delegation of Denmark was headed by Claus Grube, Permanent Secretary of State for Foreign Affairs, Ministry of Foreign Affairs. At its 6th meeting held on 4 May 2011, the Working Group adopted the report of Denmark.
2. On 21 June 2010, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Denmark: Chile, Ghana, Republic of Korea.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Denmark:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/11/DNK/1);
  - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/11/DNK/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/DNK/3).
4. A list of questions prepared in advance by the Czech Republic, Estonia, France, Netherlands, Norway, Slovenia, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland was transmitted to Denmark through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The delegation considered the UPR a positive, innovative mechanism with a true potential to improve human rights on the ground. The preparation of the UPR of Denmark was a matter of priority for the Danish Government whose ambition was to present a national report that was reflective of society as a whole.
6. The delegation stated that public hearings had been arranged in Copenhagen, Århus, Greenland and the Faroe Islands. A draft report was made publicly available on the UPR website of the Ministry of Foreign Affairs. The delegation welcomed the written submissions to the OHCHR by 15 stakeholders ahead of the UPR of Denmark.
7. The delegation of Denmark stressed that the report addresses a broad list of human rights issues; however, those issues are by no means exhaustive.
8. The national report includes separate sections on the human rights situation in Greenland and the Faroe Islands.
9. The delegation stated that it would have liked to invite the Danish Institute for Human Rights to address the UPR Working Group. The Institute would have represented Denmark in the plenary of the Human Rights Council in its independent capacity as A-status national human rights institution, from the NHRI seat. The Danish Government deeply regretted that, as informed by the secretariat, this request could not be accommodated, and sincerely hoped that it would be a possibility at future reviews.

10. The delegation drew attention to the fact that human rights form a key element of the value basis of the Danish Government and for decades has been at the centre of its foreign and development policy.
11. The delegation acknowledged that human rights challenges do exist in Denmark, and that Denmark is committed to addressing them.
12. The delegation highlighted that some of these challenges relate to the demographic changes that Denmark is undergoing. Denmark is evolving into a more ethnically diverse society. However, rapid societal changes also bring about challenges related to maintaining and strengthening the cohesiveness in Danish society, and allowing every individual to contribute to the greater whole without discrimination.
13. The delegation reported that some people today experience a sense of exclusion from mainstream society and feel subject to different forms of discrimination. Such concerns must be addressed with commitment. Denmark must work to strengthen mutual understanding and dialogue among people of different backgrounds, religions and cultures in order to break down the fear and prejudice that can easily come to dominate the way people view each other.
14. The delegation reported that the Government is dedicated to combating discrimination in all its forms and, among other things, has taken a number of steps to combat discrimination on the grounds of racial or ethnic origin. In July 2010, the Government published the Action Plan on ethnic equal treatment and respect for the individual.
15. The delegation stated that another key priority of the Government is the prevention of social exclusion and poverty. The Government regularly adjusts the social and labour market policies in order to improve the living conditions for people at risk of social exclusion and poverty.
16. The delegation thanked the countries who had submitted written advance questions.
17. The representative of the Government of Greenland stated that the indigenous people of Greenland, the Inuit, constitute a large majority of 88 per cent. On 21 June 2009, Greenland celebrated the inauguration of Greenland Self-Government. The Act on Greenland Self-Government introduces new arrangements regarding mineral resource activities in Greenland and economic relations between Greenland and Denmark. It describes the cooperation between Greenland and Denmark regarding foreign policy, recognizes Greenlandic as the official language in Greenland and describes the country's access to independence – a decision to be taken by the people of Greenland.
18. The representative reported that the full mineral resources area has been taken over by the Government of Greenland, while the administration of justice and family law remain, for the time being, the responsibility of Denmark.
19. Greenland is working diligently to ensure that fundamental human rights principles form the basis of any legislative initiative and that the civil society is duly included in the preparatory process. It is the policy of the Government of Greenland that international human rights instruments be extended to Greenland. However, in accordance with the Act on Greenland Self-Government, the lifting of reservations to conventions ratified by Denmark and relating to Greenland will require prior presentation to the Parliament of Greenland.
20. It is the responsibility of the Government of Greenland to ensure the implementation of international conventions in areas taken over by Greenland. As a result, the Government of Greenland also participates actively in the reporting by Denmark to the treaty bodies of the United Nations.

21. In 2008, the Parliament of Greenland requested the Government to consider options regarding the establishment of a human rights capacity in Greenland, taking into account the relatively small size of the Greenland population.
22. It is important to point out that the Government of Greenland is a public government rather than an indigenous self-government. However, with the majority of the population being of Inuit descent, the Government and Parliament of Greenland place great emphasis on the rights of indigenous peoples.
23. One of the first actions of the Government of Greenland was to introduce new legislation on language policy and integration aimed at strengthening the role and use of Greenlandic.
24. The principle of collective ownership to land also applies to natural resources. As such, the Government of Greenland recognizes the importance of civil society involvement in decision making, not least concerning oil and minerals extraction and major development projects.
25. The representative stated that the Government is putting strong emphasis on improving the lives of children and youth in Greenland. Within the framework of the programme “A Safe Childhood 2010,” several initiatives are in progress. The Government of Greenland has substantially increased the grants for shelters for women and children, and family centres.
26. The Government of Greenland is preparing a strategy on children and youth, which will be presented to the Parliament of Greenland later this year. The strategy addresses issues such as failure of care for the child, violence and addiction.
27. Within the framework of the public health programme, “Inuuneritta,” one of the focus areas is violence and sexual health. A wide range of initiatives has already been implemented under this programme.
28. The representative of Faroe Islands stated that human rights and democracy are fundamental values in Faroese society. The democratic system of government and legislative framework continue to provide the basis for the protection of all rights. The general welfare system has contributed to an overall high standard of living in the Faroe Islands. The Government is responsible for all, or most of the costs, related to education, health care, child care, elderly care and pensions.
29. The Faroe Islands have adopted seven United Nations treaties and since 2004, have produced substantial reports documenting the efforts of the Government to ensure human rights. NGOs and civil society have been actively involved in the preparation of the national report. The Faroese Government appreciates the efforts of the NGOs to produce their own submissions.
30. The representative stated that the Government appreciates the opportunity to have a separate section dedicated to the Faroe Islands in Denmark’s report. But with only three pages at their disposal, it was necessary to limit the scope of the contribution and focus on the most critical human rights issues.
31. The representative stated that Faroese society still faces challenges in the area of gender equality. Although the participation of women in politics has increased, women are still not as well represented as men in politics. Resources have been directed at ensuring rights through legal measures by passing the law governing gender equality in 1994. Also, the Government has provided support for public information initiatives by appointing the independent committee Demokratia in 2005.
32. The representative said that on 8 March this year, the Government announced an action plan against violence in the home specifically towards women and children.

33. The Government of the Faroe Islands intends to maintain a high level of ambition regarding systematic work on human rights. The Government intends to collaborate closely with all relevant stakeholders on any recommendations resulting from this review and in the follow-up to this report.

## **B. Interactive dialogue and responses by the State under review**

34. During the interactive dialogue, 47 delegations made statements. A number of delegations commended Denmark for the initiatives to promote and protect human rights, as well as for the broad national consultations with civil society in preparation for the universal periodic review. Recommendations made during the dialogue can be found in section II of the present report.

35. India asked about progress in promoting people from other ethnic backgrounds to achieve a racially balanced police service, and measures to combat violence against women and to develop a domestic violence action plan. It further sought clarification on the powers of the Danish Institute for Human Rights to investigate, suo motu or otherwise, human rights complaints. India made a recommendation.

36. Algeria observed that Denmark is party to most core human rights instruments, but noted that it had only incorporated the European Convention for the Protection of Human Rights and Fundamental Freedoms into domestic law and sought explanations. Algeria referred to concerns at shelving cases of racial or religious hatred, and the possible abolition of article 266 (b) of the Criminal Code. Algeria made recommendations.

37. Canada welcomed the inclusion of Greenland in 2005 in the act establishing the Danish Institute for Human Rights, yet noted resource constraints limiting its presence in Greenland, and noted that its mandate does not cover the Faroe Islands. It asked about measures to address these issues. Canada noted that the Criminal Code considered the act of torture an aggravating circumstance rather than a specific offence. Canada made recommendations.

38. The Republic of Moldova acknowledged Denmark's active role in developing reporting and complaint procedures to conform with relevant human rights treaties. It noted efforts to eliminate violence against women, and to increase the participation of women in decision-making, including in Greenland and the Faroe Islands. It enquired about additional measures for full and equal participation of women in political life. It made a recommendation.

39. The Russian Federation thanked Denmark for the comprehensive national report and for the presentation by the head of the delegation. The Russian Federation considered Denmark one of the countries with a sufficiently high level of protection of human rights and freedoms. It made recommendations.

40. Hungary commended Denmark for its consistent submission of periodic reports to United Nations treaty bodies and the standing invitations to special mechanisms. Hungary encouraged Denmark to share best practices on implementing the National Strategy to combat all forms of violence in intimate relations in the UPR midterm report. Hungary made recommendations.

41. Austria noted that Denmark has developed several national action plans to fight human trafficking and enquired about other measures to tackle the problem. Austria asked about the impact of its initiatives for the disabled, particularly children, and the challenges faced in implementing the national strategy to combat violence in intimate relations. Austria made recommendations.

42. France enquired about the status of the procedure to ratify the International Convention for the Protection of All Persons from Enforced Disappearance. It noted that the High Commissioner for Refugees and the Committee on the Elimination of Racial Discrimination recommended that Denmark remove restrictions to the right to marriage with foreigners, or between foreigners, and modify the right to family reunification. France made recommendations.

43. Finland noted that the Danish Ministry for Integration did not act in compliance with the Convention on the Reduction of Statelessness to which Denmark is a party, and over several years denied citizenship to at least 22 stateless Palestinians. The application instructions of the Ministry of Refugee, Immigration and Integration Affairs do not mention that stateless persons are exempted from the regular citizenship tests and requirements. Finland asked about measures to ensure compliance of its citizenship policies with international obligations. Finland made a recommendation.

44. Greece commended Denmark for its commitment to human rights promotion and requested that it share best practices in this regard. Greece asked about action taken regarding the status of the Thule tribe in Greenland since the 2003 Supreme Court decision. Greece expressed concern at child sex tourism and raised issues regarding immigration, including hate speech cases and racist statements by public officials. Greece made recommendations.

45. Regarding forcible returns, Switzerland, noted difficulties in tracing individuals after their return. It also noted that when returning alleged terrorists, States often rely on diplomatic assurances, and that in the fight against terrorism, European States also participated, directly or indirectly, in numerous human rights violations. Switzerland stated that rape is a crime that must be punished regardless of the type of relationship of those concerned. Switzerland made recommendations.

46. Poland commended Denmark for its active cooperation with United Nations special procedures and the Office of the High Commissioner for Human Rights. It appreciated the developed institutional and legislative system of human rights protection, including the A-status national human rights institution. Poland made recommendations.

47. Slovenia welcomed the legislative and policy measures to eliminate violence against women and noted the lack of legislation protecting women victims of domestic violence in Greenland and the Faroe Islands. Slovenia inquired about plans to adopt a national action plan for human rights. It commended the adoption of the Act on Equal Treatment and the launch of the Action Plan for ethnic equal treatment and respect for the individual, but noted the lack of data on Roma and inquired about remedial measures. Slovenia made recommendations.

48. Egypt noted the establishment in 2007 of the Centre against human trafficking and requested information on Denmark's experience in this field, particularly child trafficking and on efforts addressing sexual exploitation of children. Egypt was concerned at racist statements by members of parliament, negative profiling of migrants and recurrent cases and manifestations of intolerance, lack of respect for the religion of others and hate speech as well as incitement to hatred and defamation of Islamic religious symbols and personalities. Egypt made recommendations.

49. Azerbaijan asked whether Denmark considers acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. It noted gaps regarding discrimination of women, sexual-based violence and sexual abuse and enquired about the adoption of legislation on violence against women, including domestic violence. Azerbaijan made recommendations.

50. Afghanistan noted that Denmark is party to most human rights treaties, and has established the Danish Institute for Human Rights and the Action Plan on ethnic equal treatment and respect for the individual in July 2010. While welcoming Denmark's cooperation with OHCHR, treaty bodies and special procedures, Afghanistan reiterated treaty body recommendations to incorporate the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture into national legislation to ensure direct application before courts. Afghanistan made a recommendation.

51. Indonesia commended Denmark for making respect for human rights a core value of Danish foreign policy. Indonesia referred to an incident of clear manifestation of defamation of Islam and noted cases of violence against women, particularly domestic violence and rape. Indonesia made recommendations.

52. Germany enquired about plans to improve the situation of children requesting asylum and about social welfare policy for refugees. Germany requested information on follow-up plans to recommendations by the Committee on the Elimination of Discrimination against Women to pursue efforts regarding violence against women, to adopt a coordination policy and specific legislation, including on domestic violence. It inquired about plans to improve access to citizenship by women, who are currently required to prove that they lived at least seven years with their husband. Germany commended Denmark for launching the Action Plan on ethnic equal treatment and sought more details. Germany made no recommendations.

53. Palestine commended Denmark for the importance given to human rights as universal values and noted that it has ratified many human rights treaties. Palestine noted Denmark's concern about children's rights, as reflected by the law on social services, ensuring that they are consulted on decisions which concern them. Palestine made recommendations.

54. Uzbekistan noted the recent measures by Denmark to combat racial discrimination and eliminate violence against women, and the inclusion in the Criminal Code of a special section on torture. Uzbekistan emphasized treaty body concerns about human rights violations, including the fact that offence of torture was not included in the Criminal Code and was subject to the statute of limitations. Uzbekistan noted negative and hostile attitudes towards growing numbers of immigrants. It made recommendations.

55. The delegation responded to written questions and questions from delegations during the interactive dialogue and clustered them into thematic issues. There were several considerations for not incorporating United Nations human rights instruments into national law: The Government assesses whether national law is in conformity with international conventions, and the conventions are relevant sources of law regardless of the method of implementation and can be invoked by national courts and other authorities.

56. Denmark does not consider a national action plan on human rights necessary, as various human rights issues are addressed on a concrete basis and initiatives are developed and implemented by experts responsible for the area of society concerned. Furthermore, new legislation is carried out within the framework of human rights obligations.

57. The Government considered it inexpedient to sign the Optional Protocol to the Convention on the Rights of Persons with Disabilities since the obligations are difficult to define and subject to gradual implementation within resources available.

58. Danish case law is available on private websites which often require a subscription. Some case law from the Supreme Court and the Maritime and Commercial Court is



available to the public at no expense. The Danish Court Administration initiated preparations for a public database on case law in 2010.

59. Between 1992 and 2010, 757 applications from persons born stateless in Denmark were examined. 36 of these had been mistakenly rejected. Most of these 36 have already been granted citizenship, while the rest are listed in the naturalization bill that was introduced to Parliament on 15 April 2011. It is now possible for certain stateless persons to submit applications before 1 March 2012 as they may have received incorrect information on their rights. A commission of inquiry is carrying out an independent inquiry of the case.

60. With regard to family reunification, the rules regarding spousal reunification in the Danish Aliens Act do not regulate the right to marry. Obtaining spousal reunification normally requires that the spouses' combined attachment to Denmark is stronger than to any other country to ensure the best possible starting point for a successful integration. In some cases, exemptions from the requirements are made. A bill has been submitted to Parliament, that if adopted will reform the legislation on spousal reunification and modernize the 24-year requirement.

61. Denmark has experienced a strong increase in the number of unaccompanied minors entering the country and faces certain challenges with regard to these minors. In the future, the special residence permit for unaccompanied minors will expire when the foreigner turns 18. Return of an unaccompanied minor will not take place unless the asylum claim has been rejected.

62. Regarding the expulsion of refugees, the safeguard against refoulement is absolute. Those who cannot be expelled are either granted asylum status or stay in Denmark without a residence permit (exceptional leave to remain).

63. With regard to expelled EU citizens, Denmark cannot verify if they belong to the Roma ethnicity, as people are not registered on the basis of their ethnicity. The Supreme Court did not find substantial grounds for expulsion in two cases. After these rulings, 14 other decisions were reviewed and overturned. The authorities are investigating how to handle this type of cases in the future.

64. Regarding the forced return of Iraqi refugees, the Refugee Appeals Board has indicated that the recommendations by the Office of the United Nations High Commissioner for Refugees on the treatment of asylum-seekers from Iraq are an essential element when a concrete and individual assessment of each case is made – although the recommendations are not legally binding and of a general character. The Ombudsman monitors forced returns.

65. Concerning health care of asylum-seekers, the Government makes no distinction between children of asylum-seekers and other children residing in Denmark. Adult asylum-seekers are entitled to health care provided that it is necessary, urgent and alleviating.

66. The Government clearly stated that it does not support abolition of section 266(b) of the Criminal Code, as it will be contrary to obligations under International Convention on the Elimination of All Forms of Racial Discrimination and international law.

67. Various measures have been put in place to prevent hate crimes against ethnic minorities. The “Stop Hate Crimes” campaign was launched to raise awareness and urge victims and witnesses to report the crimes to the police. In 2009, the Government presented an action plan to prevent extremist views and radicalization among young people. The Danish Security and Intelligence Service gathered information from the police on crimes motivated by extremist opinions in order to detect any signs of an organized or systematic rise in crime with a possible extremist background.

68. Danish legislation ensures comprehensive protection against discrimination on the grounds of race and ethnic origin. However, legislation cannot stand alone. Denmark therefore supports several initiatives carried out by authorities and civil society.

69. The delegation of the Government of Greenland responded to questions on 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, which has been approved by the Parliament of Greenland, but awaited the necessary adaptation of Greenland legislation.

70. The Government of Greenland actively promotes equal representation of men and women in public office. The issue of domestic violence is dealt with in a holistic manner and linked with many of the Government's initiatives. The Government of Greenland is preparing a strategy on children and youth which will be presented to Parliament in 2011.

71. The Parliament of Greenland has passed broad-based legislation concerning gender equality, which is regularly reviewed. Equal representation of men and women on boards and committees is strongly emphasized with respect to publicly owned companies and institutions. Fair and equal wages are ensured through collective agreements in the public and private sector.

72. Mexico recognized Denmark's efforts to advance human rights promotion and protection, including prevention of ethnic discrimination and violence against women. It noted Denmark's efforts at the international level, including on torture, and highlighted its cooperation with special procedures. It also noted remaining challenges, particularly on non-discrimination and the inclusion of ethnic minorities. Mexico made recommendations.

73. Pakistan noted the legislative and institutional measures promoting and protecting human rights. Pakistan remarked on efforts to integrate foreigners and migrants into society and acknowledged that social integration is a complicated process. Regarding the 2005 newspaper publication of cartoons about the Prophet Muhammad, it noted that this shocked Muslims worldwide, prompted forceful reactions, stirred a pointless debate and violated Articles 19 and 20 of the International Covenant on Civil and Political Rights and Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination. Pakistan requested information on measures to avoid the recurrence of such incidents. It made recommendations.

74. The United States of America commended Denmark for its commitment to upholding human rights and its increased efforts to place human rights at the forefront of its national agenda. It shared concerns over religious and ethnic discrimination, domestic violence against women, residency and citizenship requirements for migrants and asylum-seekers, and human trafficking. It made recommendations.

75. The Islamic Republic of Iran expressed concern at possible inadequacies in the Danish legal system to combat age discrimination outside employment; the possible abolishment of article 266(b) of the Criminal Code; Islamophobia; discrimination against women in the Faroe Islands; lack of ratification by Greenland and the Faroe Islands of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, as well as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; gender-based violence and the narrow definition of rape; and the broad definition of terrorism in the Criminal Code. It made recommendations.

76. Belgium welcomed Denmark's efforts to ensure gender equality and combat discrimination against women. Noting the low number of reported rapes leading to convictions, it asked about envisaged measures, including the adoption of a national action plan. Belgium made recommendations.

77. Australia acknowledged Denmark's long-standing commitment to human rights and commended it for ratifying most human rights treaties, while noting that it is not party to the Optional Protocol to the Convention on the Rights of Persons with Disabilities. It commended the work of non-governmental organizations in Denmark in promoting human rights, and the establishment of the centre against human trafficking and noted that Denmark is part of regional and European networks to combat child trafficking. Australia made recommendations.

78. Argentina recognized Denmark's national and international initiatives, through the work of the Danish Human Rights Institute. It asked about measures to ensure equal remuneration for men and women and to combat sex tourism which affects children. Argentina made recommendations.

79. The Netherlands noted Denmark's increased police powers, since 2011, to investigate and prevent terrorism. It also noted that none of the United Nations core human rights conventions ratified by Denmark has been incorporated in Danish law. It made recommendations.

80. Italy praised Denmark's innovative approach facilitating the consultation process in view of the universal periodic review, including through a dedicated website, identifying this as best practice. It acknowledged the importance given to human rights promotion and protection and Denmark's leadership in anti-torture efforts worldwide, as recognized by treaty bodies and special procedures. It made a recommendation.

81. Norway commended Denmark for its consistent efforts against torture. It referred to focus areas for enhanced efforts on gender equality and noted the importance of access by children to an independent body monitoring their rights and advocating on their behalf. Norway hoped Denmark would share its experience in lowering the age of criminal responsibility. It asked how certain penal code provisions on rape and sexual abuse, which refer to the marital relationship of the victim and the perpetrator, influence sentences. Norway made recommendations.

82. Spain commended Denmark's efforts to promote and protect human rights, including the plan to combat ghettos and awareness-raising initiatives against trafficking of persons, as well as the mechanism established in 2004 to receive individual complaints on racial discrimination cases. Spain commended the 2008 judicial system reform and enquired about intentions to adopt legislation on gender violence, also addressing the situation of abused migrant women. Spain made recommendations.

83. Belarus noted that Denmark has signed many United Nations human rights instruments and regularly submits periodic reports, but is overdue on a number of special procedure questionnaires. Belarus noted efforts to fight human trafficking, especially the national plan against human trafficking and the establishment of a special unit to investigate crimes of child pornography on the Internet. Belarus made recommendations.

84. The Republic of Korea commended Denmark's efforts in promoting respect for human rights, its accession to most core human rights treaties and closer cooperation with United Nations human rights bodies. Noting the number of victims of violence in intimate relations, it welcomed the launch of a National Strategy to combat such violence. It expressed concern over forcible return of asylum-seekers to third countries where they may face the danger of persecution or serious harm, and reiterated the principle of non-refoulement. It stated that Denmark should embrace minorities and indigenous peoples in society. It made recommendations.

85. The United Kingdom of Great Britain and Northern Ireland, noting the positive developments in Denmark for employment of non-Western immigrants and descendants, was concerned about the 24-year rule potentially preventing immigrants from securing

desired family life, and enquired about remedial measures. It noted encouraging targeted efforts for trafficking victims and asked about initiatives to prevent commercial sexual exploitation of children. While noting decreasing pretrial solitary confinement, statistics indicate long periods of pretrial custody. The United Kingdom commended initiatives to improve accessibility for the disabled, including amending building regulations. It made recommendations.

86. Brazil noted Denmark's standing invitation to special procedures and its A-status national human rights institution. It commended efforts in raising awareness on human trafficking and urged Denmark to resist calls to repeal section 266(b) of the Criminal Code on racism on grounds of freedom of expression. Brazil noted the lowering of the age of criminal responsibility and recalled that the provisions of the Convention on the Rights of the Child should prevail over domestic law. Brazil made recommendations.

87. Sweden noted concerns raised over the family reunification conditions for spouses and enquired about their human rights impact. Regarding the administrative detention of demonstrators at the 2009 COP15 meeting, which was found unlawful by the court, Sweden appreciated that Denmark's legal system upheld its functions protecting the rights of individuals, and enquired about follow-up steps. Sweden made a recommendation.

88. Morocco sought information on migrant rights and the law on integration, and encouraged Denmark to share best practices. It welcomed the establishment of the Council on ethnic minorities and of the equal treatment board to consider any complaints of discrimination, the provisions on freedom of religion ensuring that citizens can form associations and meet for religious purposes, and the prohibition of religion-based discrimination. Morocco acknowledged Danish cooperation on development and human rights and commended efforts to improve living conditions in Greenland. It made recommendations.

89. Honduras commended Denmark's commitment to respect human rights, but expressed concern about the situation of foreign women losing their residency permit on leaving violent spouses. It noted reports of racial disparity in primary and secondary education and the fact that child asylum-seekers receive lower education than nationals. Honduras asked about prospects for incorporating the main human rights instruments into domestic legislation provisions. Honduras made recommendations.

90. Ecuador asked about the legal basis and norms of due process observed by Denmark for authorizing the use of its territory, airspace and airports to transport, transfer and/or allow transit of presumed terrorists to countries where their life, physical integrity and human dignity may be at risk. Ecuador made recommendations.

91. Slovakia noted Denmark's outstanding human rights record. It commended the Action Plan for ethnic equal treatment and respect for the individual and measures to improve the conditions at asylum centres through extra funds allocation and strengthening the processing of asylum cases. It welcomed the regular updating of anti-trafficking action plans, criminalization of trafficking in the Criminal Code and ratification of the Council of Europe Convention on Action against Trafficking in Human Beings. Slovakia made recommendations.

92. Turkey noted that Denmark has not ratified or incorporated into domestic law the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms. It sought Denmark's views on reported difficulties with human rights monitoring in the State party due to non-existent human rights data. Referring to the case of Ekrem Şahin, Turkey enquired how Denmark would secure an effective investigation and sought Denmark's views on mother-tongue

teaching, given the 65,000 Turkish people living in the State party. Turkey made recommendations.

93. South Africa, referring to the recommendations by the Committee on the Elimination of Racial Discrimination to monitor the incidence and combating of racism and xenophobia and to promote intercultural understanding and tolerance, requested information on their implementation and on the degree to which the elimination and prevention of racist and xenophobic acts is addressed in the platform “Denmark 2020, Knowledge, Growth, Prosperity, Welfare”. While Denmark is party to several human rights instruments, South Africa noted that it maintains certain reservations and declarations. It made recommendations.

94. Burkina Faso welcomed Denmark’s dedication to human rights promotion and protection nationally and abroad, including in Burkina Faso. It welcomed Denmark’s efforts to combat poverty, protect the rights of the disabled and eliminate discrimination against women. It made a recommendation.

95. Malaysia expressed concern about commercial sexual exploitation of children and child sex tourism in Denmark, enquired about measures to address this and about Denmark’s intentions to prohibit the commercialization of sexual services. Malaysia noted reports on the increase of discrimination, intolerance and absence of respect of the religious sensitivities of minority groups, particularly Islam. Malaysia made recommendations.

96. Bangladesh appreciated Denmark’s contribution to human rights promotion and protection endeavours in developing countries, especially empowering women in development activities, and commended it for exceeding the Official Development Assistance target set by the United Nations. It appreciated actions to ensure protection of ethnic groups, curbing trafficking, and the high standards of reception centres for unaccompanied children seeking asylum. Persisting racial discrimination, prejudices, stereotyping and profiling of migrants as well as instances of racist statements and expressions, including with negative religious overtones by high public figures and the media remained of concern. Bangladesh made recommendations.

97. Guatemala sought information on policies to ensure an adequate standard of living, health and work for migrants. It inquired about the reasons why Denmark has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and asked if it intended to do so in the near future. Guatemala further enquired about the status of the recommendations by the Committee on the Elimination of Racial Discrimination on eliminating labour market obstacles for migrants. Guatemala made a recommendation.

98. Kyrgyzstan welcomed the steps taken by Denmark to safeguard human rights, the standing invitation to special procedures, the establishment of a national preventive mechanism in accordance with the Optional Protocol to the Convention against Torture and the rules regarding the construction of buildings to facilitate access for the disabled. Despite significant progress, deficiencies remained in achieving effective equality of men and women, with regard to the situation of unaccompanied refugee minors and of asylum-seekers. It noted that, to date, Denmark has only incorporated the European Convention on Human Rights into its national legislation. Kyrgyzstan made recommendations.

99. The delegation of Denmark stressed that efforts are being made to combat violence in intimate relations. The numbers of abused women dropped from 42,000 in 2002 to 28,000 in 2007.

100. With regard to the incrimination of rape, the Government has asked an expert committee on criminal law to thoroughly review chapter 24 of the Criminal Code on sexual offences.

101. Regarding the minimum age of criminal responsibility, the delegation reported that statistics show that the number of juvenile crimes has decreased since 2001. It has not been possible to establish a connection between the decrease and changing the age of criminal responsibility.

102. Freedom of expression is enshrined in the Danish Constitution, which prohibits censorship. Denmark condemns any action that attempts to demonize people on the basis of their religion or ethnic background, and expect all religions to respect each other. Denmark respects Islam as one of the world's major religions as well as their religious symbols, as Denmark respects all religious creeds and communities. The Director of Public Prosecution did not find grounds to institute criminal proceedings in the case of the drawings depicting the Prophet Muhammad.

103. The representative of the Faroe Islands addressed concerns related to gender discrimination as various legislations do not distinguish between women and men and ensure that all citizens enjoy the same rights equally. Concerning violence against women, the delegation referred to the action plan against violence and the funding provided to the crisis centre for women.

104. Women participation in political life has also increased. As a result of the elections in January 2008 the proportion of women in Parliament increased from 9.4 per cent to 21.2 per cent.

105. The head of delegation concluded by thanking Danish civil society for its active participation in the process preceding the review and hoped for continued fruitful dialogue in the follow-up phase. Denmark appreciated the review as an opportunity to take stock of the human rights situation and considers it a very useful tool in identifying areas where extra effort is needed. It intends to make good use of the valuable input received during the review in future efforts to further improve the human rights of its citizens.

## **II. Conclusions and/or recommendations**

**106. The recommendations formulated during the interactive dialogue and listed below will be examined by Denmark which will provide responses in due course, but no later than the eighteenth session of the Human Rights Council in September 2011.**

**106.1. Extend the applicability of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children to Greenland and to the Faroe Islands (Hungary);**

**106.2. Withdraw its reservations to the Convention on the Rights of the Child and its Protocols (Brazil);**

**106.3. Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; sign and ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Spain);**

**106.4. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Spain);**

**106.5. Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. (Palestine);**

**106.6. Become party to the Optional Protocol of the Convention on the Rights of Persons with Disabilities (Austria);**

- 106.7. Proceed to the ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities as soon as possible (France);
- 106.8. Become a party to the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Australia);
- 106.9. Sign, ratify and implement the Optional Protocol to the Convention on the Rights of Persons with Disabilities (United Kingdom);
- 106.10. Accede to other international human rights instruments to which it is not yet party in order to strengthen its national provisions to ensure human rights specifically with regards to persons with disabilities (Burkina Faso);
- 106.11. Ratify as soon as possible the International Convention for the Protection of All Persons from Enforced Disappearance and fully recognize the competence of the Committee on Enforced Disappearances, as provided for in articles 31 and 32 of the Convention (France);
- 106.12. Continue commitment to human rights through the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in accordance with recommendation 1737 of 17 March 2006, adopted by the Parliamentary Assembly of the Council Europe, of which Denmark is a member (Algeria);
- 106.13. Sign and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Egypt);
- 106.14. Become party to the remaining United Nations human rights instruments, in particular the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Pakistan);
- 106.15. Study the possibility of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Argentina);
- 106.16. Study the possibility of ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);
- 106.17. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Brazil);
- 106.18. Review its reservations to a number of international human rights instruments with a view to withdrawing them completely (South Africa);
- 106.19. Ratify and implement the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Morocco);
- 106.20. Adhere to or ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ecuador);
- 106.21. Adhere to or ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Ecuador);
- 106.22. Adhere to or ratify Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms concerning the general prohibition of discrimination (Ecuador);
- 106.23. Accept the right to present individual communications provided for in the Optional Protocol to the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the International Covenant on

**Economic, Social and Cultural Rights, and withdraw the reservation to the International Covenant on Economic, Social and Cultural Rights (Ecuador);**

**106.24. Greenland and Faroe Islands to ratify the following international instruments: Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and ensure their application (Ecuador);**

**106.25. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Guatemala);**

**106.26. Incorporate into domestic law its international human rights obligations under the Conventions to which it is party (Canada);**

**106.27. Bring its national legislation in line with its international obligations. (Egypt);**

**106.28. Incorporate international human rights instruments to which it is party into its legal system, as recommended by the various treaty monitoring bodies (South Africa);**

**106.29. Incorporate the different provisions of the United Nations core human rights conventions, ratified by Denmark, into national law (The Netherlands);**

**106.30. Extend the applicability of all international human rights instruments to which it has acceded to the whole territory of the country (Azerbaijan);**

**106.31. Review its body of legislation prohibiting discrimination to ensure equal protection on all grounds, and in this regard, consider elaborating a single comprehensive act covering all grounds for possible discrimination (Canada);**

**106.32. Ensure that all acts of torture are specific offences under its criminal law (Canada);**

**106.33. Incorporate the provisions of the United Nations conventions on human rights into national legislation, to ensure the direct application of international treaties by the courts (Kyrgyzstan);**

**106.34. Make efforts to correct formulations in the Penal Code that cover rape and sexual abuse which make reference to the marital relations between victim and alleged perpetrator that have an actual influence on sentences (Norway);**

**106.35. Bring its legislation on rape in line with international law and abolish all references to the status of married couple (Switzerland);**

**106.36. Remove from the Penal Code (arts. 218, 220, 221, 227) any references to marital relations between victim and perpetrator of offences, in order to ensure that there is no impunity in cases of marital rape (Belgium);**

**106.37. Not to repeal section 266(b) of the Criminal Code (Pakistan);**

**106.38. Establish an independent body to promote and protect the rights of the child and to monitor the implementation of the Convention on the Rights of the Child (India);**

**106.39. Consider establishing an independent body or organ charged with monitoring the implementation of the provisions of the Convention on the Rights of the Child (Poland);**

**106.40. Consider the establishment of a children's Ombudsman (Norway);**



- 106.41. Consider the creation of a separate institution of Ombudsman for children's rights, as previously recommended by the Committee on the Rights of the Child and the Danish National Council for Children (Kyrgyzstan);
- 106.42. Develop and implement a national action plan for human rights in order to framework a systematic and comprehensive approach to the promotion and protection of human rights (Indonesia);
- 106.43. Continue efforts to achieve gender equality (Norway);
- 106.44. Consider launching an action plan to combat domestic violence in Greenland (Spain);<sup>1</sup>
- 106.45. Continue the implementation of the national strategy to combat violence in intimate relations for 2009-2012 (Republic of Moldova);
- 106.46. Continue its efforts aimed at the promotion of human rights expertise and education and public awareness about human rights protection. (Azerbaijan);
- 106.47. Implement effectively the United Nations Declaration on the Rights of Indigenous Peoples (Islamic Republic of Iran);
- 106.48. Undertake a process of broad, national consultations with civil society, including the Danish Institute for Human Rights, in the follow-up to this review (Austria);
- 106.49. Continue providing ODA in line with the United Nations target of 0.7 per cent of GDP (Pakistan);
- 106.50. Continue to support developing countries in the fight against poverty through its development assistance (Bangladesh);
- 106.51. Enhance accessibility of the United Nations human rights system for all members of Danish society by ensuring the translation into Danish of its UPR outcome, relevant treaty body concluding observations and special procedure country reports (Canada);
- 106.52. Clear the backlog of responses to thematic questionnaires from special procedures of the Human Rights Council (Russian Federation);
- 106.53. Respond to the remaining questionnaires on thematic issues sent by special procedures mandate holders (Afghanistan);
- 106.54. Identify, pursuant to the recommendations of the Committee on Economic, Social and Cultural Rights, cases of racism and xenophobia, combat them and foster intercultural understanding and tolerance. (Russian Federation);
- 106.55. Take appropriate measures to protect vulnerable groups from discrimination, racial profiling and hate crimes, and to combat racism and xenophobia (Greece);
- 106.56. Take actions to combat racism, xenophobia, and religious intolerance and hatred (Bangladesh);

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<sup>1</sup> The recommendation was read during the interactive dialogue as "Launch an action plan to combat domestic violence in Greenland."

- 106.57. Monitor the incidence of and combat xenophobia, and promote intercultural understanding and tolerance (Turkey);
- 106.58. Take more effective measures to combat racial discrimination and intolerance, including by promptly investigating and taking stern action against the perpetrators of hatred, racist and xenophobic acts, speeches and publications (Malaysia);
- 106.59. Step up efforts in promoting intercultural understanding and tolerance between different ethnic groups in the country (Malaysia);
- 106.60. Strengthen the legal actions against all forms of discrimination on the basis of race, ethnic origin, language, religion or national origin (Ecuador);
- 106.61. Fully respect the human rights of foreigners, regardless of their migratory status (Ecuador);
- 106.62. Strengthen and effectively implement its legislation to prohibit, prosecute and punish hate speech, incitement to hatred and acts of religious profiling (Egypt);
- 106.63. Take effective measures to prevent and prohibit racial profiling by the police (Egypt);
- 106.64. Identify cases of racism and xenophobia and combat them, as well as continue to foster intercultural understanding and tolerance (Uzbekistan);
- 106.65. Remove the obstacles preventing victims of discrimination from effective access to justice, adopt appropriate measures to facilitate reporting on this crime by national, ethnic and religious minorities (Mexico);
- 106.66. Intensify efforts to eliminate all forms of practical discrimination against children (Palestine);
- 106.67. Continue combating the phenomena of racism and xenophobia and promote tolerance between cultures and religions (Palestine);
- 106.68. Undertake measures to tackle racial discrimination and to combat more resolutely all forms of racism (Islamic Republic of Iran);
- 106.69. Continue its efforts to combat xenophobia (Argentina);
- 106.70. Monitor the incidence of and combat racism and xenophobia (Brazil);
- 106.71. Strengthen measures to promote tolerance and combat attitudes, behaviours and reflexes not covered by the law as well as stereotypes directed, inter alia, at the Muslim minority (Morocco);
- 106.72. Implement the recommendation of treaty bodies and special procedures to introduce the offence of torture into the Criminal and Military Criminal Codes, as well as align rules and provisions on the statute of limitations with the Convention against Torture (Russian Federation);
- 106.73. Specifically envisage including the offence of torture in the penal and military codes (Uzbekistan);
- 106.74. Incorporate the crime of torture in the Criminal Code and the Military Criminal Code (Spain);
- 106.75. Ensure that conditions are created so that any reports of violations committed by law enforcement officials are investigated independently, impartially and in a timely manner (Uzbekistan);

- 106.76. **Introduce proper identification for its law enforcement officials (Slovakia);**
- 106.77. **Review the existing mechanism and framework for handling allegations of excessive use of force, including the use of weapons by law enforcement officials, in order to ensure full compliance with the Convention against Torture (Uzbekistan);**
- 106.78. **Ensure a timely and impartial investigation of all complaints and reports against such illegal acts (Uzbekistan);**
- 106.79. **Adopt appropriate measures to ensure that the establishment of so-called arrest and search zones is not done on the basis of criteria which might be equivalent to racial, ethnic or religious profiling (Algeria);**
- 106.80. **Continue to ensure effective protection of victims of domestic violence, including through considering the adoption of a specific law on violence against women, including domestic violence (Austria);**
- 106.81. **Continue efforts to prevent and combat violence against women and domestic violence, in particular in the Faroe Islands and Greenland (Poland);**
- 106.82. **Ensure more effective protection of victims of domestic violence (Slovenia);**
- 106.83. **Continue its efforts to combat domestic violence, especially against vulnerable groups such as women and children (Republic of Korea);**
- 106.84. **Provide foreign married women who are victims of domestic violence with legal safeguards and administrative guidelines for their protection, giving particular consideration to residence permits (Honduras);**
- 106.85. **Adopt effective policy measures aimed at combating and eliminating violence against women, including domestic violence, and encourage the high-level participation of women in the labour market and especially decision-making (Azerbaijan);**
- 106.86. **Establish specific mechanisms and formulate specific programmes geared to addressing the issue of violence against women and children, including by harmonizing national legislation with international human rights standards (Indonesia);**
- 106.87. **Strengthen the capacities for identifying victims of trafficking (Austria);**
- 106.88. **Strengthen the identification of human trafficking victims (Slovakia);<sup>2</sup>**
- 106.89. **Ensure that victims of human trafficking are not detained but instead granted proper protection, as well as expand the reflection period while making it entirely unconditional (Slovakia);**
- 106.90. **Take necessary measures to combat child prostitution and ensure that those children have access to adequate services for their recovery and social reintegration (Indonesia);**

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<sup>2</sup> The recommendation was read during the interactive dialogue as “Strengthen the identification of human trafficking victims, ensure that such victims are not detained but instead granted proper protection, as well as expand the reflection period while making it entirely unconditional.” It was subsequently split to read as in 106.88 and 106.89.

- 106.91. Prevent commercial sexual exploitation of children and ensure additional protective measures for all victims of trafficking (Azerbaijan);
- 106.92. Take more effective measures to prevent sexual exploitation of children, including through criminalizing the production and distribution of pornographic or erotic images including children, and prosecute Danish citizens who abused children abroad (Malaysia);
- 106.93. Adopt all necessary measures to combat the phenomenon of child sex tourism, including by consistently prosecuting offenders on their return for the crimes committed abroad (Greece);
- 106.94. Strengthen the capacity of the criminal police to deal with crimes related to child pornography on the Internet and to inform children and their parents about the safe use of the Internet (Islamic Republic of Iran);
- 106.95. Develop a more systematic approach to cooperation between governmental bodies and civil society to combat child trafficking (Australia);
- 106.96. Maintain article 266(b) of the Criminal Code and adopt measures to avoid that the shelving of cases related to racial or religious hatred does not dissuade victims from continuing to file complaints, and does not lead to impunity for the perpetrators of such crimes (Algeria);
- 106.97. Make case law from Danish courts and administrative organs publicly available and free of charge (Hungary);
- 106.98. Limit the use of long periods of pretrial custody (United Kingdom);
- 106.99. In light of the 1 July 2010 amendments to Danish legislation reducing the age for criminal responsibility to 14, bring it into line with the recommendations of the Committee on the Rights of the Child (Kyrgyzstan);
- 106.100. Prohibit incarceration of minors together with adults, as well as solitary confinement of minors (Belgium);
- 106.101. Take further steps to solve the problem of overcrowding in prisons and to ensure legal responsibility for the spread of racial and religious intolerance through the press (Belarus);
- 106.102. Ensure that the right to family life, marriage and choice of spouse is guaranteed to every person without discrimination based on national or ethnic origin (Turkey);
- 106.103. Abrogate the provisions of its internal legislation which prohibit, in practice, the union with a person who has family links abroad and those which prohibit reunification of spouses who have not yet reached the minimum age of 24 years (France);
- 106.104. Further strengthen the foundation of family and avoid resorting to measures and legislation which endanger the very foundation of family in society (Islamic Republic of Iran);
- 106.105. Ensure that contested children in a marital dispute have the possibility of maintaining effective contact with the foreign parent living abroad (Italy);
- 106.106. Take effective measures to strengthen the institution of family, including awareness-raising activities which should focus on raising awareness in society, especially of young people, on the traditional understanding of family and its social significance (Belarus);

- 106.107. Continue to take serious measures to promote inter-religious and intercultural dialogue in the country and to prevent the reoccurrence of irresponsible acts which perpetuate religious hatred and intolerance (Indonesia);
- 106.108. Strengthen measures for the promotion of intercultural understanding and tolerance in order to overcome unacceptable cases of intolerance and absence of respect for the religion of others in the country (Azerbaijan);
- 106.109. Take concrete legal and practical measures to combat incitement to religious hatred and intolerance (Pakistan);
- 106.110. Pay due attention to commensurate responsibility in protecting the rights of others and respect for others, while promoting and protecting freedom of expression and opinion (Bangladesh);
- 106.111. Give equal recognition to the right of undocumented children to education (Honduras);
- 106.112. Address in particular high school dropout among students belonging to ethnic minorities (Slovakia);
- 106.113. Adopt stronger measures to protect minorities and indigenous peoples from discrimination and to ensure their access to public facilities (Republic of Korea);
- 106.114. Remedy the difficulties in terms of access to health care for asylum-seekers created by the fact that they do not have the social security number required for identification and support (France);
- 106.115. Oversee the citizenship policy regarding the granting of citizenship to stateless persons in order to ensure that it corresponds with the Convention on the Reduction of Statelessness (Finland);
- 106.116. Allow for family reunification for children in as many cases as possible and ensure that Danish jurisprudence on family reunification is in accordance with its human rights obligations (Greece);
- 106.117. Review its practice of returning aliens to regions where they may encounter real risks of persecution or serious harm, particularly in Iraq (Switzerland);
- 106.118. Strictly observe the principle of non-refoulement and not resort to diplomatic assurances to circumvent it (Switzerland);
- 106.119. Revise the proposed amendments to the Danish Aliens Act with respect to unaccompanied children seeking asylum and ensure that the necessary protection and assistance is provided to them (Poland);
- 106.120. Ensure that any decision obliging a foreigner to leave the country is in accordance with international standards and under no circumstances should a person needing international protection be expelled, in accordance with the Convention Relating to the Status of Refugees, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Covenant on Civil and Political Rights, to all of which Denmark is a party (Mexico);
- 106.121. Take the necessary legal or administrative measures to ensure that migratory status does not depend on conjugal relations in cases in which gender violence is reported (Mexico);

106.122. Give due consideration to the cultural and religious sensitivities of newly arrived foreigners and migrants when designing social integration policies and programmes (Pakistan);

106.123. Review the requirements for migrants and asylum-seekers to obtain permanent residence and citizenship and consider removing retroactive elements of these requirements (United States of America);

106.124. Strengthen its protection of trafficking victims, specifically by offering longer-term alternatives that would allow them to stay in the country on a work or residency permit, rather than solely offering repatriation or asylum (United States of America);

106.125. Further streamline the Aliens Act to ensure that acts which may lead to expulsion are in line with international refugee and human rights law (Netherlands);

106.126. Strengthen safeguards against potential refoulement of persons in need of international protection, including by closely monitoring the situation in the countries of origin of the asylum-seekers (Republic of Korea);

106.127. Take further concrete steps to ensure the rights of all its citizens in relation to the 24-year rule (United Kingdom);

106.128. Ensure that non-Danish residents can also fully enjoy their basic human rights, paying special attention to access to justice (Brazil);

106.129. Implement the recommendations of the Committee on the Elimination of Racial Discrimination with regard to the conditions for family reunification of spouses (Sweden);

106.130. Implement the legal provisions and, where necessary, adopt legal reforms to guarantee family reunification of foreigners who have settled in Denmark, particularly family members of refugees, in accordance with the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, as well as the 1954 Convention Relating to the status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Ecuador);

106.131. Ensure that detention of refugees, migrants and asylum-seekers is applied only as a last resort (Slovakia);

106.132. Assess in an open and transparent manner the consequences of flights conducted over Danish territory and landings that took place in the context of the Central Intelligence Agency extradition programme (Switzerland);

106.133. Carry out an inclusive evidence-based evaluation of the Danish anti-terrorism legislation (The Netherlands).

107. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

## Annex

### Composition of the delegation

The delegation of Denmark was headed by Claus Grube, Permanent Secretary of State for Foreign Affairs, Ministry of Foreign Affairs, and composed of the following members:

- Steffen Smidt, Ambassador, Permanent Mission of Denmark, Geneva;
- Allan Rahbøl Jacobsen, Head of the Human Rights Unit, Ministry of Foreign Affairs;
- Jakob Jensen, Deputy Permanent Secretary, Ministry for Gender Equality;
- Dorte Bech Vizard, Head of Department, Ministry of Social Affairs;
- Frederik Gammeltoft, Head of Division, Ministry of Refugee, Immigration and Integration Affairs;
- Dorit Hørlyck, Head of Division, Ministry of Refugee, Immigration and Integration Affairs;
- Helle Schnedler, Head of Division, Ministry of Interior and Health;
- Carsten Madsen, Legal Advisor, Ministry of Justice;
- Susanne Beck Petersen, Senior Advisor, Ministry of Interior and Health;
- Leo Torp, Special Advisor, Ministry of Employment;
- Steen Nørlov, Head of Section, Ministry of foreign Affairs;
- Julia Winding, Head of Section, Ministry of Foreign Affairs;
- Anne-Mette Kjær, Head of Section, Ministry of Social Affairs;
- Nicolai Winther, Head of Section, Ministry of Justice;
- Anne Line Kræmmer, Head of Section, Ministry of Justice;
- Ane Maria Røddik Christensen, Head of Section, Ministry of Justice;
- Louise Hauberg Wilhelmsen, Head of Section, Ministry of Justice;
- Christian Lamhauge Rasmussen, Head of Section, Ministry of Education;
- Maria Ulf-Møller, First Secretary, Permanent Mission of Denmark, Geneva;
- Tanja Vestergaard Jørgensen, First Secretary, Permanent Mission of Denmark, Geneva;

#### Government of Greenland

- Marianne Lykke Thomsen, Senior Policy Advisor, Department of Foreign Affairs;
- Adam Worm, Senior Policy Adviser, Department of Foreign Affairs;

#### Government of the Faroe Islands

- Durita Lamhauge Jóansdóttir, Department of Fisheries, Trade and Regional Policy.