

# DENMARK 2021 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The Kingdom of Denmark is a constitutional monarchy with democratic, parliamentary rule. Queen Margrethe II is head of state. A prime minister, usually the leader of the largest party of a multiparty coalition, is head of government and presides over the cabinet, which is accountable to a unicameral parliament (Folketing). The kingdom includes Greenland and the Faroe Islands, which are autonomous with similar political structures and legal rights. They manage most of their domestic affairs, while the central Danish government is responsible for constitutional matters, citizenship, monetary and currency matters, foreign relations, and defense and security policy. Observers deemed national elections in 2019 to be free and fair.

The National Police maintain internal security and, jointly with the Danish Immigration Service, is responsible for border enforcement at the country's ports of entry. The Ministry of Justice oversees both services. The Armed Forces report to the Ministry of Defense and have responsibility for external security in addition to some domestic security responsibilities, such as disaster response and maritime sovereignty enforcement. Civilian authorities maintained effective control over the security forces. There were some reports that members of the security forces committed abuses.

Significant human rights issues included credible reports of excessive use of solitary confinement, including of children.

The government had mechanisms in place to identify and punish officials who may commit human rights abuses or engage in corruption.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports the government or its agents committed arbitrary or

unlawful killings.

## **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

## **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and law prohibit such practices, but there were some reports government officials employed them.

Several committees in the country's Universal Periodic Review (UPR) in the UN Human Rights Council (UNHRC) expressed concern that coercive measures were used in mental health institutions, and that coerced treatment and the use of restraint in institutions remained legal. In February the Danish Institute against Torture (DIGNITY) published a briefing note finding the country's 2014 action plan to reduce the use of coercion in psychiatric institutions by 50 percent by 2020, including a 50 percent reduction in the use of mechanical restraints with belts, did not meet its goals. According to a 2020 report released by the Health Authority, the use of belt restraints decreased, but the prevalence of patients subjected to one or several coercive methods increased in comparison to the pre-action plan statistics during a 12-month study period between July 2019 and June 2020.

The European Court of Human Rights (ECHR) concluded in September 2020 that the government had violated the prohibition of inhuman treatment in a case where belt restraints had been used on a patient for nearly 23 hours. On February 3, the Supreme Court held that restraining with belts for 281 consecutive days was a violation of the prohibition of inhuman treatment. The case related to a patient who was detained at a psychiatric institution while awaiting a transfer to a more specialized psychiatric hospital in 2015. The European Committee for the Prevention of Torture (CPT), the Audit Office, and the ombudsman criticized the use of belt restraints.

## **Prison and Detention Center Conditions**

There were no significant reports regarding prison or detention center conditions

that raised human rights concerns.

**Physical Conditions:** Authorities continued to hold convicted prisoners together with pretrial detainees in remand institutions.

The CPT criticized the country's use of solitary confinement, including for children, several times.

In September the Danish Institute for Human Rights (DIHR) and DIGNITY released a report detailing a sharp increase in unconditional solitary confinements in prisons over recent years. In 2015 there were approximately 2,600 placements in solitary confinement, but in 2020 that number rose to more than 4,000 placements. The report found an even larger increase among cases where the inmate was in solitary confinement for more than two weeks, from seven in 2015 to 637 in 2020. There was a large increase in the number of long-term solitary confinements of 15 days or more, and the preliminary figures for 2021 indicated that these high numbers continued. The DIHR and DIGNITY recommended that, in accordance with the Nelson Mandela Rules, solitary confinement for minors and other vulnerable groups be abolished, that there should be a 15-day limit for individuals in solitary confinement, and that health personnel should be included in all solitary confinement placements. The DIHR also recommended that inmates in two-person cells have at least 22 square feet of room each.

**Administration:** Authorities conducted investigations of credible allegations of mistreatment.

**Independent Monitoring:** The parliamentary ombudsman also functioned as a prison ombudsman. The government permitted additional monitoring visits by independent human rights observers and media.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements.

## **Arrest Procedures and Treatment of Detainees**

The law allows police both to begin investigations and to make arrests on their own initiative based upon observed evidence or to enforce a court order following an indictment filed with the courts by public prosecutors.

The law mandates that citizens and documented migrants taken into custody appear before a judge within 24 hours. The judge may extend police custody for a further 72 hours. Authorities may hold irregular migrants up to 72 hours before bringing them before a judge or releasing them. In all cases the law requires police to make every effort to limit detention time after arrest to fewer than 12 hours. A migrant generally is classified as irregular when the individual does not have the required authorization or documents for legal immigration. During the 72-hour holding period, the National Police, the Center against Human Trafficking, and antitrafficking nongovernmental organizations (NGOs), if needed, may review an irregular migrant's case to determine whether the migrant is a victim of human trafficking. In addition, the Ministry of Immigration and Integration can suspend the requirement for a 72-hour case review if the volume of asylum requests exceeds the ability of the government to complete reviews within 72 hours. Authorities may extend detention beyond 72 hours to conduct additional research in cases where the migrant's country of origin or identity cannot be positively verified.

According to the CPT, police may administratively detain a person who endangers public order, the safety of individuals, or public security for a period not exceeding six hours or, in the context of public gatherings and crowds, 12 hours.

Authorities generally respected the right of detainees to a prompt judicial determination and informed them promptly of charges against them. There is no bail system; judges decide either to release detainees on their own recognizance or to keep them in detention until trial. A judge may authorize detention prior to trial only when authorities charge the detainee with a violation that could result in a prison sentence of more than 18 months or when the judge determines the detainee would seek to impede the investigation of the case, be a flight risk, or be likely to commit a new offense. The standard period of pretrial custody is up to four weeks, but a court order may further extend custody in four-week increments.

Arrested persons have the right to unsupervised visits with an attorney from the time police bring them to a police station. The CPT alleged questioning of detainees often began immediately upon arrest and during transport to the police station. Police frequently delayed access to an attorney until the accused appeared in court for a remand hearing. Several detained persons complained to the CPT that the first time they had met a lawyer was in court, a few minutes before the application of remand custody was decided. The CPT reported that numerous detained persons were not informed of their right of access to a lawyer or that their requests to contact a lawyer and to have him or her present during police questioning were ignored. Moreover, detained persons' requests to see a lawyer and the action taken by police in response to such requests were not recorded systematically.

The government provides counsel for those who cannot afford legal representation. Detainees have the right to inform their next of kin of their arrest, although authorities may deny this right if information regarding the detention could compromise the police investigation. Detainees have the right to medical treatment, and authorities generally respected this right. Police may deny other forms of visitation, subject to a court appeal but generally did not do so. Fewer detainees were sent to isolation than in previous years, but the practice was still used as a method of punishment.

### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence and impartiality.

#### **Trial Procedures**

The constitution provides for the right to a fair and public trial, and an independent judiciary generally enforced this right.

Defendants enjoy the right to a presumption of innocence; a prompt and detailed notification of the charges against them; and a fair, timely, and public trial. They have the right to be present at their trial; to communicate with an attorney of their choice (or have one provided at public expense if unable to pay); to have adequate time and facilities to prepare a defense; to have free interpretation as necessary

from the moment charged through all appeals; to confront prosecution or plaintiff witnesses and present their own witnesses and evidence; not to be compelled to testify or confess guilt; and to appeal their case.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

Individuals or organizations may bring civil lawsuits seeking damages for a human rights violation. The complainant may also pursue an administrative resolution. The law provides that persons with “reasonable grounds” may appeal court decisions to the ECHR if they involve alleged violations of the European Convention on Human Rights, but only after they exhaust all avenues of appeal in national courts.

### **Property Seizure and Restitution**

The government reported, and the Jewish Community confirmed, that Holocaust-era restitution has not been an issue and that no litigation or restitution claims regarding real or immovable property covered by the 2009 Terezin Declaration on Holocaust Era Assets and Related Issues, were pending before authorities.

The Department of State’s Justice for Uncompensated Survivors Today (JUST) Act report to Congress, released publicly in July 2020, can be found on the Department’s website: <https://www.state.gov/reports/just-act-report-to-congress/>.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution and law prohibit such actions, but there were isolated reports that the government failed to respect these prohibitions. The law allows the government to collect the personal data of airline passengers. The DIHR criticized the government for postponing the revision of its logging rules despite a ruling by the European Court of Justice that the existing systematic collection of data is in violation of citizens’ fundamental rights.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution and law provide for freedom of expression, including for members of the press and other media, and the government generally respected this right. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for members of the media.

**Freedom of Expression:** The law prohibits any public speech or the dissemination of statements or other pronouncements that threaten, deride, or degrade a group because of gender, race, skin color, national or ethnic background, religion, or sexual orientation. Authorities may fine offenders or imprison them for up to two years.

In January police detained three individuals who allegedly made threatening remarks as an effigy of the prime minister was burned by antilockdown protesters. The protest was one of a series organized by Men in Black, a self-proclaimed “freedom” group that protested the government’s winter lockdown to hinder the spread of COVID-19. According to police, the group had strong ties to the hooligan soccer community. On March 12, the Copenhagen city court sentenced a woman associated with Men in Black to two years’ unconditional imprisonment for having called for violence during a demonstration on January 9. The court doubled her punishment due to a special section in the law allowing for the doubling of punishments for several crimes if the offense was connected to COVID-19 restrictions. Amnesty International Denmark expressed concern that the law was too vaguely worded regarding the connection between the crime and COVID-19. In June a higher-level court reduced the sentence to 60 days. Approximately 15 demonstrators from the same event also received the double sentence, and in two instances, after appeals, the High Court reversed the sentence.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online

content, and there were no credible reports that the government monitored online communications without appropriate legal authority.

In January the DIHR published a report on technology companies' impacts on human rights. The report concluded that human rights considerations be incorporated throughout "tech giants" boards, strategic and policy planning, risk management procedures, and beyond.

On November 18, the government hosted its Tech for Democracy conference to discuss how digital technology can strengthen democracy and support human rights.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

### **b. Freedoms of Peaceful Assembly and Association**

The constitution provides for the freedom of peaceful assembly and association, and the government generally respected these rights.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement and the Right to Leave the Country**

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

**Exile:** On October 6, the government repatriated three mothers and their 14 children from northeastern Syria. Authorities also said they would repatriate five other children without their mothers, who had been stripped of their Danish citizenship.

**Citizenship:** In December 2020 parliament removed the "sunset" clause from a 2019 law allowing the revocation of citizenship without a court hearing for those



who “acted in a manner which is seriously detrimental to the vital interests of the country.” This 2019 law was set to expire in 2021. The law does apply to those who would be rendered stateless by the revocation. Under this provision the government revoked the citizenship of 11 Danes.

### **e. Status and Treatment of Internally Displaced Persons**

Not applicable.

### **f. Protection of Refugees**

The government did not participate with the Office of the UN High Commissioner for Refugees (UNHCR) in its program to resettle refugees.

On June 3, parliament authorized the government to establish asylum centers in non-EU countries. The EU Commission called the law inconsistent with EU law. The government negotiated the establishment of asylum centers with potential partner countries, including Rwanda. The Danish Refugee Council criticized the amendments to the law on transferring asylum seekers to non-EU countries.

**Access to Asylum:** The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The government limits the rights of persons with subsidiary or temporary protection to family reunification, restrictions not applied to persons recognized as refugees. For example, persons with subsidiary or temporary protection must wait at least three years before applying for family reunification for their spouse or cohabitating partner and minor children. In contrast, persons with refugee status can apply for family reunification at any time.

The government does not consider Damascus, Syria, and the Rif Dimashq Governate surrounding it to be dangerous. The government did not forcibly return rejected asylum seekers to Syria. Those whose claims were rejected, however, lost their work permit and were required to live in an asylum center.

On July 9, the ECHR found the country violated its international human rights obligations by imposing a law that lengthened the amount of time a newly arrived refugee must wait before applying for family reunification. In the same case, the

ECHR also concluded that the local authorities' decision to deny a Syrian refugee family reunification was a breach of the European Convention on Human Rights. In 2015 the government granted a Syrian national temporary protection status for one year. When the Syrian applied for family reunification with his wife, the government denied it due to the three-year rule, which requires refugees to wait three years before applying for family reunification. Local courts upheld the denial.

**Safe Country of Origin/Transit:** The country employs the EU's Dublin III regulation, which permits authorities to turn back or deport individuals who entered or attempted to enter the country through a "safe country of transit" or were registered in another state-party to the Dublin regulation.

**Refoulement:** As of September 30, the government has revoked the residency permits of 87 Syrian refugees since 2019 after the Danish Refugee Appeals Board deemed Damascus and its surrounding governorate to be safe. Most of these individuals have since departed Denmark for Syria or other destinations. In September a report by Amnesty International Denmark on the repatriation of Syrian nationals to Syria found one-third of human rights abuses in Syria took place in Damascus or in the surrounding area. Amnesty also stated that Syrian nationals whose residency permits were revoked could face torture, enforced disappearance, and arbitrary detention upon their return to Syria.

**Abuse of Migrants and Refugees:** The government stated all asylum seekers were offered a medical screening upon arrival in the country, reception center staff were sensitive to signs of torture, and it was the opinion of the government that the procedures in place to identify and assist victims of torture were sufficient. The government stated that if an asylum seeker's condition was such that detention was deemed impossible, the police imposed less restrictive measures, but the fact that an alien had been subjected to torture generally did not exclude the use of detention. The UN Committee Against Torture subsequently regretted that medical examinations were performed at the sole discretion of immigration authorities.

**Freedom of Movement:** The law limits the initial period of immigration detention to six months, which can be extended to 18 months if special

circumstances exist.

**Access to Basic Services:** The law allows municipalities to accommodate refugees only in temporary housing.

**Durable Solutions:** The government's policy encouraged repatriation of refugees rather than their integration into society. The state provided financial assistance to refugees or asylum seekers who choose to return home. It paid for their travel and provided a small sum of money to help them resettle in their homeland. The government provided similar financial incentives to nonrefugee or non-asylum-seeking residents who choose to return to their homelands. This policy decreased the likelihood of long-term residency permits for refugees and asylum seekers as it encouraged repatriation over integration.

**Temporary Protection:** As of August, 111 refugees received temporary protection status in the country.

### **g. Stateless Persons**

According to UNHCR, as of February, 11,655 stateless persons lived in the country. Stateless persons can apply for citizenship if they have lived in the country for at least eight years.

During the country's UPR, UNHCR reported that stateless children born in the country are not entitled to Danish nationality by birth but could acquire nationality through naturalization, with requirements more stringent than those in the 1961 Convention on the Reduction of Statelessness.

## **Section 3. Freedom to Participate in the Political Process**

The constitution and laws provide citizens, including residents of Greenland and the Faroe Islands, the ability to choose their governments in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

### **Elections and Political Participation**

**Recent Elections:** Free and fair parliamentary elections in 2019 led to the formation of a single-party minority government headed by Social Democratic

Party leader Mette Frederiksen.

Free and fair parliamentary elections in Greenland in April led to the formation of a two-party majority government headed by left-green party Inuit Ataqatigiit and pro-independence party Naleraq.

The Faroe Islands also held free and fair municipal elections in November 2020.

**Participation of Women and Members of Minority Groups:** No laws limit the participation of women and members of minority groups in the political process, and they did participate.

## **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively.

Transparency International Greenland's *Global Corruption Barometer* for 2020, released in March, found that 57 percent of respondents felt corruption was a "big problem." The survey was conducted in October-November 2020, shortly after a conflict-of-interest case emerged involving the then premier of Greenland Kim Kielsen. In May 2020 Kielsen's government raised the fishing quotas for rockfish while the then premier lent out his private boat for commercial fishing of rockfish. Kielsen confirmed that he earned 27,000 kroner (DKK) (\$4,200) by renting out his boat that was not rated for commercial use. In September 2020 the government's audit committee offered a "sharp reprimand" of the "criticizable" actions, but it did not find Kielsen had violated any laws.

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their

views.

**Government Human Rights Bodies:** The parliamentary ombudsman investigated complaints regarding national and local public authorities and any decisions authorities made regarding the treatment of citizens and their cases. The parliamentary ombudsman can independently inspect prisons, detention centers, and psychiatric hospitals. A European ombudsman monitored the country's compliance with EU basic rights, a consumers' ombudsman investigated complaints related to discriminatory marketing, and two royal ombudsmen provided liaison between the Danish central government and those in the Faroe Islands and Greenland. These ombudsmen enjoyed the government's cooperation, operated without government or political interference, and were considered effective.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** The law criminalizes rape against women and men (the statute is gender neutral), including spousal rape and domestic violence. Rape is not defined by a lack of consent, but rather by whether physical violence, threat, or coercion is involved or if the victim is found to have been unable to resist. Penalties for rape include imprisonment for up to 12 years for aggravated circumstances and up to six years for domestic violence. The government effectively prosecuted persons accused of rape.

Gender-based violence rates have increased due to COVID-19. The number of women enrolled in domestic violence shelters throughout the country in 2020 increased 3 percent compared with 2019. In January a new consent law went into effect. The law, which strengthened the country's rape laws, criminalized sex without the explicit consent of all parties.

The police received 1,825 reports of rape or attempted rape in 2020.

Faroese law criminalizes rape with penalties of up to 12 years' imprisonment. The law considers nonconsensual sex with a victim in a "helpless state" to be sexual abuse rather than rape. In certain instances it also reduces the penalty for rape and

sexual violence within marriage.

Greenlandic law criminalizes rape. The law does not provide a minimum sentencing for persons convicted of rape but does cap sentencing at 10 years. The law is applied equally regardless of the marital relationship of the offender and the victim. The law provides that sentencing be based on the severity of the case as well as an individual evaluation of the offender. Sentencing was typically between 12 and 18 months.

In the country's UPR, two treaty bodies of the UNHRC expressed concern that numerous women had experienced violence or had been exposed to threats thereof, and that the rates of prosecution and conviction remained low. The Committee on Economic, Social and Cultural Rights was concerned regarding the high incidence of sexual violence, including rape; the lack of reliable associated statistical data; the inadequacy of legal provisions relating to rape; and the very low rate of prosecution of sexual violence.

The government and NGOs operated 24-hour hotlines, counseling centers, and shelters for female survivors of violence throughout the country, including in Greenland and the Faroe Islands.

Under the law a man who is the survivor of domestic violence is not afforded the same opportunities for help as a woman. While the law provides women the right to be admitted to a women's crisis center, men can only be admitted to shelters or male centers as "functional homeless." These centers did not necessarily have expertise in caring for survivors of violence because they house a wider target group, such as the homeless and those suffering from drug or alcohol addictions. In Greenland there were 748 sexual crimes reported in 2020, a 33.8 percent increase from the 559 reported in 2019.

The law provides for 10 hours of taxpayer-funded psychological help for women, but not for men, in shelters. The government may extend this treatment to men in men's shelters on trial basis in 2022-23.

**Sexual Harassment:** The law prohibits sexual harassment and provides that authorities may order a perpetrator or an employer who allowed or failed to prevent an incident of harassment to pay monetary compensation to victims. The

law considers sexual harassment an unsafe working condition and gives labor unions or the Equal Treatment Board the responsibility to resolve it. The government enforced the law effectively.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

**Discrimination:** Women have the same legal status and rights as men, including under family, labor, religious, personal status and nationality, property, inheritance, employment, access to credit, and owning and managing businesses and property laws. Little discrimination was reported in employment, ownership and management of businesses, or access to credit, education, or housing.

### **Systemic Racial or Ethnic Violence and Discrimination**

COVID-19 vaccination rates among residents in the country's so-called parallel societies (previously called "ghettos") were considerably lower than other areas of the country. As of August, 40 percent of those older than age 12 who were invited to get vaccinated in the largest areas, including Vollsmose, Gellerup, and Tingbjerg, did not book a time to get vaccinated. This compared with 15 percent of the rest of the general population. Health experts attributed the low rates of vaccine uptake among certain minority and immigrant groups to insufficiently robust outreach and engagement efforts.

In a report from a study conducted between 2015 and 2018 and released in September 2020, the DIHR found that patients with non-Western backgrounds had a 40 percent higher risk of being subjected to coercion in psychiatric institutions.

The Finance Act of 2021 included a four-year grant to fund the country's first crisis center for lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons with ethnic minority backgrounds. The crisis center will emphasize specialized counseling and guidance efforts and aims to promote security, well-being, and equal opportunities for LGBTQI+ persons with a minority background.

The Ministry of the Interior and Housing continued to implement the government's action plan for the elimination of parallel societies by 2030. The government

defines a parallel society as a neighborhood with more than 1,000 residents where more than half of the residents are of “non-Western” origin and meet certain socioeconomic criteria. Media widely interpreted “non-Western” to mean Muslim-majority communities. The law requires parents from parallel societies to send toddlers older than the age of one to government-funded daycare to be taught “Danish values,” including Christmas and Easter traditions. Authorities withheld quarterly benefits of up to DKK 4,560 (\$711) from noncompliant parents. The law also requires neighborhoods that have been classified as “parallel societies” for four consecutive years to reduce the amount of public housing in the area by 40 percent through demolition, sale, or privatization of public housing. The government is responsible for re-housing evicted individuals.

## **Indigenous Peoples**

The law protects the rights of the indigenous Inuit inhabitants of Greenland, who are Danish citizens and whose legal system seeks to accommodate their traditions. Through their elected internally autonomous government, they participated in decisions affecting their lands, culture, traditions, and the exploitation of energy, minerals, and other natural resources. Greenlanders also vote in national elections.

In the UPR, the Committee on Economic, Social and Cultural Rights stated that the 2003 Supreme Court ruling that Greenland’s Thule tribe was not a distinct group of the area’s Inuit population breached the right to self-identification.

## **Children**

**Birth Registration:** Most children acquire citizenship from their parents. Stateless persons and certain persons born in the country to noncitizens may acquire citizenship by naturalization, provided, in most cases, that they apply for citizenship before their 21st birthday. The law requires medical practitioners to register promptly the births of children they deliver, and they generally did so.

**Child Abuse:** Child abuse, including corporal punishment, is illegal and punishable by up to two years in prison. The National Police and Public Prosecutor’s Office actively investigated child abuse cases. According to police statistics, approximately 17 percent of total sexual offenses in Greenland were



crimes of “sexual relations with individuals below the age of 15.”

During the UPR the Committee on the Rights of the Child raised concerns that many children, especially children with disabilities, who could not stay with their families continued to be placed in alternative care institutions.

The 2020-23 joint Denmark-Greenland project to strengthen the work for vulnerable children and young persons in Greenland established 16 targeted initiatives to ensure early support for vulnerable children and young persons, who were survivors of abuse or sexual assault. The national government allocated DKK 80 million (\$12 million) to help implement the recommendations and initiatives. Previously, the Greenlandic government reported that every third child in Greenland experienced neglect, that one in five children born after 1995 experienced sexual abuse, and that the suicide rate among youth was high.

**Child, Early, and Forced Marriage:** The legal minimum age for marriage is 18.

A report released in October by Ethnic Consultant Team, a department of the municipality of Copenhagen, showed an increase in the number of persons who have contacted Copenhagen and Aarhus municipalities because of threats of so-called honor killings. An estimated 100 persons, mostly women, contacted the municipalities over the past three years. The municipality of Copenhagen received 90 inquiries related to “honor killings” between 2018 and 2020, of which 80 were directly related to threats of “honor killings,” and the remaining 10 to anxiety related to “honor killings.” Spokesperson for the Council for Ethnic Minorities, Halima El Abassi, called the numbers “extreme,” adding that the country has issues surrounding honor, and the big cultural differences in some environments.

**Sexual Exploitation of Children:** The law prohibits the commercial sexual exploitation of children and child pornography. Penalties for the distribution of child pornography include up to a six-year prison sentence. The government generally enforced these laws. The minimum age for consensual sexual activity is 15. Prostitution is not criminalized, but the purchase of sexual services from a person younger than 18 is illegal. Penalties for inciting child prostitution include up to a four-year prison sentence.

The law in Greenland prohibits sexual relations with children younger than age 15;

the Greenlandic Police determine the penalties for perpetrators.

**Displaced Children:** The government considered unaccompanied minor refugees and migrants to be vulnerable, and the law includes special rules regarding them. If a child younger than 18 enters the country without parents or any other family and applies for asylum, the child is termed an unaccompanied minor asylum seeker. As such, the child has special rights including to receive appropriate protection and humanitarian assistance and be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as well as other rights described in the Convention on the Rights of the Child. A personal representative is appointed for all unaccompanied children who sought asylum or who stayed in the country without permission.

In the UPR, the Committee on the Rights of the Child noted that: asylum-seeking families with children might be detained awaiting deportation; efforts to identify children in vulnerable situations or girls at risk of female genital mutilation were insufficient; and the best interests of the child were not adequately considered in immigration cases. The committee and UNHCR were also concerned that children aged 15 or older did not have an automatic right to family reunification.

The Committee on the Rights of the Child was concerned that unaccompanied children might be placed in detention when awaiting deportation and, as of age 17, were placed in centers for adults and could be separated from unaccompanied siblings. The committee was also concerned that unaccompanied children missing from asylum centers could have become sex trafficking victims and that unaccompanied children not found mature enough to undergo the asylum procedure did not have their applications processed until they were considered sufficiently mature.

**International Child Abductions:** The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

## **Anti-Semitism**

The organization the Jewish Community in Denmark (Det Jødiske Samfund i Danmark) estimated between 6,000 and 8,000 Jews lived in the country, mostly in the Copenhagen area.

In April the Jewish cemetery in Aalborg was vandalized. Two dolls were placed near a grave, and paint was poured over the dolls and the wall surrounding the cemetery. In addition, anti-Semitic flyers referring to a website for the right-wing radical movement Nordic Resistance Movement were found near the dolls. A 29-year-old man was charged with vandalism and hate speech. In June the man was sentenced to one year in prison. He appealed the verdict and was released from prison on November 1, because the court deemed that there was a risk that the expected sentence from the High Court of Western Denmark would not exceed the time the man had already served.

On April 6, a 28-year-old man was sentenced to nine months in prison for racism, violation of the peace of a graveyard, and gross vandalism against a grave in a Jewish cemetery in Randers in 2019.

Representatives of the Jewish community remained concerned regarding proposals to ban nonmedical circumcision of boys younger than age 18 could reemerge in parliamentary debates.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Persons with Disabilities**

The law prohibits discrimination against and harassment of persons with physical, sensory, intellectual, or mental disabilities. It also mandates access by persons with disabilities to government buildings, education, employment, information, and communications. The government enforced these provisions.

The law provides for the right of free education for all children. The law provides

that most children with disabilities be able to attend mainstream classes with nondisabled peers through secondary school. On April 20, parliament voted unanimously for a bill to include on the list of hate crime offenses criminal acts motivated by prejudice against a victim's disability. Previously, only crimes motivated by prejudice against a victims' ethnicity, religion, sexual orientation, or similar, counted as hate crimes. The new law took effect on May 1.

On January 1, the law prohibiting discrimination on the grounds of disability was amended to provide reasonable accommodations for children with disabilities in day care, primary school, independent schools, and private primary schools (free primary schools). At the same time, the right to appeal was introduced to the Equal Treatment Board, which makes it possible to be awarded compensation. The purpose of the amended law is to avoid discrimination of children and young persons with disabilities in day care and at school and achieve the same opportunities for participation as other children and teenagers.

The right of persons with disabilities to vote or participate in civic affairs was generally not restricted, but some persons with disabilities reported problems in connection with elections, including ballots that were not accessible to blind persons or persons with mental disabilities. The country maintained a system of guardianship for persons considered incapable of managing their own affairs due to psychosocial or mental disabilities. Persons under guardianship who do not possess legal capacity have the right to vote in local and regional elections as well as in elections to the European Parliament, but not in national elections.

Greenland employed a spokesperson to promote the rights and interests of persons with disabilities. According to media reports, persons with disabilities in Greenland continued to lack adequate access to physical aids, counselling, educated professionals, and appropriate housing. Many Greenlanders with disabilities had to be relocated to Denmark because of lack of support resources in Greenland.

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity**

Police and other government agents did not incite, perpetrate, condone, or tolerate

violence against LGBTQI+ individuals, or those reporting on such abuse.

Danish law prohibits discrimination by state and nonstate actors against LGBTQI+ persons, and the government enforced such laws.

The law affords individuals legal gender recognition, but government guidelines require that individuals undergoing transition receive hormone treatment at one of two designated government-run clinics; private physicians are not permitted to establish this course of treatment.

In May the protest movement Live and Let Live (Lev og Lad Leve) published a book detailing 1,000 examples of hate crimes committed against members of the LGBTQI+ community in the country since 2020. The release of the book was accompanied by a demonstration at parliament where 1,000 chairs were placed in front of the castle, one to represent each story in the book. The organizers and authors of the book delivered copies of the book to politicians in parliament, among them Minister for Equal Opportunities Peter Hummelgaard. Several smaller demonstrations were held throughout the country where books were given to local politicians. Intersex Denmark and other LGBTQI+ organizations called on the country to end surgery on intersex children.

## **Other Societal Violence or Discrimination**

Representatives of the Muslim and Jewish communities remained concerned regarding proposals to ban nonmedical circumcision of boys younger than age 18 and its regular reemergence in parliamentary debates.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law states all workers may form or join independent unions. The law provides for the right to collective bargaining and to legal strikes but does not provide nonresident foreign workers on Danish ships the right to participate in the country's collective bargaining agreements. It allows unions to conduct their activities without interference, prohibits antiunion discrimination, and provides for reinstatement of workers fired for union activity.

The government effectively enforced the law. Resources, inspections, and remediation including supporting regulations were adequate. Penalties were commensurate with similar violations. Breaches of collective agreement are typically referred to industrial arbitration tribunals to decide whether there was a breach. If the parties agree, the Labor Court may deal with cases that would otherwise be subject to industrial arbitration. The court determines penalties on the facts of the case and with due regard to the degree that the breach of agreement was excusable.

Employers and the government generally respected freedom of association and the right to collective bargaining. Annual collective bargaining agreements covered members of the workforce associated with unions and indirectly affected the wages and working conditions of nonunion employees.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor, including by children, and the government effectively enforced this prohibition. The law prescribes penalties that were generally commensurate with those for similar crimes.

An annual report from the National Board of Social Services noted that victims of both human trafficking and forced labor had been affected more negatively due to COVID-19. Male victims were generally trafficked for criminal actions and forced labor. Children and young persons were often exploited for criminal acts. The report underscored human trafficking increasingly took place digitally, with use of technological tools for recruitment, monitoring, retention, and exploitation of victims. The National Board of Social Services also identified cases of trafficking to slavery-like conditions. In all cases the victims had been physically deprived of their liberty.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits the worst forms of child labor, and the government effectively enforced the law. The minimum legal age for full-time employment is 15. The

law sets a minimum age of 13 for part-time employment and limits school-age children to less strenuous tasks. The law limits work hours and sets occupational health and safety restrictions for children, and the government effectively enforced these laws. Minors may not operate heavy machinery or handle toxic substances, including harsh detergents. Minors may only carry out “light work” that is the equivalent of lifting no more than 26.4 pounds from the ground and 52.8 pounds from waist height. For minors working in jobs where there is a higher risk of robbery, such as a snack bar, kiosk, bakery, or gas station, a coworker older than 18 must always be present between the hours of 6:00 p.m. and 6:00 a.m. on weekdays and 2:00 p.m. and 6:00 a.m. on weekends.

#### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits employment discrimination, and the government generally enforced these laws effectively. The law prohibits discrimination and harassment based on race, skin color, or ethnic origin; gender; religion or faith; sexual orientation; national or social origin; political views; age; and disability. The law does not explicitly prohibit discrimination based on HIV, AIDS, or refugee status. Penalties for violations include fines and imprisonment and were generally commensurate with those for similar violations.

The UNHRC expressed concern regarding the persistent gender wage gap, mostly affecting women with immigration backgrounds, and obstacles faced by women in accessing full-time employment.

Danish gender equality law does not apply to Greenland, but Greenland’s own law prohibits gender discrimination. Greenland has no antidiscrimination laws in employment, and Danish antidiscrimination laws do not apply to Greenland.

Greenlandic law prohibits gender-based discrimination in the labor market and has set up an Equality Council. The council’s mandate is restricted to gender equality, and the council “is not obliged to work at the request of citizens but can assess whether an issue requires its attention.” Greenlandic citizens cannot complain to an independent appeals board but must bring their case to court. If a complaint concerns discrimination by a public authority, citizens can complain to the parliamentary ombudsman.

In July the Employment and Integration Administration in Copenhagen released findings showing that nearly a quarter of the 3,433 young persons between the ages of 18 and 29 surveyed experienced discrimination within the past year. Of the respondents, 42 percent indicated that discrimination occurred in their workplace, up from 34 percent in 2019. The survey reported that those of younger age with an ethnic background other than Danish had a greater risk of having unpleasant experiences at work.

In May the labor union Lederne published a survey showing the extent of discrimination in Danish workplaces. According to the results, many workers with non-Western ethnic backgrounds experienced racist or discriminatory actions from customers or other employees.

In 2019 the Ministry of Equality published findings from a study regarding the situation of LGBTQI+ persons in the labor market. The study found that approximately 30 percent of LGBTQI+ workers experienced discrimination in the workplace. Following the release of this report during the year, the Ministry of Equality announced a new campaign to increase job satisfaction as well as prevent discrimination and harassment in the workplace.

## **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The law does not mandate a national minimum wage. Unions and employer associations negotiate minimum wages in collective bargaining agreements that were more than the estimate for the poverty income level. The law requires equal pay for equal work; migrant workers are entitled to the same minimum wages and working conditions as other workers.

Workers generally worked a 37.5-hour week established by contract rather than law. Workers received premium pay for overtime, and there was no compulsory overtime. Working hours are set by collective bargaining agreements and adhere to the EU directive that average workweeks not exceed 48 hours.

The Danish Working Environment Authority (DWEA) under the Ministry of Employment is responsible for the enforcement of wage and hour laws. The number of inspectors was sufficient to enforce compliance, and inspectors have the authority to make unannounced inspections and initiate sanctions. The government



effectively enforced wage and hour laws, and penalties for violations were commensurate with those for similar crimes. Vulnerable groups generally included migrant and seasonal laborers, as well as young workers. These groups often worked in the agricultural and service sectors.

There were growing concerns regarding the state of working conditions in the country's platform economy (also known as gig economy). Employees at Nemlig.com, an online grocery delivery service, were threatened with being fired or having reduced working hours if they could not work within the allotted timeframe of packing customers' orders. Drivers were also expected to work for 15 hours a day and experienced enormous physical pressure to fulfill deliveries to avoid fines up to approximately DKK 2,000 (\$310). The labor union 3F entered an agreement with Nemlig.com regarding the work pace in a warehouse located in Broendby. In March, 3F stated in a briefing note that Nemlig.com made progress during the COVID-19 pandemic but that employees continued to be treated poorly.

**Occupational Safety and Health:** The law prescribes conditions of work, including appropriate safety and health standards, and authorities effectively enforced compliance with labor regulations. The same inspectors with authority over minimum wage and hours conducted occupational safety and health inspections. Standards were enforced effectively for wage, hours and occupational safety and health in all sectors, including the informal economy. Penalties for safety and health violations, for both employees and employers, were commensurate with those for similar violations. The DWEA under the Ministry of Employment may settle cases subject only to fines without trial.

The Ministry of Employment is responsible for the framework and rules regarding working conditions, health and safety, industrial injuries, financial support, and disability allowances. The DWEA is responsible for enforcing health and safety rules and regulations. This is carried out through inspection visits as well as guidance to companies and their internal safety organizations. DWEA's scope applies to all industrial sectors except for work carried out in the employer's private household, exclusively by members of the employer's family, and by military personnel. The Danish Energy Agency is responsible for supervision of offshore energy installations, the Maritime Authority is responsible for supervision of shipping, and the Civil Aviation Administration is responsible for supervision in

the aviation sector.

The DWEA has authority to report violations to police or the courts if an employer fails to make required improvements by the deadline set by the DWEA. Court decisions regarding violations were released to the public and show past fines imposed against noncompliant companies or court-ordered reinstatement of employment. Greenland and the Faroe Islands have similar work conditions, except in both cases collective bargaining agreements set the standard workweek at 40 hours.

Workers can remove themselves from situations they believe endanger their health or safety without jeopardy to their employment, and authorities effectively protected employees in these situations. The same laws protect legal immigrants and foreign workers and apply equally to both categories of workers.

The DWEA registered 25 workplace fatalities in the period from January to May. An annual report from the DWEA showed that in 2020 a total of 46,391 occupational accidents were reported (a number that is the highest registered number of occupational accidents in the period from 2015-20). According to the report, the most frequent injury was ankle sprains and other muscle injuries which made up 37 percent of all reported occupational accidents in 2020.