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**5620 words**

## A) Human Rights Obligations and National Framework

### 1-2: Ratification of International Instruments

#### 1: Ratification of ICPPED<sup>i</sup>

Since the first UPR cycle in 2011, Denmark has supported recommendations regarding ICPPED and its Committee. However, the Convention has not yet been ratified.

**Recommendation:** Ratify ICPPED as soon as possible.

#### 2: Ratification of International Human Rights Conventions<sup>ii</sup>

Denmark has not ratified a few other human rights conventions, including the ICRMW and the Optional Protocol to the ICESCR to open for the possibility to submit complaints to the ESCR Committee<sup>iii</sup> and Protocol 12 to the European Convention on Human Rights (ECHR).<sup>iv</sup>

**Recommendation:** Ratify pending human rights conventions as soon as possible order to increase the scope of protection of human rights.

### 3: Incorporation into National Legislation<sup>v</sup>

There have been no changes in Denmark's position on not incorporating core UN human rights conventions into Danish law despite the different legal status between incorporated and non-incorporated conventions.<sup>vi</sup> The incorporation of ECHR into Danish law in 1992, demonstrated however that it does strengthen protection to give full effect to the rights stipulated in a convention.

**Recommendation:** Incorporate UN human rights conventions into national legislation to give full effect to the rights as enshrined in the conventions and ensure their justiciability.

### 4: Assessment of Human Rights Protection in Practice<sup>vii</sup>

Denmark should assess whether its international legal obligations are effectively implemented in practice and whether policies violate or impact negatively on human rights norms. This is to ensure the effective protection of human rights in practice and no regression on such protection. There is a lack of such an assessment, e.g., in relation to several measures mentioned in this report.<sup>viii</sup>

In light of human rights pursuant to non-incorporated conventions, the lack of assessment of law proposals should also be corrected. In certain policy areas, e.g. immigration policy, law proposals have been submitted to the Parliament without such an assessment (although compliance with ECHR was included).

**Recommendation:** Assess implementation of human rights in practice, avoid or mitigate any negative impact on human rights and assess law proposals in light of all human rights conventions.

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## 5: National Human Rights Mechanism for Follow-Up<sup>ix</sup>

Through its inter-ministerial human rights committee, the MFA coordinates reporting to the UN. However, there is no overall human rights strategy in Denmark, and this specific mechanism is not effective at coordinating the implementation of UN recommendations and does not involve NGOs regularly.

**Recommendation:** Establish an effective national mechanism for reporting and follow-up that is based on a national, coordinated human rights strategy and that ensures effective NGO participation.

## B) Implementation of Human Rights in Practice

### Cross-cutting Issues

#### 6-10: Equality and Non-discrimination

##### **6: Legal Obligation to Prohibit Discrimination<sup>x</sup>**

On the labour market in Denmark discrimination is prohibited on all grounds, whereas in other sectors of society (e.g. education), discrimination is still only prohibited on some grounds (e.g., gender, race and ethnicity, and disability). As a result, we see both an inability to deal properly with multiple and intersectoral discrimination and a lack of protection for marginalised persons, when the discrimination occurs on grounds not yet prohibited, e.g., age and gender identity and expression.

Moreover, as documented in this report and by NGOs in the UPR Coalition,<sup>xi</sup> discrimination also exists even on grounds that are prohibited, e.g., relating to ethnicity.

**Recommendation:** Adopt comprehensive anti-discrimination legislation prohibiting differential treatment, which is directly or indirectly based on all the prohibited grounds of discrimination, and an action plan to ensure in practice the enjoyment of human rights on equal footing.

##### **7: Gender Mainstreaming<sup>xii</sup>**

Denmark has supported UPR recommendations to integrate equality into all policies and activities. However, gender mainstreaming is given much too little attention in legislation and practice. A step backwards was taken in 2019 when the Minister for Equal Opportunities promoted a change of the Gender Equality Law that reduces key obligations for municipalities. This permits non-binding targets for gender equality and reporting on this only every third year.<sup>xiii</sup> Most municipalities have in fact no gender mainstreaming strategy.

**Recommendation:** Ensure that laws and policies have no negative consequences on the equality of women and men and that public authorities (local and national) conduct gender assessment properly, and allocate sufficient resources to gender mainstream policies and services.

##### **8: Discriminatory Ghetto Legislation<sup>xiv</sup>**

Neighborhoods in Danish cities can be designated as “vulnerable” according to specific criteria, and further as “ghettos” if more than 50 percent of the residents are immigrants or descendants of immigrants from non-Western countries.<sup>xv</sup> “Hard ghettos” are areas that have been classified as “ghetto” four years in a row.

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The ghetto legislation includes requirements targeting ethnic communities. By way of example, the law obliges “hard ghettos” to reduce public housing stock to no more than 40% in 2030 and to make them available for redevelopment. Under certain circumstances local police may request double punishment for crime in zones of the designated “ghettos.”

Using the term “ghetto” for neighborhoods is discriminatory and further stigmatizes those already living at the margins of Danish society.

Persons with non-Western background risk eviction from housing through no fault of their own, just because their area exceeds the above-mentioned target.<sup>xvi</sup>

**Recommendation:** Cease using the term “ghetto” for disadvantaged housing areas and ensure the absence of discrimination when solving social inclusion and housing issues.

### **9: Discriminatory Central Personal Registry (CPR)<sup>xvii</sup>**

In Denmark each person has a unique civil registration (or CPR) number.<sup>xviii</sup> This registry operates with the main principle that a child is registered with a mother and a father (an exemption can be made to register two mothers). A child cannot be registered with two fathers.

This poses two fundamental problems for same-sex parents. Firstly, the exemption is not communicated to other systems that draw their data from the CPR registry (e.g., the public school communication system “Aula” has registered half of all mothers in same-sex couples as the “father” or “other”). Secondly, fathers in same-sex couples are not registered with their legal gender.

**Recommendation:** Amend the CPR law to allow parents to be identified by their legal gender and ensure implementation of this in all public systems that draw data from the registry.

### **10: Legal Gender Change for Youth<sup>xix</sup>**

In August 2020 the government took initiatives to enhance the protection of LGBT persons,<sup>xx</sup> including considering the possibility for children under 18 to conduct legal gender change. However, no law proposal has yet been presented to the Parliament. There should be no minimum age for gender change, as long as the person exercising parental authority approves the change.

**Recommendation:** Amend the law to allow every person under the age of 18 to change their legal gender.

### **11: Resource Allocation<sup>xxi</sup>**

Denmark does not mobilise enough resources to ensure that infrastructure and services are in place to enable everyone to enjoy all human rights. When formulating economic and fiscal policy decisions, the amount of resources required to guarantee human rights for disadvantaged groups is not always included in the priorities.

As documented in this report, more resources are required to address several issues, such as poverty, support services for refugees and social housing for marginalized groups.

**Recommendation:** When economic and fiscal decisions are made, allocate sufficient funds for human rights, especially avoiding too few resources that can mean retrogression and discrimination for marginalised groups.

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## 12: Business and Human Rights<sup>xxii</sup>

The business sector should contribute to better protection of human rights in their value chains and business relationships, both at home and abroad. Despite the mandate of the Mediation and Complaints-handling Institution for Responsible Business Conduct and the Financial Statements Act requiring companies to report on CSR, Denmark does not impose a legal obligation on companies and investors to adhere to the UN Guiding Principles on Business and human Rights (UNGPs).

### **Recommendations:**

- Introduce legislation requiring companies and investors to respect human rights and prevent environmental harm, including by carrying out due diligence to prevent any harm.
- Establish corporate liability for human rights and environmental harm.
- Amend the Danish Financial Statements Act to include a clear reference to the UNGPs, including an emphasis on due diligence reporting.
- Lower company size for mandatory reporting on responsible business conduct.

## 13: Transparency of Funding of Political Parties<sup>xxiii</sup>

Trust is a central feature of the functioning of the Danish society. Denmark is consistently ranked among the top five least corrupt countries in the world.<sup>xxiv</sup> However, GRECO<sup>xxv</sup> has criticized Denmark for lack of transparency in the financing of political parties. For donations to political parties above a threshold of DKK 21,400 (per 2020), the identity of the donor must appear in the party's annual accounting, made available to the public. Donors giving less than this amount are guaranteed anonymity. However, the anonymity of these lower-amount donors is disconcerting. Likewise, for donations above the threshold, the total amount of donations given by each donor is not made public.<sup>xxvi</sup>

These two shortcomings in transparency are potential risks for corruption, as donors may exert undue influence on the political system. There is an urgent need for a clear framework to guarantee transparency to strengthen the integrity of political parties and good governance.

### **Recommendations:**

- Amend legislation to comply with the CoE's Committee of Ministers Rec. (2003)4 on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns<sup>xxvii</sup> as soon as possible.
- Introduce a ban on anonymous donations to individual election candidates.
- Amend the Accounts of Political Parties Act by adding an obligation upon political parties to report the total value of donations provided by each donor above the threshold.<sup>xxviii</sup>
- Provide an independent monitoring mechanism in line with article 14 in Rec. (2003)4.

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## Civil and Political Rights

### 14: Pre-trial Detention<sup>xxxix</sup>

Denmark has traditionally used pre-trial detention more extensively than neighbouring countries. Over the last five years, the proportion of pre-trial detainees has increased from 33.7% (2015) to 38.2 % (2020) of the total prison population.<sup>xxx</sup> The first weeks of detention entail increased vulnerability for the detainee. Uncertainty as to the length of pre-trial detention also has psychological consequences. Thus, detention can have severe psychological consequences for the detainees, especially for children.

**Recommendation:** Review the practice of pre-trial detention, with specific focus on minors and initiate efforts to ensure that pre-trial detention only is used as a measure of last resort.

### 15: Solitary Confinement as a Disciplinary Measure<sup>xxxi</sup>

The Danish Administration of Justice Act (AJA) permits isolation of adult inmates and children for up to four weeks as a disciplinary sanction. For adults, such measures have risen dramatically over the last years. In 2019, 4,416 inmates were subjected to this of whom 705 were in solitary confinement for more than 14 days, which is in violation of the Mandela Rules.<sup>xxxii</sup>

DIGNITY and other organisations have documented the negative health consequences of prolonged isolation<sup>xxxiii</sup> and criticized the significant increase in the use of solitary confinement as a disciplinary measure that is caused by various amendments to the AJA during the last years (especially the amendment to the AJA in August 2016) which resulted in higher punishment level.<sup>xxxiv</sup> By way of example, disciplinary punishment for illegal possession of mobile phones was tripled to the following in closed prisons: 15 days in isolation first time; 21 days second time; and 28 days in isolation third time.

**Recommendation:** Abolish the use of solitary confinement towards children and implement its use as a disciplinary sanction in accordance with the Mandela Rules.

### 16: Prohibition of Inhuman or Degrading Treatment

#### Conditions at Ellebæk<sup>xxxv</sup>

Rejected asylum seekers are held in administrative custody at Ellebæk, which is run by the Department of Prisons and Probation, according to prison-like rules, although the detainees are neither accused of nor condemned for a crime. Ellebæk can host 136 detainees and will be expanded with another 56 soon. By way of example, the detainees are not entitled to possess a mobile phone, and if they do so they will be punished with isolation for 15 days as in Danish prisons.

Twice, the Danish Ombudsman has strongly criticized the conditions.<sup>xxxvi</sup> The news channel TV2 broadcasted a documentary about Ellebæk during which a prison guard and union representative described the institution as a "forgotten, closed prison" and stated that it is not a place for anyone to live.<sup>xxxvii</sup> The pastor at Ellebæk has also described the conditions as inhuman.

CPT has strongly criticized Ellebæk, most recently in January 2020, and concluded that the conditions were "unacceptable". Civil society has submitted criticism of the conditions to various international bodies, including the prohibition about mobile phones, but very little has changed.<sup>xxxviii</sup>

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**Recommendation:** Review the conditions at Ellebæk, remove the prison-like regime, and ensure compliance with the obligation to prevent inhuman and degrading treatment.

#### 17: Administrative Revocation of Danish Citizenship<sup>xxix</sup>

The Minister of Immigration and Integration is entitled to revoke Danish citizenship from citizens with double citizenship, who live in Syria, if they have committed acts that threaten national security, such as by joining a terrorist organisation<sup>xi</sup> (alleged “foreign fighters”). So far, the law has been used five times. According to the law, the affected person has four weeks to decide whether to appeal the decision to the courts, which has happened in three of five cases. However, there is a lack of judicial control because the law does not require that decisions are automatically tried in court.

**Recommendation:** Amend the law to ensure due process rights and automatic recourse to the courts.

#### 18: Face Coverings in Public<sup>xli</sup>

It is illegal to wear face coverings in public, with a fine of 1,000 DKK for a first offence, increasing to prison sentence for subsequent offences.<sup>xiii</sup> Notably, religious headdress is not exempted from this law. The ban was in fact expressly introduced to prevent the wearing of niqabs and burkas in public spaces. In any case, forbidding religious headdress is clearly a violation of religious freedom, and in many cases covering of the face can be an expression of opinion or conviction.

**Recommendation:** Repeal the ban and amend the Criminal Code to allow face covering in public.

### Economic, Social and Cultural Rights

#### 19: Adequate Housing<sup>xliii</sup>

There is a significant shortage of affordable housing in larger Danish cities, as such housing is pushed more and more to the outskirts of the cities, as recently criticized by the ECSC Committee.<sup>xiv</sup> This is due both to less public investment and to the acquisition of property by private investors.

Entire blocks in “ghetto areas” (see Recommendation 8) are being converted into private and co-operative housing, which further increases the obstacles for people of low income to find adequate housing. The current tenants are offered alternative accommodation, but they have no say as to its location, quality, or cost.

For receivers of the integration benefit, it is challenging to ensure adequate housing.<sup>xiv</sup>

**Recommendation:** Increase the stock of affordable and adequate public housing units by means of higher public investments and a better regulatory framework for private investors.

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## 20-21: Equal Pay and Access to Employment

### 20: Equal Pay<sup>xlvi</sup>

The gender pay gap still exists in Denmark and most recent figure stands at 14,5%.<sup>xlvii</sup> The reasons for this unfair situation relate to high level of labour market segregation, discrimination, high percentage of women working in the public sector and continued unequally shared care responsibilities.

We are concerned by very little wage transparency preventing women from checking whether their right to equal pay is violated. It is correct, as mentioned by Denmark in its midterm report (rec. 120.154) that Statistics Denmark provide employers with pay statistics, but the statistics are not available for individuals.

The principle of equal pay applies both to equal work and to work of equal value. However, we are concerned that “work of equal value” is neither described nor defined in the Act on Equal Pay.

Finally, gender-biased pay concepts are often used when comparing men’s and women’s wages. The Danish Pay Commission emphasised in 2010 that only a gender-neutral pay concept (e.g. *standardised hourly earnings*) should be used.

**Recommendation:** Take further steps to bridge pay gap by changing the legislation to ensure transparency on wages; use of a gender-neutral concept of wages and define “work of equal value”.

### 21: Access to Employment<sup>xlviii</sup>

Whereas the employment rate for the Danish population as a whole (with fixed place of employment) is now at 74%,<sup>xlix</sup> only around 54% and 58% of immigrants and descendants, respectively, from non-Western countries are employed.<sup>i</sup> This over-representation may be due to less education<sup>ii</sup>, language barriers, less job experience (especially among women) and poorer general health. This over-representation will worsen with the COVID-19 crisis, as documented by EAPN.<sup>iii</sup>

**Recommendation:** Further increase access to employment for immigrants, using more support programmes for better integration into the labour market.

## 22-23: Adequate Standard of Living

### 22: Official Poverty Threshold and Non-discriminatory Approach to Child Poverty<sup>liii</sup>

The national poverty threshold was abolished in 2015 and has not yet been re-introduced, despite the obligation to do so according to SDG 2.1 In 2016, a ‘benefit ceiling,’ or a maximum on the total amount of social benefits received by a family, was introduced, and this affects strongly persons and families receiving unemployment benefits and self-support subsidy and return-home benefit.

Fewer social benefits for vulnerable families increases directly child poverty, and especially for refugee families. The statistics for 2018 show an increase to 64,500 of children in families that live below the OECD poverty threshold. Since early 2020, though, the government has taken measures to mitigate the rise in child poverty by introducing a temporary child benefit for persons who have children age of 0-14 and who are affected by the ‘the benefit ceiling’.

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**Recommendation:** Re-introduce an official national poverty threshold based on the OECD definition; abolish the benefit ceiling; and apply a non-discriminatory approach when taking future steps to tackle child poverty in Denmark.

### **23: Efforts to tackle poverty<sup>liv</sup>**

In 2019, 16.3% of the adult Danish population were at risk of poverty and social exclusion, according to the OECD definition of poverty. This corresponds roughly to the level prior to the crisis in 2008.<sup>lv</sup> Comparing 2019 to 2010, a higher percentage of the population now live in financial insecurity, are overburdened by housing costs, and generally find it difficult to make both ends meet.<sup>lvi</sup> This is expected to worsen with post-COVID 19 economic downturns. Moreover, the Penal Code now criminalises conduct associated with situations of poverty, such as begging.

**Recommendation:** Increase efforts to decrease rates of relative and absolute poverty and socio-economic inequality, and ensure no further regression on social protection, and ensure that no disproportionate burden caused by COVID-19 lands on persons already at risk of poverty.

## 24-27: Health Care

### **24: Coercion at psychiatric institutions<sup>lvii</sup>**

The use of coercion on adults and children is widespread and increasing at psychiatric institutions, e.g. mechanical restraint (belt), involuntarily admissions and chemical restraint.<sup>lviii</sup> Almost 6000 psychiatric patients are submitted to coercion each year, which is one quarter of all inpatients. This situation has not changed the last 20 years.<sup>lix</sup> Danish civil society and international bodies have long expressed serious concerns, and in September 2020 also the European Court of Human Rights, about the risk of violation of the prohibition of torture and other forms of ill-treatment.<sup>lx</sup>

#### **Recommendations:**

- Amend the Psychiatric Act in order to significantly limit the use of coercion and use it only as a last resort for as short a time as possible.
- Prevent coercion that can result in inhuman and degrading treatment.
- Ensure that one method is not replaced by another.
- Provide training to professionals as to how to prevent cruel and degrading treatment.
- Ensure that patients are never mechanically restrained due to the lack of capacity at a secure psychiatric hospital.

### **25: Transgender persons<sup>lxi</sup>**

Transgender persons do not enjoy the right of the process of physical gender transition, but only as a privilege to be granted by a panel of health professionals. It would greatly benefit the well-being of such people if hormone-replacement therapy and surgical intervention were a right to be effectuated after a professional consultation. Moreover, many people who wish to undergo this surgery are kept waiting for years because the law explicitly excludes this surgery from the waiting-time guarantee for medical treatment.<sup>lxii</sup>

**Recommendation:** Amend the law to make access to gender-affirming surgery a right covered by the maximum waiting-time guarantee.

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## 26: Intersex persons<sup>lxiii</sup>

Some intersex children are subjected to unnecessary medical and surgical interventions that can be undertaken without consent from the child when below 15. Such interventions are typically irreversible and can cause severe, lifelong physical and psychological suffering.

Adult intersex people, who agree with the sex assigned at birth, have immediate access to hormone treatment and surgery. However, those who disagree with the sex assigned at birth are considered to be transgender and therefore have to undergo months of medical and even psychological evaluation when accessing treatment to align their body with their gender identity. This may greatly affect the individual's physical and psychological health and well-being.

Access to justice for intersex people may be barred by the ordinary statute of limitation rules. Moreover, complaints by intersex people about previous operations and treatments are administratively dealt with on the basis of the "specialist and reasonableness rule", that implies that admissibility of the complaint will be assessed by health experts. The traditional medical view on intersex may be pathologizing and supporting the notion that intersex bodies can and should be made to fit social expectations for male or female bodies. This may result in the complaint being rejected.

### Recommendations:

- Amend legislation to ensure that all non-urgent medical interventions are postponed until a child is mature enough to participate in meaningful decision-making, and to give their full, free and informed consent.
- Take necessary legislative measures to remove statutes of limitations and stop the application of the "specialist- and reasonableness rule".
- Educate health care professionals on human right aspects of intersex health, biological and physical diversity, and the consequences of unnecessary surgical and other medical intervention.
- Adopt legislative, administrative, and other measures to ensure adult intersex people equal access to gender-affirming treatment that relates to their gender identity rather than to their legal sex.

## 27: Non-refundable transport expenses<sup>lxiv</sup>

Traumatized refugees, including victims of torture, can receive treatment at various rehabilitation centers in Denmark, including at DIGNITY's and OASIS' centers for rehabilitation, if their medical doctor refers them. However, some refugees are not entitled to reimbursement of their expenses for transportation to the centers, and they cannot afford to pay for it themselves. Unfortunately, this means that some traumatized refugees do not receive treatment and do not have effective access to health care.

**Recommendation:** Amend the law so that refugees who need the rehabilitation services are entitled to reimbursement for transportation between home and service provider.

## 28: Education<sup>lxv</sup>

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Especially for children from disadvantaged socio-economic backgrounds, there is a gap in what they attain in education, relative to other children. A study in 2018 concluded that 9<sup>th</sup> grade students from the upper middle class score 30% better in exams than children from poorer households.<sup>lxvi</sup> Moreover, among all low-achieving students, there are almost 3 times as many who are foreign-born than those who are non-immigrant.<sup>lxvii</sup>

**Recommendation:** Narrow educational attainment gaps by focusing on students with immigrant backgrounds and socio-economically disadvantaged students.

## Additional Rights of Specific Groups

### 29: Violence against Women<sup>lxviii</sup>

The high number of cases related to gender-based violence, which disproportionately affects women and girls and is rooted in unequal power relations between women and men, continues to be of great concern. Gender-based violence has specific characteristics and is often committed by closely related male persons and consequently, difficult – sometimes impossible - to escape. It may even be life-threatening for women.

The National Action Plans aiming at combatting gender-based violence does not acknowledge the gendered nature of this type of violence and uses a gender-neutral language such as “violence in close relations” and “partner violence”.<sup>lxix</sup> This choice of language hampers the efforts to prevent violence against women.

Femicide committed by a partner is the single most common homicide in Denmark. The high level of femicides remains unchanged, while other types of homicides decrease.<sup>lxx</sup>

Violence specifically against migrant women, whose residence permit in Denmark may be temporary, is magnified due to their social isolation, economic dependence on the abuser, uncertainty regarding rights and lack of awareness regarding possibilities for help.<sup>lxxi</sup> Reporting of the violence is rare, as the women fear that the authorities may not believe that they have been exposed to violence.

**Recommendation:** Take further steps to address violence against women by using a gender-based concept of violence, as internationally acknowledged, by addressing the high levels of femicides committed in Denmark and by adopting a more holistic approach in strategies towards migrant women exposed to violence.

### 30-33: Children

#### **30: The Juvenile Delinquency Board (JDB) for children 10-14 years<sup>lxxii</sup>**

In January 2019, the Juvenile Delinquency Board (JDB) was established pursuant to the Youth Crime Act with the overall aim to combat and prevent youth criminality. There is now a JDB in each police district, consisting of one judge, one representative from the police and one from the social authorities. JDB has a mandate for children above the minimum crime age of 15 who have been convicted of a crime, and for children 10 - 14, contingent on three criteria, including *suspicion* of having committed serious crime.

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Children 10-14 years, who are no longer referred directly to the social authorities are at risk. Firstly, lack of legal guarantees, as the child is not granted the same rights as in a court of law, and the principle of the presumption of innocence is not adhered to, since a child can be referred to the board based solely on suspicion. Secondly, international norms call for *inter alia* effective and child-friendly procedures.<sup>lxxxiii</sup> However, vulnerable children with reduced cognitive abilities may not properly understand what is happening, and there is a risk that they become overwhelmed and even traumatized by the meetings.

**Recommendation:** Dismantle the Juvenile Delinquency Board for children aged 10 to 14 and return its mandate to the social authorities.

### **31: Children's knowledge of their rights<sup>lxxxiv</sup>**

Recent surveys by UNICEF conclude that 45 % of children in Denmark have no knowledge of the CRC.<sup>lxxxv</sup> Therefore, the existing initiatives are not sufficient, and more efforts are needed to teach children about their rights.

**Recommendation:** Amend relevant legislation (i.e., Law on Public Schooling, para 1(3), and guidelines for teachers) to oblige teaching of children's rights in schools, and introduce an annual campaign week on children's rights.

### **32: Children's rights and digital behavior<sup>lxxxvi</sup>**

Young people spend more and more time on social media and on digital platforms, but without knowledge of the algorithms and other aspects of digital technology and the digital information they leave through cookies. There is a growing need for strategies at schools on correct behavior and attitudes in the digital world, as well as a need for digital awareness from the pre-school age.

**Recommendation:** Take legislative measures to oblige schools to adopt a digital strategy and to introduce compulsory social media lessons from pre-school on behavior, attitudes, awareness of algorithms in the digital world.

### **33: Telephone helplines for children open 24/7<sup>lxxxvii</sup>**

Telephone helplines help and advice thousands of vulnerable children in crisis. Unfortunately, many inquiries from children remain unanswered, mainly because the children call out of opening hours. The helplines need further financial resources to extend their opening hours, to raise further awareness and to engage more volunteers in counselling.

**Recommendation:** Ensure nationwide telephone helplines open 24 hours-a-day to help and advice vulnerable children in crisis.

## 34-41: Refugees and Asylum seekers

### **34: Family reunification for refugees on temporary protection status<sup>lxxxviii</sup>**

Amendments to the Aliens Act in 2015 and 2016 limit family reunification for persons granted temporary protection status pursuant to Article 7(3) of the Aliens Act. They are only allowed such reunification after three years' residence. Such measures endanger the right to family life that includes an obligation to ensure that family life can be maintained, and children and spouses protected.

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**Recommendation:** Amend the Aliens Act to ensure that family life can be maintained, that children and spouses are protected, and that refugees who flee to Denmark from a precarious situation in their home country have the right to family reunification immediately after receiving a residence permit.

**35: Family reunification for children 15-18 years**<sup>lxxxix</sup>

A child's reunification with its family is generally only available for children under the age of 15. There are exceptions, but it is very difficult to be approved for family reunification for children above 15. According to the Danish Immigration Service, a child above the age of 15 is normally assumed to have less need to live with its parents.

**Recommendation:** Amend the Aliens Act, section 9 (2), to raise the age limit for family reunification for children to 18 years.

**36: Equal treatment of LGBT+ refugees in cases of family reunification**<sup>lxxx</sup>

For unmarried couples to apply for family reunification, the Aliens Act requires cohabitation for at least 18 months prior to the application. This also applies to same-sex partners. Several applications for family reunification by LGBT+ refugees have been rejected due to lack of documented cohabitation in their country of origin. However, for LGBT+ refugees, it is most often not possible for same-sex partners to live together in their country. Hence, the requirement of cohabitation leads to indirect discrimination of LGBT+ refugees on grounds of sexual orientation or gender identity.<sup>lxxxi</sup>

**Recommendation:** Ensure equal treatment of LGBT+ refugees in relation to family reunification. Same sex partners, or persons regarded as such in the country of origin, should not have to live up to the requirement of cohabitation, if cohabitation has not been possible in that country.

**37: Temporary stay**<sup>lxxxii</sup>

Originally refugees were granted protection and integration into Danish society for five or seven years. In 2019, however, the "Paradigm shift" law was passed, which now means all permits are given "with the aim of temporary stay." Formerly this was "with the aim of permanent stay".

Refugees are therefore now only granted temporary stay for one or two years, to be reviewed every second year, and which can be revoked at any time. This is also the case for UN resettlement and Convention refugees.

**Recommendation:** Secure durable solutions for refugees by ensuring long-term protection for them and their families.

**38: LGBT asylum seekers**<sup>lxxxiii</sup>

Most LGBT asylum seekers come from countries where homosexuality is a criminal offense and where there is no documentation for their persecution. The Danish practice regarding these asylum seekers is still deficient.

The Danish authorities often do not recognize persecution from non-state actors towards LGBT asylum seekers as grounds for international protection, and they expect LGBT asylum-seekers to be able to express themselves as Northern Europeans about their sexual orientation and gender identity. Hence, the authorities do not fully recognize what is stated in the UNHCR Guidelines on SOGI-related claims (2012), namely that "Dis-

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crimination, hatred and violence in all its forms can impact detrimentally on the applicant's capacity to present a claim. Some may be deeply affected by feelings of shame, internalized homophobia and trauma, and their capacity to present their case may be greatly diminished as a consequence."

**Recommendation:** Implement asylum procedures with adequate information and guidelines, and provide training for the asylum interviewers, including on topics such as sensitivity to LGBT asylum seekers' difficulties in revealing and talking about issues that are taboo and the object of strong cultural and religious norms.

### **39: Social benefits for refugees**<sup>lxxxiv</sup>

In 2019, Denmark further tightened the criteria to receive full financial aid for integration. Now, these integration benefits (the integration benefit has changed name to "self-supporting and return benefit")<sup>lxxxv</sup> are much decreased for people who have not lived in Denmark at least nine of the past ten years and have not had full-time employment for at least two-and-a-half years the past ten years. The target group is mainly refugees and their families.<sup>lxxxvi</sup>

Likewise, refugees and others who have not lived in Denmark all their lives only gradually earn the right to child benefits for children below 18 years. This combination of low social benefits increases the risk of child poverty (see above).

**Recommendation:** Increase substantially social benefits for refugees, granting them the same benefits as Danes and abolish the graduated benefits for children.

### **40: Revocation of residence permits**<sup>lxxxvii</sup>

Since 2019, when revoking asylum status, Danish law no longer attaches value to attachment to Denmark (i.e, family, language, education, work, etc.).<sup>lxxxviii</sup> The Immigration Service has reviewed 1,300 Somali refugees' cases and revoked 950 permits.<sup>lxxxix</sup> However, at the Refugee Appeals Board, more than 50% of the cases were overturned or sent back to first instance.

In December 2019, the Appeals Board made a principle decision that Damascus, Syria, is safe for people without a personal asylum motive. So far, Denmark is the only European country to draw that conclusion.

UN resettlement and Convention refugees are not exempted and also risk having their residence permits revoked.

**Recommendation:** Ensure in decisions about revocation of residence permits, that the assessment is in accordance with international human rights standards and that proper consideration is given to attachment to Denmark and with emphasis on durable solutions for refugees.

### **41: Interpreters**<sup>xc</sup>

Asylum cases and court cases against foreigners are very dependent on professional and reliable interpreters. However, in Denmark there is no requirement for formal training or certification as an interpreter. In fact, there are no training programs for most relevant languages.

Moreover, since July 2018 patients in the Danish health care system must pay for their own interpreter if they have lived in the country for more than three years.<sup>xc</sup> This has a negative effect on easy and equal access to health services, as documented by DRC and DIGNITY in shadow report to ESCR Committee<sup>xcii</sup> and by the Danish Institute for Human Rights.<sup>xciii</sup>

**Recommendations:**

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- Ensure an adequate quality of interpretation in all institutions and relevant training of interpreters.
  - Abolish the requirement that some patients must pay a fee for interpretation when accessing health care.

Annexes:

- 1: Short description of the organisations in the UPR Coalition.
- 2: Information about intersex persons in Denmark.
- 3: Information about asylum seekers in Denmark.

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- <sup>i</sup> This issue relates to SDG 16. Previous UPR recommendation during 2nd Cycle: Rec. 120.11-14 concerning ratification of International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) and recognition of the competence of its Committee (supported).
- <sup>ii</sup> This issue relates to SDG 16. Previous UPR recommendations during 2nd Cycle: Rec.120.5-10, Advance the ratification of the pending international instruments, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICPPED) (noted), Rec. 120.1-2, Consider signing and ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (noted).
- <sup>iii</sup> As recommended by the ESCR Committee Concluding Observations 2019.
- <sup>iv</sup> Ratification is also lacking with regards to two specific optional protocols within the EU regarding rights of intersex persons: Additional Protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, on the Prohibition of Cloning Human Beings and Additional Protocol to the Convention on Human Rights and Biomedicine, concerning Biomedical Research.
- <sup>v</sup> This issue relates to SDG 16. Previous UPR recommendations during 2nd Cycle: Rec. 120.20, Incorporate the human rights conventions into national law (noted). Further UPR recommendations during 2nd Cycle: Rec. 120.21, 120.22 (noted).
- <sup>vi</sup> Incorporation has been the recommendation of all UN Treaty Bodies, including the HRC, CAT, CRC and ESCR Committee.
- <sup>vii</sup> No recommendation on this matter during UPR 2nd Cycle. This issue relates to SDG 16.
- <sup>viii</sup> Specifically, with regards to economic and social rights, the ESCR Committee in the same spirit critically noted last year that “numerous retrogressive measures had been introduced towards refugees”, see Concluding Observations, para 12 (2019).
- <sup>ix</sup> Recommendation during UPR 2nd Cycle 120.46-47 (noted). This issue relates to SDG 16.
- <sup>x</sup> This issue relates to SDG 5 and 10. Furthermore, it relates to CCPR art. 2(1), CESCR art. 2(2), CERD art. 1(1), CEDAW art. 2 and CRC art. 2. Previous UPR recommendations during 2nd Cycle: Rec 120.74, Counter discrimination and promote a more inclusive society (supported). Other related UPR recommendations during 2nd cycle: 120.100, 120.37, 120.59, 120.83, 120.91, 120.95, 120.96, 120.146, 120.150, 120.147, 120.172, 120.90, 120.142, 120.173, 120.36, 120.86, 120.57 (supported), 120.101(supported/noted), 120.68, 120.30, 120.65, 120.66, 120.85, 120.76, 120.26, 120.64, 120.67 (noted).
- <sup>xi</sup> See e.g., MS-Action Aid: Inequality in Denmark (2019): [https://www.ms.dk/sites/default/files/filarkiv/ulighedsrapport\\_december\\_2019.pdf](https://www.ms.dk/sites/default/files/filarkiv/ulighedsrapport_december_2019.pdf)
- <sup>xii</sup> This issue relates to SDG 5 and CEDAW art. 3. Previous UPR recommendations during 2nd Cycle: Rec 120.69, Adopt the necessary legislative measures to ensure the integration of the gender perspective in all public policies at all levels of government, and prohibit and punish discrimination based on gender (supported) and Rec 120.71, Continue its efforts to further mainstream gender equality in the public sphere as well as to combat domestic violence to protect the rights of women in the private sphere (supported).
- <sup>xiii</sup> Previously, reporting obligation every second year.
- <sup>xiv</sup> No recommendation on this matter during UPR 2nd Cycle. This issue refers to SDG 10. The issue is mentioned in Concluding Observations of ESCR Committee (2019), para 52 (a) and (d): “remove the definitional element of a ‘ghetto’ with reference to residents from ‘non-Western’ countries, a discriminator on the basis of ethnic origin and nationality” and “repeal all provisions that have a direct or indirect discriminatory effect on refugees, migrants and residents of the ‘ghettos’.”
- <sup>xv</sup> Currently, some 28 neighborhoods are classified as “ghettos”, see <https://bl.dk/politik-og-analyser/temaer/hvem-er-paa-ghettolisten/>
- <sup>xvi</sup> Already, some persons, who were evicted from their apartment because they refused to leave, have taken their case to court and claimed that their eviction was in violation of the prohibition against discrimination. Pending court cases involve persons from the communities Birkeparken, Mølnerparken, and Nøjsomhed (<https://sn.dk/Helsingoer/Beboere-i-ghetto-smidt-ud-lejere-peget-paa-diskrimination/artikel/1359984>)
- <sup>xvii</sup> No recommendation on this matter during UPR 2nd Cycle. This issue refers to CCPR art. 2(1) and SDG 10 and 16.
- <sup>xviii</sup> Regulated by Law 1297 of Loven om det Personlige Centralregister.
- <sup>xix</sup> This issue relates to SDG 3 and 10. Previous UPR recommendations during 2nd Cycle: Rec. 120.141, Allow minors to change their legal gender by allowing the person exercising parental authority over the minor to file an application. (noted)
- <sup>xx</sup> Frihed til Forskellighed – styrkede rettigheder og muligheder for LGBTI-personer (August 2020).
- <sup>xxi</sup> This issue relates to ICESCR art. 2(1) and SDG 10.
- <sup>xxii</sup> No recommendation on Corporate Social Responsibility (CSR) during UPR 2nd Cycle. This issue relates to the SDG 8.
- <sup>xxiii</sup> No recommendation on this matter during UPR 2nd Cycle. This issue relates to SDG 16 and Rec (2003)4 on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns (available at <https://www.coe.int/en/web/greco>), adopted by the Council of Europe. See specifically article 8, 11, 12, 13b, 14 and 16 and more generally - Guiding Principle 15 (financing of political parties and election campaigns).
- <sup>xxiv</sup> See the Corruption Perception Index (CPI), see available at <https://www.transparency.org/en/cpi/2019/results/dnk>
- <sup>xxv</sup> The European Group of States against Corruption was established in 1999 by the Council of Europe (CoE) to monitor States’ compliance with CoE’s anti-corruption standards.
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<sup>xxvi</sup> Pursuant to the Accounts of Political Parties Act (APPA), §3, section 2. It appears from GRECO's latest Evaluation Report (adopted by GRECO at its 83<sup>rd</sup> Plenary Meeting (Strasbourg, 17-21 June 2019), three of 14 recommendations for a new framework remain unimplemented. Denmark's deadline to submit information to GRECO regarding the status of pending recommendations was originally 30 June 2020, but due to COVID-19 it was extended to 30 September 2020. The 14 recommendations were mentioned in GRECO's Third Evaluation Round Report on Denmark on Transparency of Party Funding (2009) as adopted by GRECO at its 43<sup>rd</sup> Plenary Meeting (Strasbourg, 29 June-2 July 2009).

<sup>xxvii</sup> Specifically, article 8, 11, 12, 13b, 14 and 16 and more generally Guiding Principle 15 (financing of political parties and election campaigns).

<sup>xxviii</sup> See Article 12 and 13 in Rec. (2003)4 on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns.

<sup>xxix</sup> This issue relates to SDG 16. Previous UPR recommendations during 2nd Cycle: Rec. 120.131 Introduce alternative measures to pre-trial detention for minors wherever possible, and develop clear rules for the treatment of minors in police custody and monitor their effective implementation in practice (supported).

<sup>xxx</sup> <https://www.prisonstudies.org/country/denmark>

<sup>xxxi</sup> This issue relates to SDG 16, CAT art. 1 and 16 and CRC art. 37. Previous UPR recommendations during 2nd Cycle: Rec. 120.129, Review the detention in solitary confinement of persons under 18 years of age, to ensure that no child is held in ordinary prisons for adults (noted). Further UPR recommendations during 2nd Cycle: Rec. 120.133, 120.134, 120.135, 120.136 (noted).

<sup>xxxii</sup> In 2019, the European Committee of Social Rights also concluded that Denmark is not in conformity with Article 17 of the 1961 European Social Charter on the grounds that children can be placed in solitary confinement for up to four weeks, see <https://rm.coe.int/rapport-dnk-en/16809cfba6>.

<sup>xxxiii</sup> Health studies extensively document the deleterious impact on health of solitary confinement, with physical, mental and social consequences. Solitary confinement need not be long (e.g. 15 days) for suffering to be inflicted. For instance, only a few days of isolation can result in problems of concentration, restlessness, failure of memory, insomnia, impaired sense of time, and inability to follow the rhythm of day and night, see DIGNITY Conference Paper 2017.

<sup>xxxiv</sup> DIGNITY Conference Paper 2017 (Solitary Confinement in Danish Prisons), available at [dignity.dk](http://dignity.dk)

<sup>xxxv</sup> This issue relates to SDG 16. Previous UPR recommendations during 2nd Cycle: Rec. 120.182 Ensure that the treatment of asylum seekers remains in accordance with the international conventions and protocols that Denmark has signed up to (supported).

<sup>xxxvi</sup> Report about Ellebæk, June 2019, available at [https://www.ombudsmanden.dk/find/inspektioner/alle\\_inspektioner/udlaendingecenter\\_ellebaek/](https://www.ombudsmanden.dk/find/inspektioner/alle_inspektioner/udlaendingecenter_ellebaek/)

<sup>xxxvii</sup> See TV2: <http://nyheder.tv2.dk/2019-03-10-afviste-sidder-indespaerret-i-ellebaek-i-op-til-halvandet-aar-det-her-havde-jeg-aldrig>

<sup>xxxviii</sup> CPT report 2020 and Shadow report Danish civil society to CPT March 2019 available at <https://www.coe.int/en/web/cpt/-/council-of-europe-anti-torture-committee-publishes-the-response-of-the-danish-authorities-to-the-report-on-the-2019-visit>

<sup>xxxix</sup> No recommendation on this matter during UPR 2nd Cycle. This issue relates to SDG 10.

<sup>xl</sup> Law 1057 of 24 October 2019, see <https://www.retsinformation.dk/eli/lta/2019/1057>

<sup>xli</sup> New recommendation; no recommendation on this matter during UPR 2nd Cycle. This issue relates to SDG 10 and 16.

<sup>xlii</sup> Law 717 of 15 August 2018.

<sup>xliiii</sup> This issue relates to SDG 8 and 10, CESC art. 11(1) and General Comments no. 4 and 7. Previous UPR recommendations during 2nd Cycle: Rec 120.172.

<sup>xliiv</sup> ECSC Concluding Observation (2019), para 49: The Committee expresses concern at the shortage of affordable housing in the State party, which is exacerbated by the growing trend in property acquisition by private investors who, under the 1996 Act on Temporary Regulation of Housing Conditions, are authorized to increase rents up to the "value of the rented dwelling" (art. 11).

<sup>xliiv</sup> See <https://menneskeret.dk/udgivelser/familier-paa-integrationsydelse>

<sup>xlivi</sup> This issue relates to SDG 5 and 8 and CEDAW art. 11 (1.d). Previous UPR recommendations during 2nd Cycle: Rec.120.154, Take further active steps to create equal opportunities for both men and women in the labour market, and to bridge the gender wage gap (supported).

<sup>xlvii</sup> VIVE (National research Center for Welfare), [www.vivie.dk](http://www.vivie.dk) and Statistics Denmark: <https://www.dst.dk/da/Statistik/emner/levevilkkaar/ligestilling/ligestillingswebsite#4>

<sup>xlviii</sup> This issue relates to SDG 8 and 10 and CESC art. 2 and 6. Previous UPR recommendations during 2nd Cycle: Rec. 120.172, Step up efforts to tackle structural discrimination faced by minority groups, non-citizens and refugees, especially with regard to employment, education, housing, health services, and access to justice. (supported) and Rec. 120.164, Strengthen the employment and education rate among refugees and migrants (supported).

<sup>xlix</sup> <https://www.statbank.dk/statbank5a/default.asp?w=1536>

<sup>l</sup> <https://www.statbank.dk/statbank5a/default.asp?w=1536>

<sup>li</sup> Foreign-born adults are significantly less likely than Denmark-born adults to have a upper/post-secondary education (see <https://stats.oecd.org/index.aspx?DataSetCode=SHA#>).

<sup>lii</sup> European Anti Poverty Network (2020), 'The impact of Covid-19 on people experiencing poverty and vulnerability', <https://www.eapn.eu/the-impact-of-covid-19-on-people-experiencing-poverty-and-vulnerability-eapn-report/>.

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- liii No recommendation on this matter during UPR 2nd Cycle. This issue relates to SDG 1 and CRC art. 26-27. See also recommendations 45+46 by the CESCR, 2019: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolNo=E%2fC.12%2fDNK%2fCO%2f6&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolNo=E%2fC.12%2fDNK%2fCO%2f6&Lang=en)
- liv New recommendation; no recommendation on this matter during UPR 2nd Cycle. This issue relates to SDG 1. Note that in January 2000, the government established a commission with the purpose of re-evaluating the current system with specific focus on families.
- lv Those most affected are between 20-39 years old, see <https://www.dst.dk/en/Statistik/Sdg/01-afskaf-fattigdom/delmaal-02/indikator-1> and [https://appsso.eurostat.ec.europa.eu/nui/ow.do?dataset=ilc\\_peps05&lang=en](https://appsso.eurostat.ec.europa.eu/nui/ow.do?dataset=ilc_peps05&lang=en); [https://ec.europa.eu/commission/presscorner/detail/en/STAT\\_16\\_3461](https://ec.europa.eu/commission/presscorner/detail/en/STAT_16_3461).
- lvi Population whose housing costs exceeded 40% of their disposable income [http://stats.oecd.org/OECDStat\\_Metadata/ShowMetadata.ashx?Dataset=HSL&ShowOnWeb=true&Lang=en](http://stats.oecd.org/OECDStat_Metadata/ShowMetadata.ashx?Dataset=HSL&ShowOnWeb=true&Lang=en).
- lvii No recommendation on this matter during UPR 2nd Cycle. This issue relates to SDG 16 and CAT art. 1 and 16.
- lviii May 2020 The Danish Health and Medicine Agency, Monitoring Report on Coercion in Denmark: Since adopted baseline there has been an increase or unchanged development in the generalized usage of coercion on adults and in children in Denmark. The total number of people affected by coercion remains well above the desired level as well. In two cases, the patients had apparently been under belt restraint for 10 and 13 months.
- lix 2019 The Danish Health and Medicine Agency (November) Monitoring Report on Coercion in Denmark and 2013 – data report on coercion in psychiatry 2001 to 2012.
- lx CRPD-Committee, Concluding observations 2014; The Council of Europe’s Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) 2020; Committee against Torture Concluding observations 2016; Human Rights Committee 2016. The European Court of Human Rights have recently reviewed the matter in the case of Aggerholm v. Denmark and concluded that Denmark had violated article 3
- lxii This issue relates to SDG 16. Previous UPR recommendations during 2nd Cycle: Rec.120.101 Ensure equal access to public health for lesbian, gay, bisexual and transgender persons, removing existing legislative barriers for access to gender reassignment-related treatments (supported/noted).
- lxiii LBK, Law no. 657 of 06/28/2019, § 21.
- lxiiii No recommendation on this matter during UPR 2nd Cycle. This issue relates to SDG 3 and CAT article 16; ICCPR art. 7 and CRC Art. 37. See Annex 2 for further information about the situation for intersex persons in Denmark.
- lxv No recommendation on this matter during UPR 2nd Cycle. This issue relates to SDG 10 and 16, CESCR art 2(2), 10 and 12. See ESCR Committee (2019), para 26: Ensure that refugees have adequate access to health-care services, including by providing free interpretation or reimbursement of transportation costs, as needed.
- lxvi This issue relates to SDG 4 and ICESCR art. 13. Previous UPR recommendations during 2nd Cycle: Rec. 120.157, Ensure continuous schooling of children following the decision on placement in alternative care (supported) and Rec. 120.180, Ensure that asylum seekers and children of refugees receive the same quality of education as other children in Danish schools (supported).
- lxvii Arbejderbevægelsens Erhvervsråd. (2018). Den sociale arv afspejler sig tydeligt i børns karakterer. [https://www.ae.dk/sites/www.ae.dk/files/dokumenter/analyse/ae\\_den\\_sociale\\_arv\\_afspejler\\_sig\\_tydeligt\\_i\\_boerns\\_karakterer.pdf](https://www.ae.dk/sites/www.ae.dk/files/dokumenter/analyse/ae_den_sociale_arv_afspejler_sig_tydeligt_i_boerns_karakterer.pdf). See also <https://www.oxfam.org/en/research/power-education-fight-inequality>.
- lxviii <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1584545567722&uri=CELEX%3A52020SC0503>.
- lxix This issue relates to SDG 5, CEDAW and the Istanbul Convention. Previous UPR recommendations during 2nd Cycle: Rec.120.72, Continue progress to increase gender equality and protections for women and girls who encounter violence including enhanced implementation of Denmark’s existing legal and policy frameworks (supported). Further UPR recommendations during 2nd Cycle: Rec. 120.113, 120.110, 120.108, 120.109, 120.106, 120.105 (supported).
- lxx [https://mfvm.dk/fileadmin/user\\_upload/MFVM/Ligestilling/Andre\\_dokumenter/Handlingsplan\\_til\\_bekampelse\\_af\\_psykisk\\_og\\_fysisk\\_vold\\_2019\\_-2022\\_\\_2\\_.pdf](https://mfvm.dk/fileadmin/user_upload/MFVM/Ligestilling/Andre_dokumenter/Handlingsplan_til_bekampelse_af_psykisk_og_fysisk_vold_2019_-2022__2_.pdf)
- lxxi A study of homicides in Denmark the past 25 years (1992-2016), published in 2020, see [https://pure.au.dk/portal/en/projects/drab-i-danmark-19922016\(059c5a82-e4e6-4588-918f-d03bc101b718\).html?](https://pure.au.dk/portal/en/projects/drab-i-danmark-19922016(059c5a82-e4e6-4588-918f-d03bc101b718).html?)
- lxxii Interviews by a Danish NGO-based outreach programme (2012-2018) with migrant women expose cases of economic, physical, sexual, and psychological violence by abusers with both ethnic Danish background and ethnic minority background. The Danish Gender Equality Action Plan (2019) concluded that old-fashioned gender roles in ethnic minority communities put women at risk of violence.
- lxxiii No recommendation on this matter during UPR 2nd Cycle. This issue relates to SDG 16 and CRC.
- lxxiiii CRC art 12 and UN standard minimum rules for administration of justice for juveniles (Beijing-rules).
- lxxv No recommendation on this matter during UPR 2nd Cycle. This issue relates to SDG 4 and 16 and CRC art. 42
- lxxvi UNICEF 2019: New Survey <https://www.unicef.dk/2019/09/30/danske-boern-og-unge-accepterer-vold-overvaagning-og-tortur/>
- lxxvii No recommendation on this matter during UPR 2nd Cycle. This issue relates to SDG 4 and 16 and CRC art 16, 17, 19
- lxxviii No recommendation on this matter during UPR 2nd Cycle. This issue relates to SDG 10 and 16 and CRC art. 24 and 26
- lxxix This issue relates to SDG 16, CRC art. 3, 6(2) and 9(1) and art. 10(1) and ICCPR art. 23-24. Previous UPR recommendations during 2nd Cycle: Rec. 120.190, Give importance to guaranteeing that refugees who fall into the category of “war refugees” are given the

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right to family reunification (supported). Further recommendations during 2<sup>nd</sup> cycle: Rec 120.191, 120.186, 120.187 and 120.192 (noted).

<sup>lxxxix</sup> This issue is related to SDG 16, CRC art. 3, 6(2), 9(1) and Art. 10(1) and ICCPR Art. 23-24. Previous UPR recommendations during 2<sup>nd</sup> Cycle: Rec. 120.189, Take the necessary legal measures to ensure the right to family reunification of children aged over 15 years (supported). Further recommendations during 2<sup>nd</sup> cycle: Rec. 120.186, 120.192 (noted).

<sup>lxxx</sup> SDG 16 and ECHR art. 8 and 14. 2<sup>nd</sup> Cycle: Rec. 120.186, Grant the right to family reunification to all refugees (noted).

<sup>lxxxi</sup> The European Court of Human Rights has made several judgments, in which the Court has found that national authorities' rejection of family reunification for LGBT+ persons has been a violation of their human rights, cf. Pajić v. Croatia (app. no. 68453/13).

<sup>lxxxii</sup> This issue relates to SDG 16 and the obligation to ensure durable solutions. Previous UPR recommendations during 2<sup>nd</sup> Cycle 120.39 (Noted).

<sup>lxxxiii</sup> SDG 10. Previous UPR recommendations during 2<sup>nd</sup> Cycle: Rec. 120.176, Step up efforts towards the prevention of discrimination against refugees and asylum seekers by repealing recent laws and methods perpetuating those practices (noted).

<sup>lxxxiv</sup> This issue is related to SDG 10 and 16, ICESCR art. 3, 9, 11 and CRC art. 26-27. Previous UPR recommendations during 2<sup>nd</sup> Cycle: Rec. 120.155, Continue strengthening social programmes for the most vulnerable sectors of the population, in particular children, women, the elderly and those with disabilities belonging to minorities (supported). Further recommendations during 2<sup>nd</sup> cycle: Rec. 120.34 and 120.176 (noted).

<sup>lxxxv</sup> DRC report shows that more children in refugees families live in poverty than other children. Many refugees, who receive social benefit, are experiencing a dire financial situation and have economic problems related to housing, medicine, food, transport, social activities and their children's activities in school, see [https://flygtning.dk/media/5133282/vi-tager-jo-droemmene-fra-dem-under-soegelse\\_lovaendringer\\_2019.pdf](https://flygtning.dk/media/5133282/vi-tager-jo-droemmene-fra-dem-under-soegelse_lovaendringer_2019.pdf)

<sup>lxxxvi</sup> Law no. 174 of 27 February 2019.

<sup>lxxxvii</sup> This issue relates to SDG 10 and 16. UPR Rec 120.178, Ensure that changes in the asylum laws and regulations are compliant with international human rights standards (supported).

<sup>lxxxviii</sup> Article 26 in the Danish Aliens Act.

<sup>lxxxix</sup> The first case revoked the residence permit of a Somali man who had been in Denmark for 8 years, had an education, a steady job, a wife (pending case) and a child born in Denmark, [https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.information.dk%2Ffindland%2F2020%2F07%2Ffoerste-sag-stoejbergs-paradigmeskift-somalier-faar-inddraget-opholdstil-ladelse&data=02%7C01%7Cline.boeg-](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.information.dk%2Ffindland%2F2020%2F07%2Ffoerste-sag-stoejbergs-paradigmeskift-somalier-faar-inddraget-opholdstil-ladelse&data=02%7C01%7Cline.boegsted%40drc.ngo%7C6669c3ae4297410a541208d84db1cad8%7C2a212241899c4752bd3351eac3c582d5%7C0%7C0%7C637344773296755378&sdata=1U5%2BkUFWbdnIMI2%2FozqOpasCjQSQcvjDvFEJLwsy2XA%3D&reserved=0)

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<sup>xc</sup> SDG 3 and 16 and CESCR, art. 12. Previous UPR recommendation during 2<sup>nd</sup> Cycle: Rec. 120.176 (noted).

<sup>xci</sup> Law no. 729 of 8 June 2018.

<sup>xcii</sup> See [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Countries.aspx?CountryCode=DNK&Lang=EN](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Countries.aspx?CountryCode=DNK&Lang=EN)

<sup>xciii</sup> [https://menneskeret.dk/sites/menneskeret.dk/files/media/dokumenter/udgivelser/ligebehandling\\_2019/egenbetaling\\_tolkebistand.pdf](https://menneskeret.dk/sites/menneskeret.dk/files/media/dokumenter/udgivelser/ligebehandling_2019/egenbetaling_tolkebistand.pdf)