Committee on Economic, Social and Cultural Rights
Sixty-sixth session

Summary record of the 45th meeting
Held at the Palais Wilson, Geneva, on Wednesday, 9 October 2019, at 10 a.m.

Chair: Mr. Zerbin Ribeiro Leão

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Consideration of reports (continued)

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (continued)

Sixth periodic report of Denmark (continued) (E/C.12/DNK/6; E/C.12/DNK/Q/6; E/C.12/DNK/Q/6/Add.1)

1. At the invitation of the Chair, the delegation of Denmark took places at the Committee table.

2. Ms. Shin (Country Rapporteur) said that she would be interested to know whether there were any plans to establish a national human rights institution for the Faroe Islands, in line with the 2017 recommendations made by the task force appointed by the Ministry of Foreign Affairs and Trade.

3. With regard to Greenland, it would be helpful to learn how the authorities ensured that its inhabitants, many of whom lived in remote areas, abided by the legislation governing gender equality, parental responsibility and the prohibition of sexual harassment. It would also be useful to know how the Greenlandic Equal Rights Council disseminated information about that legislation. She would welcome details of the number of cases of harassment, including sexual harassment, that had been reported in Greenland and the number in which compensation had been granted. Details of how the authorities collected the data would be appreciated.

4. Did the authorities have a long-term plan to adapt to or mitigate the significant impact of climate change on Greenland?

5. Mr. Kedzia (Country Task Force) asked whether the fact that 70 per cent of the women employed in Greenland worked in the public sector was a contributing factor to the large gender pay gap there. He said that he would be grateful for details of any concrete measures taken or planned to address that gap. It would be useful to know whether the authorities collected data on gender equality, including with regard to management patterns in the various employment sectors.

6. He would welcome information on the measures being taken to address the suicide rate in Greenland, which was significantly higher than in other parts of the State party.

7. In the Faroe Islands, the authorities had taken the decision to close all major tourism sites for one weekend in April 2019 as part of measures to mitigate the impact of excessive numbers of tourists. What would be the consequences of such measures with regard to the labour market and the enjoyment of the rights set forth in the Covenant?

8. Mr. Emuze (Country Task Force) said that he would like to know what the authorities were doing to reduce the number of children in remote settlements in Greenland who were affected by poverty.

9. He would appreciate updated statistics on the suicide rate in Greenland. It was unclear why suicide was particularly prevalent among girls and women aged between 15 and 24 years and whether the situation had improved following assistance from the national Government.

10. It would be useful to receive details of the steps the authorities were taking to ensure the availability of more affordable housing in and near the main cities in Greenland.

11. With regard to the Faroe Islands, he would be grateful for the delegation’s account of the impact of the Action Plan to prevent sexual abuse that had been formulated in 2016. He would also welcome information on the impact of the Social Housing Association, which had been established in 2014.

12. Ms. Saran (Country Task Force) said that she would welcome data on the concrete impact of the Government’s education reforms aimed at narrowing the gap between students from different socioeconomic backgrounds. She would appreciate clarification from the delegation of whether the primacy given to the Danish language in the education
system had a negative impact on minorities, particularly those from non-Western linguistic or ethnic backgrounds. If that was the case, it might be viewed as an attempt at forced assimilation. It was unclear whether mother-tongue language instruction was provided in State-funded schools. She would be grateful for details of the Government’s policy on bilingual education, including whether it was restricted to students from European backgrounds. She wished to know what percentage of bilingual children from non-Western backgrounds left school with results that qualified them for entry to further education. She would welcome details of the dropout rate among students born outside the State party in comparison to those born in the State party. She would also welcome the delegation’s assessment of how successful the Government’s integration policy had been in ensuring that children who were from minority ethnic communities or who had been born outside the State party were integrated at all levels of the education system.

13. It would be helpful to receive data on the religious and cultural educational establishments known as “free schools”, together with an account of the State party’s current policy with regard to those schools.

14. She would appreciate the delegation’s response to reports that very young children living in so-called ghettos were prevented from starting school if they were unable to pass a mandatory Danish language evaluation. If that was the case, it might give rise to a violation of children’s right to education under the terms set forth in the Covenant. Information received by the Committee indicated that many children from non-Western backgrounds who lived in ghettos were not well acquainted with the norms and values of wider society. She would welcome more details in that regard.

15. It would be helpful to hear about the steps the Government had taken to ensure that children with disabilities had access to inclusive education and that teachers received specialist training to enable them to provide such education.

16. The Committee had received reports that there were alarming gaps between the number of women and girls who were raped and the number of cases that were reported, prosecuted and punished. She would appreciate information on any steps the authorities had taken to introduce sexuality education in schools that included the topics of sexual autonomy, consent and relationships.

17. She would welcome clarification of the Government’s position on the Committee’s recommendation, in its previous concluding observations (E/C.12/DNK/CO/5), that the State party should take steps to recognize the Thule Tribe of Greenland as a distinct indigenous community. She would also appreciate information on any measures the Government had taken to protect, preserve and promote the traditional cultures of the indigenous communities in all parts of the State party.

18. It would be useful to receive an update on the Government’s policies aimed at guaranteeing the right to freedom of expression, particularly in connection with religious symbols such as the veil worn by some Muslim women and the turban worn by some Sikhs.

The meeting was suspended at 10.25 a.m. and resumed at 10.35 a.m.

19. Mr. Daugaard (Denmark) said that the Government of Denmark took the position that it was in full compliance with the International Labour Organization (ILO) Social Protection Floors Recommendation, 2012 (No. 202). Under the social security system, the basic rights of all citizens were guaranteed in cases of sickness or unemployment.

20. The Building Bridge to Education project had been evaluated and had been found to be successful, having doubled the share of young people entering vocational training. The Job Bridge to Education initiative for 2018 to 2020 had been shaped on the basis of the outcomes of the Building Bridge to Education project and was aimed at the most vulnerable job seekers. The initiative was focused on mentor support and job training and would be evaluated in 2020. It would be implemented in 11 municipalities with 3,000 young people, half of whom would receive additional support and half of whom would receive regular support. In order to participate in the initiative, municipal authorities needed to apply for the relevant funding and conclude a cooperation agreement with a training institute.
21. **Ms. Kisling** (Denmark) said that the Danish Working Environment Authority had imposed 87 sanctions on employers for offensive acts in 2018 and 82 in 2017. Sanctions included prohibition orders to stop work immediately and notices of improvement. The Authority had no authority to make judicial decisions and referred cases to the police for prosecution, if appropriate. Following close consultation with social partners, the Authority had recently revised its guidelines for employers on preventing and tackling bullying and harassment. In a direct response to the #MeToo Movement, the Act on Equal Treatment of Men and Women as regards Access to Employment had been amended to strengthen the prohibition on sexual harassment in the workplace. The average amount of compensation in sexual harassment cases had risen by one third. The relevant legislation would be evaluated within two years of its entry into force.

22. **Ms. Lindsay-Poulsen** (Denmark) said that the three-year waiting period before persons with temporary protection status could apply for family reunification had been introduced following concerns about a mass influx of asylum seekers fleeing the conflict in Syria. It was necessary to maintain a safe society and strike a balance between the interests of the individual and the community. Exceptions were always made when the Government’s international human rights obligations so required. Between December 2015 and April 2019, the statutory waiting period had been waived on compassionate grounds in 239 cases. The waiting period applied only to persons with temporary protection status, because they had fled their home countries owing to the general situation there and could be expected to return once the situation improved.

23. Unaccompanied minors whose asylum claim was refused could be granted a residence permit if there was reason to assume that they had no family in their home country and would not be able to obtain accommodation in a shelter.

24. **Ms. Laureberg** (Denmark) said that, after being granted a residence permit, each refugee was referred to a municipality for the provision of housing. As of March 2019, municipalities were no longer required to assign permanent housing but were instead allowed to provide temporary accommodation, such as an apartment with a time-limited lease, which gave them greater flexibility to meet refugees’ needs. If temporary housing was provided, the amount that the refugee had to pay was capped to ensure that he or she was also able to afford daily living expenses; the municipality paid the remainder of the rent. In the case of permanent housing, the refugee could apply for housing benefit if the rent was too high to be affordable.

25. **Mr. Morsing** (Denmark) said that the prohibition on begging had been neutrally formulated. It applied whether an individual was an immigrant or not, irrespective of ethnicity, gender or other identifiers. As part of the new Government’s memorandum of understanding with its parliamentary base, the rules on the prohibition of camps would be revised to make it clear that the intent was not to target persons who had to sleep on the streets, but rather those who established permanent camps that disturbed the public order.

26. **Ms. Malmgren-Hansen** (Denmark) said that Denmark had a range of different accommodation facilities for homeless persons. Such facilities were regulated by the Consolidation Act on Social Services and were available subject to application or referral by the public authorities. The manager of the facility decided on admissions and discharges, while it was the responsibility of the municipality to ensure that all necessary facilities were available. After an assessment, tailored support was offered to individuals staying in such facilities, including treatment for alcohol and drug abuse, sheltered employment and participation in training and education, cultural events, sports and other activities.

27. An area of focus in the Action Plan against Homelessness for the period 2018–2021 was to improve the flow of individuals in temporary accommodation facilities, which should also lead to better availability of accommodation. The Government wanted to intensify its efforts to reduce the number of homeless people in Denmark. Under its financial agreement for 2020 with Local Government Denmark, an organization bringing together the 98 municipalities, efforts would be made to secure a better link between quality, prices and additional support at temporary accommodation facilities. Lastly, the Government had allocated funds from its rate adjustment pool for the operation of winter emergency shelters, for which there were no registration criteria.
28. Mr. Hüttel (Denmark) said that the Danish social housing sector was large and highly regulated. Local governments were entitled to use a fourth of all vacated dwellings for social purposes, including for homeless or low-income individuals. In 2018, approximately 6,000 of 51,000 vacated dwellings had been assigned for such purposes. Under Danish law, the municipalities had various tools to provide housing for homeless and vulnerable citizens. For example, special regulations allowed them to provide affordable social housing for people moving out of shelters, while subsidized accommodation could also be offered to vulnerable citizens incapable of functioning in regular dwellings. Subsidized housing was available for citizens with mental illnesses, and pledges had been made in 2017 and 2018 to establish more such dwellings. In response to the migrant crisis in 2016, the previous government had allocated funding for the establishment of small family dwellings for migrants and others in need. Youth homelessness had declined since 2017, owing primarily to temporary arrangements allowing municipalities to build subsidized housing for vulnerable youth, coupled with a major focus on the construction of additional student housing.

29. Mr. Boesen (Denmark) said that, in accordance with the law amending the Social Housing Act, the Social Housing Rent Act and the Rent Act (known as L38), the Ministry of Transport and Housing had recently approved 15 development plans for “hard ghettos”, most of which included the construction of new homes for people with various income levels. Those development plans would not entail the liquidation of any social housing areas and would result in net growth of 3,700 homes. The total number of households that would need to be rehoused was 3,800. In the case of those who would require permanent rehousing, landlords must provide notice of eviction without unnecessary delay and rehouse tenants in the same municipality. The plan was to create 110,000 new homes, largely social housing units, by 2030.

30. Danish residential tenancies law was very complex and generally intended to protect tenants. Given the view of some that the growing interest of foreign investors in the acquisition of property in Copenhagen was attributable to certain provisions of the Act on Temporary Regulation of Housing Conditions, the Government had set up an expert group to consider the scope and effect of the current legislation. It was believed that a change in the current legislation could help curb rent rises in Copenhagen but could also lead to a substantial capital loss for national pension funds and a deterioration in the quality of housing in major Danish cities. The expert group would report to Parliament later that month.

31. Mr. Gori (Denmark) said that children seeking asylum or without legal residence in the country were entitled to the same health care as resident children, without distinction. Adult asylum seekers and foreign nationals without legal residence in Denmark were not covered by the national health insurance system; rather, expenses for their health care were paid by the Immigration Service, provided they were registered with the immigration authorities. Such health-care treatment must be urgently required and unable to be postponed or needed to relieve pain; in either case, the assessment relied on the judgment of a medical professional. The rationale was that asylum seekers or persons without legal residence were in a temporary situation; if the individual’s asylum claim was accepted and refugee status was granted, the refugee would then benefit from national health insurance. Expenses for emergency hospital treatment were covered by the Health Act.

32. Ms. Midttun (Denmark) said that the health treatment of persons not registered with or not known by the immigration authorities was covered by the Health Act. All non-residents, including those who were undocumented, had the right to receive emergency hospital treatment, and also ongoing non-emergency treatment if it was not considered reasonable to refer them to treatment in their home countries or if they could not be transferred for health reasons. There had been no recent changes in legislation on access to treatment, but in general non-residents were charged for emergency hospital treatment and subsequent non-emergency treatment. However, no persons would be denied hospital treatment in the public health-care system with reference to payment claims. Treatment could be provided free of charge through the public health-care system when it was considered reasonable, for example, in the case of unregistered migrants. In addition,
undocumented migrant women were able to receive assistance during childbirth without being asked for payment, and children were also treated free of charge.

33. Ms. Malmgren-Hansen (Denmark) said that Denmark had implemented the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, through the Prior Informed Consent Regulation of the European Union. Its export of pesticides outside the European Union was in full compliance with international agreed standards. The pesticides exported by Denmark belonged to the category of chemicals that required notification to the receiving country prior to export; the receiving country could then either reject the import or take the necessary precautionary measures to control its use in agriculture. Denmark could not determine safe conditions of use in other countries with different crops and different pests, but those countries should be fully informed about the pesticide prior to its export. Her Government took due note of concerns raised about the behaviour of Danish companies, leading to possible exposure to hazardous chemicals abroad. It actively supported the establishment of a new long-term global framework for the sustainable management of chemicals and waste beyond 2020, in line with the Sustainable Development Goals.

34. Ms. Liebenberg said that she would appreciate information on the extent to which affected persons would be consulted about the decision to rehouse 3,800 households pursuant to the L38 law, and on the process that would be followed to guarantee acceptable housing in line with the standard of human dignity. She wondered whether consideration had been given to the fact that, by defining a “ghetto” as a “vulnerable area” where the proportion of immigrants and descendants from non-Western countries exceeded 50 per cent, the terms of the law could have a discriminatory impact, constituting discrimination based on race, nationality or ethnicity. Lastly, she would appreciate confirmation that the law would not result in a reduction of the social housing stock.

35. Mr. Uprimny said that he wondered whether it was reasonable for Denmark to maintain the policy of providing only emergency medical treatment for women, both in terms of the cost to the State and in relation to the women’s right to health. According to the World Health Organization, insufficient or delayed access to antenatal care exposed women to a higher risk of maternal mortality and morbidity.

36. He urged the State party to accede to the Optional Protocol in order to ensure justiciability in the case of violations of economic, social and cultural rights.

37. Mr. Kedzia asked what the current unemployment rate was in Greenland.

38. Mr. Emuze requested information on the extent to which the provisions of the L38 law had changed following the change of government.

39. Ms. Shin said that she wished to know what steps were being taken to limit the use of coercive measures in psychiatric institutions, including against children; what steps would be taken to avoid the use of forced physical restraints with belts lasting more than 48 hours; and whether Denmark intended to amend legislation on coercion in the psychiatric system to ensure that children under 15 years of age had procedural safeguards and standards. She would also appreciate more information on the current situation regarding medically unnecessary operations on intersex children, bearing in mind that such operations were still being carried out despite the existence of a policy prohibiting them before the age of 18. She wondered whether any relevant data were being collected.

The meeting was suspended at 11.25 a.m. and resumed at 11.30 a.m.

40. Mr. Boesen (Denmark) said that the increase in the number of housing units in so-called hard ghetto areas was due to an increase in private rather than social housing. However, many development plans included agreements that required municipalities to build new social housing on a “one-to-one” basis in other parts of the municipality. Rehoused persons were guaranteed to receive new housing of adequate size and quality in an appropriate location within their municipality. Landlords were required to cover any reasonable moving expenses incurred by rehoused persons. The plans to reduce the amount of social housing in hard ghetto areas would be implemented over a long period of time. The majority of the residents of such areas were expected to leave their homes of their own accord.
41. **Mr. Hüttel** (Denmark) said that the municipalities, housing associations and residents were responsible for formulating development plans for hard ghettos. The State was responsible for approving such plans but had no say in their content. The word “ghetto” would continue to be used as a legal term for social housing areas that met certain criteria. The Government had no plans to change the content of the initiatives intended to prevent the establishment of parallel societies. Steps were being taken to encourage municipalities and housing associations to intensify their efforts to provide decent housing. A list of vulnerable areas had been drawn up to ensure that State funding was appropriately targeted.

42. In order to promote social cohesion, the Government was taking steps to ensure that residential areas were socially and culturally diverse and contained different types of housing. Housing was allocated on the basis of factual, objective criteria in accordance with current official objectives. Persons who could be affected by allocation criteria had the opportunity to seek accommodation in other areas that were not categorized as vulnerable. Municipalities were required to find housing for vulnerable persons who had an urgent need for it. Immigrants were not prevented from moving into vulnerable areas. Only objective criteria on education, income, crime and employment were applied when people moved into ghetto areas.

43. **Ms. Midttun** (Denmark) said that the question of whether patients, including pregnant women, had an acute condition was determined by doctors on the basis of a medical examination. Provisions concerning acute medical treatment applied to all non-residents and not only to unregistered migrants. Basic health care was made available to all residents who were duly registered.

44. The use of coercive measures in psychiatric hospitals was regulated by the Psychiatric Act, which stipulated that they should be implemented as gently as possible and used only when every effort had been made to secure the patient’s voluntary cooperation. Use of such measures was closely monitored and a report on their use was published twice every year. According to the latest such report, the use of belts to restrain psychiatric patients had fallen between 2014 and 2018. Minors under the age of 15 years were not covered by the Psychiatric Act and could be subjected to coercive measures only when the informed consent of their parent or guardian had been obtained. Parents could decline to decide whether their child might be subjected to coercive measures, in which case the decision was taken by a doctor. When children were subjected to coercive measures, psychiatric staff were required to ask them about their experience and explain why the measures had been taken. Information on the rights of minors in psychiatric institutions, written in child-friendly language, was made available in all psychiatric wards. The provisions of the Psychiatric Act that related to minors would be reviewed in 2019.

45. The term “intersex” was used to refer to a wide range of medical conditions, only some of which required medical intervention. Surgery was performed only for medical reasons, following a thorough examination by a multidisciplinary panel of medical experts. Surgery on children’s genitals was performed only rarely and was never carried out solely to decide the sex of a child. All medical interventions on intersex persons required informed consent, which could be provided by persons aged 15 years or over or by the parents of persons under that age. In all cases, the views of persons under 15 years of age were taken into account. Steps were being taken to prepare information for the parents of children born with variations in sex characteristics. According to the January 2019 national guidelines on the treatment of such individuals, health-care staff were required to refrain from assigning a sex to children born with ambiguous genitalia. Although the social security number assigned to a child would necessarily indicate that he or she was a particular sex, that number could be changed once a medical examination of the child concerned had been conducted.

46. **Ms. Malmgren-Hansen** (Denmark) said that migrant families tended to have lower incomes than non-migrants because they were more likely to receive integration benefit than social security benefit. Plans were in place to launch a new temporary child benefit in order to reduce that income gap. Migrant families would also benefit from the cancellation of the plan, drawn up by the former Government, to reduce the integration benefit for parents. The Government planned to launch several initiatives to promote equal
opportunities for all children, irrespective of their background. One such initiative, which was already in place, enabled children and adolescents to obtain financial support to facilitate their participation in leisure activities.

47. Ms. Aller (Denmark) said that the measures taken to reduce gaps in educational attainment between pupils of different socioeconomic backgrounds had not yet borne fruit. The Government would continue to monitor such gaps in order to assess the efficacy of the educational reforms initiated five years previously.

48. Ms. Hvas (Denmark), noting that significant gaps in learning could be detected in children as young as 3 years of age, said that the Government had recently launched a number of initiatives to improve the educational attainment of young children from families on low incomes. One such initiative enabled such families to receive discounted or free childcare services. In 2017 and 2018, the Government had allocated an additional 2 billion Danish kroner to support vulnerable families and facilitate their children’s access to high-quality day care.

49. Ms. Aller (Denmark) said that Danish was the national language and therefore the language of instruction in primary and lower secondary schools. However, private schools, which were partly funded by the State, could apply for authorization to teach in a different language. Currently, a total of 14 schools had been granted authorization to teach in German. The Government prioritized the teaching of Danish as a means of promoting social cohesion and integration.

50. Bilingual students were able to improve their linguistic skills in mainstream schools. Following a review of the curricula for primary and lower secondary schools, language development had been established as an objective for every school subject. Bilingual children who required additional support could receive tuition in Danish as a second language. Head teachers, experts and families were responsible for determining whether such support was necessary. Children whose parents were from the Faroe Islands, Greenland, a European Union member State or a State belonging to the European Economic Area were offered tuition in their mother tongue. In some municipalities, the children of parents from other countries could also receive such tuition. Bilingual students took tests in the Danish language so that their language skills could be monitored.

51. Ms. Laurberg (Denmark) said that, in recent years, youth education completion rates had increased for immigrants who had arrived in Denmark at the age of 12 years or under and for persons from non-Western backgrounds aged between 20 and 24 years of age. The percentage of persons from non-Western background aged between 25 and 39 years of age who had completed a higher education course had also increased significantly.

52. Ms. Aller (Denmark) said that around 30 per cent of bilingual children from a migrant background were unable to pursue further education as they did not meet the academic requirements. Around 18 per cent of the country’s 550 independent schools were faith schools. The Government was currently discussing whether to change the funding model applicable to such schools.

53. Ms. Hvas (Denmark) said that mandatory learning programmes for 1-year-old children in vulnerable housing areas involved 25 hours of childcare per week in high-quality, mainstream day-care centres. The programmes were aimed at enabling more children to attend childcare centres, where they could develop their language skills as early as possible. Such programmes were accompanied by measures intended to increase cooperation and trust between educators and parents. Research showed that around 50 per cent of bilingual children did not have age-appropriate Danish language skills and that children in vulnerable housing areas, including children from both Western and non-Western backgrounds, were at greater risk of failing to develop such skills. Parents who did not enrol their children in mandatory language programmes were required to develop their children’s Danish language skills at home. Child benefit was withdrawn from parents who failed to pursue either option. When children reached the age of 2 or 3 years, they could be withdrawn from mandatory language programmes if their Danish language skills had reached the required standard. Children who did not attend day-care centres were required to undergo a language assessment when they were 2 or 3 years of age, irrespective of where they lived. Those who had failed to acquire age-appropriate language skills were obliged to
receive additional tuition. Legislation on mandatory learning programmes did not violate children’s rights under the Covenant, as it did not require them to pass tests in day-care centres in order to start primary school.

54. **Ms. Aller** (Denmark) said that children who failed the language assessment conducted at the end of the compulsory preschool year (“year zero”) were required to repeat that year.

55. **Ms. Hansen** (Denmark) said that the Government’s cultural policies applied to everyone living in Denmark, including migrants and refugees. A number of measures were being taken to ensure access to culture for migrants and refugees, including schemes to promote participation in sports and leisure activities and projects aimed at making art and culture accessible to persons living in marginalized residential areas.

56. **Ms. Hvas** (Denmark) said that the Government acknowledged that some children living in vulnerable housing areas had limited opportunities to meet children from outside those areas. In order to tackle that problem, a decision had been taken to ensure that no more than 30 per cent of the children attending each day-care centre were from such areas. That decision would enable children from vulnerable housing areas to attend a day-care centre where Danish was spoken and where children’s learning and well-being were promoted.

57. **Ms. Aller** (Denmark) said that the Government was currently conducting a study of the educational outcomes of children and young persons with disabilities in order to learn about their experiences and identify best practices. The Government gave priority to programmes aimed at improving the education provided to children with disabilities, including dyslexic children.

58. **Ms. Svensson** (Denmark) said that the Government acknowledged the importance of ensuring that teachers had the competency to teach sexuality education and was aware that teachers believed they did not have the right competencies to do so. The teacher training programme on sexuality education had been reviewed in 2018–2019 by an expert panel, and the Ministry of Higher Education had been following up on that review, in consultation with the university colleges responsible for the teacher training programme. A joint national action plan was being developed to improve teachers’ competencies in sexuality education, which would include not only sexual reproduction and how to avoid it but also a broader view of sexual culture among young people.

59. The new Government had not yet decided which initiatives to pursue with regard to persons with special needs, but it was focused on the issue. In 2018, the Ministry of Higher Education and Science had invited representatives of disability organizations and institutions of higher education to a dialogue on accomplishment rates for students with disabilities. Based on that dialogue, the Ministry had initiated a project to map the exemption practices of institutions of higher education and the accomplishments of students with disabilities.

60. **Mr. Morsing** (Denmark) said that covering one’s face in areas to which there was public access was punishable by a fine. The ban applied universally to all face coverings, but it did not apply to instances in which covering one’s face served a creditable purpose, including wearing religious attire in the context of religious events.

61. The Danish permanent expert committee on penal law had been tasked with reviewing penal legislation on rape to ensure that the penal code sufficiently reflected the stipulation that all sexual acts must be consensual and voluntary. The committee would propose a new consent-based rape provision to be considered by Parliament.

62. **Ms. í Horni** (Denmark), speaking on behalf of the government of the Faroe Islands, said that a task force had examined and made recommendations on national human rights institution models appropriate for the Faroe Islands, but the new government had not yet taken a position on those models.

63. **Ms. Ludviksdóttir** (Denmark), speaking on behalf of the government of the Faroe Islands, said that tourism in the Faroe Islands had been growing quickly and the large numbers of tourists had had a significant impact on the way of life on the Islands. Over the
previous four years, much work had been done to preserve Faroese nature and protect it from tourism. New laws on the conservation and use of nature were being developed and practical measures were being taken to maintain trails and nature areas. Under the “Closed for maintenance” plan, launched in the spring of 2019, tourists had come to the Islands and worked for a week to maintain tourism facilities; it was planned to repeat the initiative in 2020 and perhaps in subsequent years.

64. Tourism had had a positive effect on the labour market. The unemployment rate was at a record low of 1.2 per cent, and more than half of those unemployed were unemployed for less than three months regardless of their gender. There had been a big increase in employment in new industries related to tourism, such as tour guiding, work in restaurants and cafés, and major hotel construction. The low entry requirements to work in those industries meant that there were good opportunities for young people and foreigners who had recently arrived in the Faroe Islands, and unions were monitoring working conditions.

65. Mr. Kristiansen (Denmark), speaking on behalf of the government of Faroe Islands, said that the Social Housing Association had been established in 2014 to make accommodation available and affordable for all. The Association built, bought, renovated and leased social dwellings throughout the country, and everyone had equal opportunities to sign up for a dwelling. Emphasis was placed on inclusiveness and at least 10 per cent of dwellings were disability-friendly. The rent for a Housing Association dwelling was substantially lower than that in the general housing market, and at least 20 per cent of the dwellings were allocated to citizens with lasting physical or psychological disabilities. Since the establishment of the Housing Association, private entrepreneurs had increasingly entered the housing market and started to build affordable rental buildings as well.

66. The delegation had no direct knowledge of the effects of the campaign against sexual abuse, but there was no doubt that it had raised awareness among the people of the Faroe Islands and sparked significant public debate. It had been internally evaluated and was continuing, in part in connection with other campaigns against violence. Treatment of perpetrators, as well as of those who had suffered from child abuse during childhood, was ongoing.

67. Ms. Hvistendahl (Denmark), speaking on behalf of the government of Greenland, said that the presence of the local government in all settlements in Greenland ensured compliance with the laws.

68. With regard to measures to overcome the gender pay gap, parliamentary Act No. 3 of 2013 on equality between men and women ensured equal pay for equal work of equal value. Compensation equal to the salary difference could be awarded if remuneration was determined to be in violation of the Act, and violations could also result in a fine. There was a reverse burden of proof, which meant that the employer was responsible for proving that the difference in remuneration was not based on gender. The Gender Equality Council was mandated to promote equality in society, and the Gender Equality Act ensured that maternity leave would not affect the attainment of seniority in employment relationships. Workers’ and employers’ organizations were represented on the Gender Equality Council.

69. Based on the traditional way of life, especially in remote areas, poor children were ensured solid food: hunting and fishing meant that people did not starve. Social schemes were in place to make sure that families received extra support through two forms of child benefits. A reform of public assistance, which ensured people an income, including when they were unemployed, was under way.

70. Public housing in Greenland consisted of housing owned by municipalities and the government. A process of urbanization was under way in Greenland, which had resulted in a housing surplus in smaller cities, as people moved to larger cities. An assessment of which buildings would be demolished or renovated was ongoing and was re-evaluated when there was a significant change in housing needs. There was a greater need for smaller dwellings, and in some cities it was impossible to rent out larger housing. Loans and home insurance schemes were available to help people on low incomes secure a home at an affordable price.
71. The Supreme Court ruling of 28 November 2003 stated that the Thule Tribe did not constitute a distinct tribe within or in addition to the Greenlandic people in the sense of the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169). Greenland had assumed overall responsibility of a number of areas of competencies with regard to protecting indigenous peoples. Moreover, the government of Greenland and its parliament were led by indigenous peoples, and that area was a natural focus of their work.

72. Ms. Shin, referring to the delegation’s statement that there were national guidelines on addressing intersex persons, said there was a gap between the guidelines and what was actually happening to children born with intersex characteristics. Medical operations were still being performed on intersex children, even though guidelines forbade medical interventions unless they were urgently required; however, there was no urgent need for operations in childhood. Was the Government gathering information about what was happening on the ground with regard to the rights of intersex children and infants?

73. Ms. Midttun (Denmark) said that she disagreed with the Committee on the need for surgery for intersex persons, because some issues, such as the inability to urinate properly, required operations. However, every time surgery was performed on an intersex person, it was done based on a professional medical opinion and evaluation and in close cooperation with the parents. Furthermore, those types of cases affected only one to two children per year. Other kinds of operations that determined the sex of the child were prohibited, and the delegation did not know of any such cases.

74. Mr. Melgaard (Denmark) said that Denmark, the Faeroe Islands and Greenland had come a long way in protecting and promoting economic, social and cultural rights. Their comprehensive welfare state provided an important social security net for all individuals, which was key to ensuring equal rights and opportunities for all citizens.

75. Ms. Shin, thanking the members of the delegation for their answers, said she thought it would be possible to move beyond the “cold war” mindset with regard to the rights enshrined in the Covenant, which still needed to be incorporated into Denmark’s national legislation. While Danish society was based on the cooperation of social partners and collective agreements, the State party was obliged by the Covenant to play a proactive role and take initiatives to ensure that it would progressively achieve the full realization of the Covenant rights for all. The principle of non-discrimination and gender equality should apply to all groups of people. Despite its original good intention, the “One Denmark without Parallel Societies” plan had resulted not in integration but in further exclusion and leaving many people behind, in particular people from non-Western backgrounds. The Committee hoped that serious attention would be paid to consideration of that policy, and that problematic policies would be eliminated in meaningful consultation with rights holders, civil society organizations and the Danish Institute for Human Rights. The Committee encouraged the delegation to bring the discussions that the Committee had held and the concluding observations it would adopt to the Danish Parliament, judiciary and public forums.

The meeting rose at 12.45 p.m.