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1999 Country Reports on Human Rights Practices

Released by the Bureau of Democracy, Human Rights, and Labor
U.S. Department of State, February 25, 2000

DENMARK

Denmark is a constitutional monarchy with parliamentary democratic rule. Queen Margrethe II is Head of State. The Cabinet, accountable to the unicameral Parliament (Folketing), leads the Government. A Social Democrat-led minority coalition remains in power following a narrow election victory in 1998. The judiciary is independent.

The national police have sole responsibility for internal security. The civilian authorities maintain effective control of the security forces.

Denmark has an advanced, market-based industrial economy. One-half of the work force is employed in the public sector. The key industries are food processing and metalworking. A broad range of industrial goods is exported. The economy provides residents with a high standard of living.

The Government generally respects the human rights of its citizens, and the law and judiciary provide effective means of dealing with instances of individual abuse. Trafficking in women is a problem.

RESPECT FOR HUMAN RIGHTS

Section 1: Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were no reports of political or other extrajudicial killings.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The law prohibits such practices, and there were no reports that officials employed them.

Prison conditions meet minimum international standards, and the Government permits visits by human rights monitors.

d. Arbitrary Arrest, Detention, or Exile

The law prohibits arbitrary arrest, detention, or exile, and the Government observes this prohibition.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the Government respects this provision in practice. The judiciary provides citizens with a fair and efficient judicial process.

The judicial system consists of a series of local and regional courts, with the Supreme Court at the apex.

The law provides for the right to a fair trial, and an independent judiciary vigorously enforces this right.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such practices, government authorities generally respect these prohibitions, and violations are subject to effective legal sanction.

Section 2: Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of the press, and the Government respects this right in practice. An independent press, an effective judiciary, and a democratic political system combine to ensure freedom of speech and of the press, including academic freedom.

b. Freedom of Peaceful Assembly and Association

The law provides for these rights, and the Government respects them in practice.

c. Freedom of Religion

The Constitution provides for religious freedom, and the Government respects this right in practice. It also provides for an official state religion, the Evangelical Lutheran Church, which is subsidized by the Government. The Evangelical Lutheran faith is taught in public schools, but students may withdraw from religious classes with parental consent. The

government does not require that religious groups be licensed, but the state's permission is required for religious ceremonies, for example, weddings, that have civil validity.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the Government respects them in practice.

The law provides for the granting of refugee or asylum status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperates with the U.N. High Commissioner for Refugees and other humanitarian organizations in assisting refugees. The Government provides first asylum and provided it to approximately 2,300 persons in the first 6 months of 1999, and to approximately 5,700 persons in 1998. There were no reports of the forced expulsion of refugees to a country where they feared persecution or of those having a valid claim to refugee status.

Section 3: Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens with the right to change their government peacefully, and citizens exercise this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

The territories of Greenland (whose population is primarily Inuit) and the Faroe Islands (whose inhabitants have their own Norse language) have elected democratically home rule governments with powers encompassing all matters except foreign affairs, monetary affairs, and national security. Greenlanders and Faroese are Danish citizens with the same rights as those in the rest of the Kingdom. Each territory elects two representatives to the Folketing.

Women are active in government and politics at both the local and national levels. In the current Government, 7 of 20 Government ministers are women, as are 67 of the Parliament's 179 members. Aside from two parliamentarians of mixed ancestry (both from Greenland), ethnic minorities are not represented in the Government, although they are represented in local politics.

Section 4: Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of human rights groups operate without government restriction, investigating and publishing their findings on human rights cases. Government officials are cooperative and responsive to their views.

Section 5: Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Government's operations and extensive public services do not discriminate on the basis of any of these factors. The law prohibits discrimination on the basis of sex, and the Government enforces it effectively. Discrimination on the basis of race is covered by two

laws, which prohibit racial slander and denial of access to public places on the basis of race. The rights of indigenous people are protected carefully.

Women

An umbrella nongovernmental organization reports that in 1998, women's crisis shelters were contacted approximately 9,000 times, compared with 9,961 times in 1997. A total of 1,934 women stayed at shelters during 1998, compared with 1,623 women in 1997. There were 150 reported rapes in the first 6 months of 1999, compared with 418 in 1998.

The law requires equal pay for equal work, but some wage inequality still exists. The law prohibits job discrimination on the basis of sex and provides recourse, such as access to the Equal Status Council, for those so affected. Women hold positions of authority throughout society, although they are underrepresented at the top of the business world. Women's rights groups effectively lobby the Government in their areas of concern, such as wage disparities and parental leave.

The problem of trafficking in women for the purpose of prostitution, particularly from Eastern Europe and Southeast Asia, remained a focus of government concern during the year (see Section 6.f.).

Children

The Government demonstrates a strong commitment to children's rights and welfare through well-funded systems of public education and medical care. The Ministries of Social Affairs, Justice, and Education oversee implementation of programs for children.

There is no societal pattern of abuse against children. In 1997 the Folketing passed legislation that banned the physical punishment of children by adults, including their parents.

People with Disabilities

There is no discrimination against disabled persons in employment, education, or in the provision of other state services. Building regulations require special facilities for the disabled in public buildings built or renovated after 1977 and in older buildings that come into public use. The Government enforces these provisions in practice.

Indigenous People

The law protects the rights of the inhabitants of Greenland and the Faroe Islands. Greenland's legal system seeks to accommodate Inuit customs. Accordingly, it provides for the use of lay persons as judges and sentences most prisoners to holding centers (rather than to prisons) where they are encouraged to work, hunt, or fish during the day. Education in Greenland is provided to the native population in both the Inuit and Danish languages.

In August the High Court ruled that the government unjustly resettled Greenland Inuits in 1953 in order to accommodate the expansion of a U.S. Air Force base in northwest Greenland. The Court ordered the Government to pay compensation to the displaced

Greenlanders and their descendants. The compensation is substantially less than the defendants sued for, and the case was under appeal to the Supreme Court at year's end. In September the office of Prime Minister Poul Nyrup Rasmussen issued a joint declaration with the home rule chairman of Greenland apologizing for the way the decision on the resettlement was reached and the manner in which it was carried out.

National/Racial/Ethnic Minorities

The inflow of ethnically and racially diverse refugees and immigrants provoked a degree of tension between Danes and immigrants (mostly Iranians, Palestinians, Pakistanis, and Sri Lankans until late 1992; refugees are now overwhelmingly from Somalia or the former Yugoslavia). In response to publicity concerning the involvement of foreigners in street crime and allegations of social welfare fraud committed by refugees, Parliament passed tighter immigration laws in June 1998, which took effect on January 1. Family reunification is now more difficult, and immigrants and refugees can no longer acquire permanent residence by living in the country for 18 months; rather they must now reside for 3 years and demonstrate that they have integrated into society. Additionally, they receive a special integration allowance that is 20 percent lower than the social benefits that a citizen receives. Critics claim that this provision violates the 1951 U.N. Convention Relating to the Status of Refugees.

Incidents of racial discrimination and racially motivated violence occur but are rare. The Government effectively investigates and deals with cases of racially motivated violence.

In November Copenhagen experienced some of its worst rioting in years. The rioters were protesting a High Court decision to expel a 23-year-old Turkish citizen. Although not a Danish citizen, the individual grew up and has close family in Denmark, including a wife and child. The Court ordered the expulsion for life to take effect immediately after a 3-year jail term for armed robbery.

Section 6: Worker Rights

a. The Right of Association

The law states that all workers, including military personnel and the police, may form or join unions of their choosing. Approximately 80 percent of wage earners belong to unions that are independent of the Government and political parties. All unions except those representing civil servants or the military have the right to strike.

Unions may affiliate freely with international organizations, and they do so actively.

b. The Right to Organize and Bargain Collectively

Workers and employers acknowledge each other's right to organize. Collective bargaining is protected by law and is widespread in practice. The law prohibits antiunion discrimination by employers against union members and organizers, and there are mechanisms to resolve disputes. Employers found guilty of antiunion discrimination are required to reinstate workers fired for union activities. In the private sector, salaries, benefits, and working conditions are agreed upon in biennial or triennial negotiations between the various employers' associations and their union counterparts. If the

negotiations fail, a national conciliation board mediates, and its proposal is voted on by management and labor. If the proposal is rejected, the Government may force a legislated solution on the parties (usually based upon the mediators' proposal). The agreements, in turn, are used as guidelines throughout the public as well as the private sector. In the public sector, collective bargaining is conducted between the employees' unions and a government group, led by the Finance Ministry.

Labor relations in Greenland are conducted in the same manner as in Denmark. Greenland's courts are the first recourse in disputes, but Danish mediation services or the Danish Labor Court also may be used.

There is no umbrella labor organization in the Faroes, but individual unions engage in periodic collective bargaining with employers. Disputes are settled by mediation.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

Forced or bonded labor, by adults or children is prohibited by law, and this prohibition is enforced effectively by the Government.

d. Status of Child Labor Practices and Minimum Age for Employment

The minimum age for full-time employment is 15 years. A 1996 change in the work environment law tightened employment rules for those under 18 years of age and set a minimum of 13 years of age for any type of work. The law is enforced by the Danish Working Environment Service (DWES), an autonomous arm of the Ministry of Labor. Export industries do not use child labor. Forced and bonded child labor is prohibited and does not occur (see Section 6.c.).

e. Acceptable Conditions of Work

No national minimum wage is mandated legally, but national labor agreements effectively set a wage floor. The lowest wage paid is currently about \$12 (80 kroner) per hour, which is sufficient to provide a decent standard of living for a worker and family. The law provides for 5 weeks of paid vacation per year. A 37-hour workweek is the norm, established by contract, not by law. However, the law requires at least 11 hours between the end of one work period and the start of the next.

The law also prescribes conditions of work, including safety and health; the duties of employers, supervisors, and employees; work performance; rest periods and days off; and medical examinations. The DWES ensures compliance with labor legislation. Workers may remove themselves from hazardous situations or weapons production without jeopardizing their employment rights, and legal protections cover workers who file complaints about unsafe or unhealthy conditions.

Similar conditions of work are found in Greenland and the Faroes, except that the workweek is 40 hours. As in Denmark, the workweek is established by contract, not by law.

f. Trafficking in Persons

In January the Ministry of Justice asked the State Attorney to evaluate the need for new laws against the import and exploitation of women.

The problem of trafficking in women for the purpose of prostitution remained a focus of government concern during the year. Of particular concern is the importation of women from Eastern Europe and Southeast Asia who, lured by the prospect of higher wages and a better life, find themselves forced into a life of prostitution by individuals, suspected of being part of organized crime, who brought them into the country. No concrete statistics are available as to how many women are involved in prostitution. The Minister of Justice's plans, announced in 1998, to convene a commission in March 1999 to look into the problem were dropped without explanation.

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[Europe and NIS Index](#) | [Table of Contents](#) | [1999 Report Homepage](#) | [Human Rights Reports Index](#)