



U.S. DEPARTMENT of STATE

Denmark

Country Reports on Human Rights Practices - [2006](#)

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Denmark, with a population of approximately 5.4 million, is a constitutional monarchy with democratic parliamentary rule. Queen Margrethe II is head of state. The cabinet, which is accountable to the unicameral Folketing (parliament), heads the government. The minority center-right coalition government led by the Liberal Party (Venstre) won a plurality of seats in the February 2005 elections, which were deemed free and fair. Civilian authorities generally maintained effective control of the security forces.

The government generally respected the human rights of its citizens, and the law and judiciary provide effective means of dealing with individual instances of abuse. Reports of religious and ethnic discrimination against members of the Muslim minority continued at recent post-September 11 levels, while domestic violence against women and trafficking in women and children continued to be reported.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful 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 government officials employed them.

In 2004 military authorities charged intelligence officer Reserve Captain Annemette Hommel and four military police sergeants with dereliction of duty related to alleged improper interrogation of detainees. Their July convictions were subsequently overturned on appeal. The case led to major changes in rules of conduct in the Danish army, including tighter control and surveillance of military staff and better communication between ranks.

Prison and Detention Center Conditions

Prison conditions, for the most part, met international standards; however, pretrial detainees were often held with convicted criminals. The government permitted visits by independent human rights observers.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

The national police, under the Ministry of Justice, have sole policing authority in the country. There are 54 police districts (plus the Faroe Islands and Greenland), and a national commissioner's office. The minister of justice, with the approval of parliament, appoints the police chiefs of each district and the national commissioner. Corruption was not a problem. There was increased police training in recognition, reporting, and investigation of racially motivated cases during the year.

Arrest and Detention

By law the police are allowed to begin investigations and make arrests either based upon visual evidence without a warrant, or on the basis

of indictments filed by public prosecutors with the courts. A court may either summon the accused to appear or order police to arrest the accused based upon an application filed by a public prosecutor. If an individual is taken into custody, the law provides for an initial appearance before a judge within 24 hours; however, noncitizens may be detained for up to 72 hours before being given a court appearance. Authorities generally respected the right to a prompt judicial determination. The country does not have a bail system; rather, a judge decides within 24 hours of detention either to release the detainee on his or her recognizance or to keep the detainee in jail until a trial is held. Arrestees have the right to counsel at the initial hearing, and the government provided counsel for those who could not afford legal representation. The law does not allow any visitors during the first 24 hours of detention except for legal counsel. However, depending upon the charges, the police generally did not restrict visitor access in practice.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence in practice. The judicial system consists of local courts, which hear cases in the first instance; regional courts which address appeals; and the Supreme Court, which is the highest and final court of appeal.

Trial Procedures

The constitution and law provide for the right to a fair trial, and an independent judiciary generally enforced this right. Trials are public. Juries are required for criminal cases in which the maximum penalty is greater than four years' imprisonment. The law provides for defendants' right to timely consultation with an attorney, at public expense if needed. Defendants and their attorneys have access to government evidence relevant to their case. Defendants have the right to question witnesses against them and to present their own witnesses; they are presumed innocent until proven guilty; and the right of appeal encompasses both procedural matters and sentences imposed.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters, including access to the court system to bring lawsuits seeking damages for, or cessation of, a human rights violation. There were no problems enforcing domestic court orders.

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

The constitution and law prohibit such actions, and the government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and of the press, and the government generally respected these rights in practice. Individuals are able to criticize the government publicly and privately without reprisal. The government does not attempt to impede criticism, for example by monitoring of political meetings. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press.

On April 27, a state prosecutor announced journalists Michael Bjerre and Jesper Larsen of the *Berlingske Tidende* had been charged for leaking state secrets in February and March 2004 articles concerning classified intelligence reports by defense intelligence agent Frank Grevil that questioned the existence of weapons of mass destruction in Iraq. In July charges were also brought against Editor-in-Chief Niels Lunde. Bjerre, Larsen, and Lunde were free on personal recognizance; their trial began in the High Court on November 13. On December 4, the Copenhagen City Court in a 3-0 ruling acquitted all three men. The court ruled that the defendants "acted in justified preservation of what is obvious in the interest of the general public when deciding to print the classified information."

In September 2005 the *Jyllands-Posten* (daily liberal newspaper) cartoon controversy began after 12 editorial cartoons depicting the Islamic prophet Muhammad were published. The newspaper explained that this publication was a contribution to debate regarding criticism of Islam and self-censorship. Nonviolent protests occurred in the country in reaction to the cartoons. Security guards were hired to protect the paper's journalists, and in January a bomb threat was made against the Copenhagen branch of the newspaper. Death threats were made against the cartoonists, forcing them into temporary hiding. Police investigated the threats, but did not have any leads by year's end.

Police opened an investigation into allegations that an imam, Ahmed Akkari, at the center of the Muhammed cartoon controversy issued death threats against a moderate Muslim politician, Naser Khader, who opposed violent protests over the cartoons. In October the case was closed due to insufficient evidence.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. As of June approximately 83

percent of the population had access to the Internet from home.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

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

c. Freedom of Religion

The constitution provides for freedom of religion, and the government generally respected this right in practice.

The Evangelical Lutheran Church is the official state church and enjoys some privileges not available to other faiths, such as receiving state subsidies or funds directly through the tax system. Members of other faiths, notably Catholics, have asserted that the system is unfair, and that the government does not provide religious equality, despite providing religious freedom. Allowing other religious organizations to be given the same status and privileges as the Evangelical Lutheran Church would require changes to the constitution. While the government does not require that religious groups be licensed, the government's permission is required for religious ceremonies, such as weddings, to have civil validity.

Religious history, with special emphasis on the Evangelical Lutheran faith, was taught in public schools, but students could withdraw from religious classes with parental consent.

Societal Abuses and Discrimination

The law provides protection against discrimination against religious minorities; however, societal discrimination against religious minorities was difficult to distinguish from discrimination against ethnic minorities. There were isolated incidents of anti-immigrant (mainly Muslim and African) graffiti, desecration of ethnic minority gravesites, and low-level assaults as well as some denial of service and hiring on racial grounds. The government criticized the incidents, investigated several, and brought some cases to trial.

In February more than 20 Muslim graves were desecrated in a cemetery in Esbjerg. Police interrogated three juveniles who were later released to social authorities to be reprimanded. There were no further developments in this case.

On July 25, vandals desecrated the country's first Muslim graveyard prior to its official opening, painting swastikas on the grass and driving cars across the site. In September the cemetery opened without incident. In November the cemetery was vandalized when markers indicating where graves were to be situated were removed and replaced with pigs' heads on poles. No arrests were made, and the investigation was ongoing at year's end.

There were no developments in the January 2005 desecration of nearly 100 Muslim graves in Venstre Kirkegaard (Cemetery) in Copenhagen. Unknown vandals pushed over 50 headstones and smashed another 50. The vandals only targeted Muslim headstones, leaving the Christian headstones untouched. Police investigated the scene but did not find enough evidence to pursue charges.

In August 2005 authorities closed local radio station Radio Holger for three months after it challenged listeners to kill Muslims. In February radio announcer Kaj Wilhelmsen was given a suspended two-week prison sentence for violating an antiracism law; Wilhelmsen appealed the verdict and Wilhelmsen continued broadcasting via the Internet, for which no license is required. In November Radio Holger's license was revoked by the Radio and Television Board for its alleged racist programming, broadcast on August 2, in the wake of the July-August conflict involving Israel and Lebanon. The board requested a copy of the broadcast, but did not receive it from Radio Holger. Radio Holger was broadcasting on a shared public access frequency, which made immediate shutdown of the station difficult. The station was continuing to broadcast, via the Internet, at year's end.

The Jewish population was estimated at approximately 7,000 persons. There were isolated incidents of anti-Semitism, primarily by immigrants. Most incidents involved vandalism, such as graffiti, or nonviolent verbal assaults.

For a more detailed discussion, see the [2006 International Religious Freedom Report](#).

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

The law provides for these rights, and the government generally respected them in practice.

The constitution and law prohibit forced exile, and the government did not employ it.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees

and its 1967 protocol, and the government has established a system for providing protection to refugees. In practice the government provided protection against refoulement, the return of persons to a country where they feared persecution. The government granted refugee status or asylum.

The government also provided temporary protection to certain individuals who fall outside the definition of the 1951 UN convention and the 1967 protocol and provided protection to approximately 315 persons during the year. Through September 702 out of 1,361 asylum seekers received residency permits.

In September 2005, 39 criminal immigrants who received deportation orders were allowed to remain in country after refusing to return to their native countries. They are currently detained at Sandholm refugee center where they receive room and board and are required to report to the police once a week.

Due to tougher immigration regulations only 1,147 out of 2,281 asylum seekers received residency permits in 2005.

In September 2005 the nongovernmental organization (NGO) Institute for Human Rights accused parliament's naturalization committee of discrimination for tightening language requirements to the extent that torture victims who are unable to learn Danish are denied citizenship.

The government cooperated with the office of the UN High Commissioner for Refugees and other humanitarian organizations in assisting refugees and asylum seekers.

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

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

The territories of Greenland and the Faroe Islands have democratically elected home-rule governments whose powers encompass all matters except foreign and national security affairs, police services, the judiciary, and monetary matters. Greenlanders and Faroese have the same rights as other citizens. Each territory elects two representatives to the parliament.

Elections and Political Participation

Prime Minister Anders Fogh Rasmussen, leader of the Liberal Party, was reelected in February 2005 in free and fair elections.

In November 2005 free and fair municipal elections were held following parliament's adoption of a structural reform plan, which reduce the number of municipalities from 271 to 98 by January 2007. As a result of the elections, the number of municipal council members from ethnic minority backgrounds significantly increased.

There were 65 women in the 179-seat parliament and five women in the 19-seat cabinet. Women also accounted for 44 percent of the newly elected public council board and committee members.

There were three members of minorities in the 179-seat parliament. There were no members of minorities in the 19-seat cabinet.

Government Corruption and Transparency

There were isolated reports of government corruption during the year.

The law provides for public access to government information, and the government provided access in practice for citizens and noncitizens, including foreign media.

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

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

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status; however, violence against women and trafficking in persons were problems.

Women

Violence against women, including spousal abuse, remained a problem. In 2004 the Institute for Public Health estimated that at least 64,000 women were exposed to domestic violence in 2003 and that domestic violence affected 30,000 children. The National Organization of Shelters for Battered Women and their Children reported that in 2005 shelters provided a safe haven for 3,512 women and children; 30

percent of the women supported were not citizens.

Rape, including spousal rape, is a criminal offense, and the government effectively prosecuted those accused of such crimes. There were 475 reported rapes resulting in 321 official charges for rape in 2005, and there were 228 reported rapes during the first six months of the year.

Prostitution was legal, but subject to restrictions; pimping, coercion into prostitution, solicitation of prostitution from a minor, and trafficking were illegal. According to an April 2005 report published by the Ministry for Social Welfare and Gender Equality, an estimated 3,750 persons worked in legal prostitution in 2004, while an unknown number participated in illegal prostitution, including streetwalking.

Trafficking in women was a problem (see section 5, Trafficking).

The law prohibits sexual harassment and provides for awards of monetary compensation for victims of sexual harassment. The government effectively enforced the law, and there were few reported cases during the year.

Women have the same legal status as men, including under family law, property law, and in the judicial system. The law requires equal pay for equal work, but female workers earned approximately 22 percent less on average than male workers. The wage difference between female workers and their male counterparts for the same work was 6.5 percent. Women held positions of authority throughout society, although they were underrepresented in senior business positions and as university professors. The government's interagency gender-mainstreaming project promoted gender equality in government agencies through an interagency steering committee of managers which oversaw gender-mainstreaming initiatives. The Ministry of Social Affairs also provided administrators with education and tools related to gender mainstreaming and published individual ministry projects on its Web site.

Children

The government was strongly committed to children's rights and welfare. Education was compulsory through the ninth grade and free through the university level; school attendance was nearly universal. Slightly more women than men completed postsecondary education.

Medical care was free, and boys and girls had equal access.

In 2005 there were 296 reports of sexual abuse of children that resulted in 277 official investigations.

In October 2005 the UN Committee on the Rights of the Child expressed concern regarding de facto societal discrimination against, and racist attitudes toward, children of ethnic minorities and migrant families as well as refugee and asylum-seeking families.

Trafficking in children was a problem (see section 5, Trafficking).

Trafficking in Persons

The law prohibits trafficking in persons; however, there were reports that persons were trafficked to the country.

The country was both a destination and a transit point for women and children who were trafficked from the former Soviet Union, Eastern Europe, Thailand, and Africa for the purposes of sexual exploitation and occasionally to work as thieves. There were approximately 4,000 to 5,000 prostitutes in the country, including an estimated 2,000 foreign women, a number of whom were believed to be trafficking victims.

Traffickers lured victims with the prospect of higher wages and a better life, then forced them into prostitution, often withholding their passports. Authorities suspected traffickers had ties to organized crime, specifically in Russia and the Baltic countries, and subjected them to police investigations and prosecutions.

The law criminalizes trafficking and provides for a maximum prison term of eight years for those convicted of trafficking in persons.

Police conducted more than 35 trafficking investigations. During the first nine months of the year, at least three persons were convicted under the antitrafficking law, and 30 persons were convicted under the sexual procurement law.

On December 14, a 39-year-old Nigerian woman was arrested and remanded in custody for 27 days on suspicion of being involved in a major trafficking operation. According to Copenhagen police, women were recruited in their native countries and then transported to the country and forced to work as prostitutes.

The national commissioner for police maintained an internal task force on trafficking in persons, assisted local police constabularies with investigations, and trained officers to recognize and investigate trafficking cases. The government cooperated with international investigations of trafficking and exchanged information with neighboring countries.

According to national police, trafficking victims generally returned voluntarily to their home countries with NGO support and were not officially deported or prosecuted for immigration violations. By returning to their home country they avoid a possible one-year ban on re-entry.

In September 2005 the Ministry of Social Affairs officially added trafficking in children as an appendix to the government's action plan to combat trafficking in women, published in 2002. The initiatives of the appendix are divided into two areas, support for victims and prevention of child trafficking.

The government funded three NGOs that provided social, medical, and legal services to trafficking victims. Government funding was also used for NGO outreach programs as well as hotlines to support victims, prevent trafficking, and gather data on the extent of the problem. The Ministry of Social Affairs conducted an antitrafficking advertising campaign in all major newspapers, subsidized a hot line and Web site and funded an NGO program to identify trafficking victims and provide them with information on obtaining help.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services, and the government effectively enforced it in practice. The law mandates access to buildings for persons with disabilities, and the government generally enforced these provisions in practice. The responsibility for protection of the rights of persons with disabilities is shared by all government ministries. The Danish Disability Council, a government-funded organization, monitored the status of persons with disabilities in the country and advised the government and the parliament on issues relating to disability policy. The Equal Opportunities Center for Disabled Persons is a government-funded entity, which alerts the government to, and documents, inequalities in society related to persons with disabilities.

National/Racial/Ethnic Minorities

There were 39 cases reported to authorities in the first six months of the year of racial discrimination or racially motivated violence. In 2005 there were 89 cases reported; however, some incidents went unreported. These figures reflect a change in reporting guidelines during the year for all police districts. Reported cases involved graffiti, vandalism, theft, and racist Internet and written messages. According to police, the victims were "Jews and people of an ethnic origin other than Danish" (usually meaning Muslims or Africans). Minority group members were also sometimes the perpetrators of the incidents. The government effectively investigated and dealt with cases of racially motivated violence.

There were reports of racism and claims of immigrants not being integrated. In September 2005 a Danish Refugee Council survey revealed that 45 percent of ethnic Danes would not initiate contact with an immigrant.

The inflow of ethnically and racially diverse refugees and immigrants (mostly Iraqis, Palestinians, Pakistanis, Sri Lankans, Somalis, and refugees from the former Yugoslavia) caused some tension between citizens and immigrants, which was reflected in press reports on the failure of the immigrants to integrate and on the correlation between immigration and crime levels.

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, and it provides for the use of lay persons as judges and sentences most prisoners to holding centers (rather than to prisons) where they were encouraged to work, hunt, or fish during the day. Education in Greenland is provided to the native population in both the Greenlandic and Danish languages.

In 1999 a Danish court ordered the government to compensate Greenlanders (and their descendants), whom the government forcibly resettled in 1953 from a village adjoining a foreign military base. The plaintiffs appealed the decision, seeking inter alia greater compensation, but it was upheld by the Supreme Court in 2003. In 2004 the Greenlanders filed an appeal with the European Court of Human Rights, which had not acted on the case at year's end.

Section 6 Worker Rights

a. The Right of Association

The law states that all workers, including military personnel and police, may form or join unions of their choosing. Approximately 77 percent of wage earners belonged to unions that were independent of the government and political parties.

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference and the government protected this right in practice. Collective bargaining is protected in law and was freely practiced. Approximately 85 percent of the workforce was covered by collective bargaining agreements. These collective bargaining agreements also indirectly influenced wages and working conditions for the remaining percentage of the workforce. The law provides for the right to strike, and workers exercised this right by conducting legal strikes. There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred (see section 5).

d. Prohibition of Child Labor and Minimum Age for Employment

Laws and policies prohibit the exploitation of children in the workplace, and the government effectively enforced these laws and policies in practice.

The minimum legal age for full-time employment is 15 years. The law sets a minimum age for part-time employment of 13 years; however, school-age children are limited to less strenuous tasks. The law contains provisions that limit work hours and sets occupational health and safety restrictions for children. The law is enforced by the Danish Working Environment Service (DWES), an autonomous arm of the Ministry of Labor.

Trafficking in children occurred (see section 5).

e. Acceptable Conditions of Work

The law does not mandate a national minimum wage; however, in 2005 the average net wage, including pension benefits of adult blue-collar workers, was \$34 (200 kroner) and of adult white-collar workers, \$45 (261 kroner) per hour, which was sufficient to provide a decent standard of living for a worker and family. Workers generally worked a 37-hour workweek, which was established by contract rather than by law. Workers were not subjected to compulsory overtime and received premium pay for overtime. Working hours are determined by collective bargaining agreements, which adhere to the European Union directive that stipulates that an average work week not exceed 48 hours.

The law also prescribes conditions of work, including safety and health; the DWES ensured compliance with labor legislation. In the first half of the year, the DWES conducted 30,962 company screenings and inspections, which resulted in 13,006 notices of varying severity for required improvements. Workers may remove themselves from hazardous situations without jeopardizing their employment, and authorities effectively enforced this right in practice. Similar work conditions were found in Greenland and the Faroes, except that the workweek was established by contract at 40 hours.