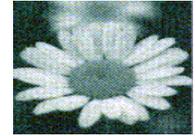


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Copenhagen, May 2008

**Comments by the Women's Council in Denmark (Kvinderådet) on
the Seventh Periodic Report by the Government of Denmark on CEDAW**

The Women's Council in Denmark (hereafter "WCD") representing 47 organisations working within different fields of gender equality, welcomes the opportunity to comment on the Danish Government's Seventh Periodic Report (hereafter "the report") on the implementation of CEDAW. Unfortunately our knowledge on the situation regarding gender equality in Greenland and the Faroe Islands does not allow us to comment on these parts of the report.

Our comments will follow the set-up of the report, thus taking on the articles one by one. Immediately below is a summary of our overall reflections on gender equality in Denmark.

General comments:

The WCD would like to commend the Minister for Gender Equality on the Plans of Action within the areas of violence against women and trafficking in women. The action plan on violence against women has resulted in campaigns that have drawn attention to this serious violation of women's rights, while the area of trafficking in women saw the reflection period expand to 100 days and the establishment of a Centre for Human Trafficking.

On the other hand, we cannot recognise the report's description of the governmental work for gender equality according to which: "...to put it popular, there is not just one minister for Gender Equality, there are a total of 19". From our position it seems that gender equality is not a core priority for the Government, neither when it is about substantial political initiatives, nor sufficient funds and staffing.

We would like to draw special attention to:

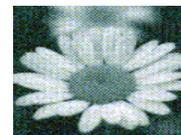
Unequal pay. Denmark is rated low in rankings of gender pay gaps compared to other European countries, and the gap is widening.

Unequal representation. In municipalities women only hold 27 % of the seats and only 8 of 98 mayors are women. In top management positions in the private sector and within research (i.e. professors) there are very few women.

Weak institutional mechanisms. Denmark has no independent gender institute which can monitor and take action to secure gender equality, provide documentation and statistics within the area of gender discrimination, support public debate and stimulate the processes of gender mainstreaming.

Prostitution. The report states that the minimum number of people involved in prostitution has risen from 3886 in 2002/03 till 5567 in 2006/07.

Lack of funding. The WCD would like to see more funds allocated to governmental work on gender equality including funds allocated to NGOs. Recently the Government withdrew its funding of the NGOs participation in the UN General Assembly. The result was that the WCD and other NGOs were absent.



Comments by article:

Article 2: Constitution and Legislation.

As stated in the comments of the WCD to the fifth and sixth periodic report, equal opportunities between women and men are not secured by the Danish Constitution. WCD has suggested that equal opportunities between women and men be incorporated into the Constitution in order to emphasise that the area is one of the fundamental principles of Danish society.

The WCD strongly regrets the fact that the CEDAW is not incorporated into Danish legislation. The incorporation of CEDAW would be a signal to society in general and women in particular of a strong commitment to women's rights and gender equality.

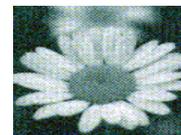
The WCD is of the opinion that Denmark has not fully implemented the EU directive on equal treatment of women and men as regards the question of an independent gender institution.

Article 3: National Policy.

The gender equality board. We support the equal access to a complaint board for all grounds of discrimination be it gender, age, disability, ethnic origin, religion or belief or sexual orientation. However, we are not convinced that the establishment of one common complaint board will serve the area of gender discrimination well. The proposed set up of the new general complaint board does not secure that the complaint board can take action on its own, as the funding will not allow for an acceptable number of staff nor sufficient visibility of the complaint board.

Women's studies and gender studies. Whereas gender studies is a dynamic research discipline that is often on the forefront of theoretical and methodological developments as well as providing a vital knowledge base for gender equality policy making, the institutional framework is very weak. Most Danish universities do not have strong gender studies centres, if any at all. Moreover, there are no Master or Ph.D. degree programmes in gender studies, thus making the recruitment of new generations of gender researchers difficult. The Co-ordination for Gender Studies, which was previously financed by the Ministry of Science, Technology and Innovation, is now housed and financed by the University of Copenhagen, which means that most of its activities are focused on local issues. The Co-ordination is staffed with one assistant professor, who also undertakes research and teaching obligations in addition to the co-ordination tasks. The role as a unifying institution is thus difficult to fulfil. WCD would like to point to the following areas of intervention: firstly, re-establishment of a national co-ordination for gender studies. Secondly, development of a master degree program in gender studies. Thirdly, allocation of resources for a national research programme in gender equality.

NGOs. The allocation of support to the WCD has not been adjusted since 2005, which means that the value of the allocation is decreasing year by year. Moreover, the Ministry of Foreign Affairs has withdrawn its financial support to all organisations participating in the official delegation to the UN General Assembly. Thus the participation of the WCD in international work has suffered a severe setback, and the official Danish delegation to the UN General Assembly is without NGO expertise on gender issues.



Article 5: Priorities. Sex Role Stereotyping and Prejudice

Gender mainstreaming. As specified in the report the gender mainstreaming strategy has been implemented in all ministries, but as it is likewise stated, no action plan has been formulated for the at municipality level (p. 20).

As mentioned in the report all public authorities and municipalities are required to draw up a report on gender equality every two years (p. 8) to be submitted to the Minister for Gender Equality. Unfortunately no mention of the reported results of the municipalities is given in the report to the CEDAW committee. As the WCD finds the reported figures on the advancement of gender mainstreaming in the municipalities highly alarming, not least seen in relation to section 4 of the Act on Gender Equality (cited p. 8 under art. 3) we would like to draw the committee's attention to some of the findings (Deloitte, "Ligestillingsredegørelser for kommuner, regioner og stat 2007", 2008):

- In relation to gender mainstreaming at municipality level only 6% of the municipalities have a concerted strategy for working with gender mainstreaming, 7% of municipalities have a strategy in the making while 76% do not have a strategy and 9% answer that they do not know.
- When asked to what extent they are mainstreaming new initiatives (i.e. communication, political decisions, campaigns) 71 municipalities – of a total of 98 – answer that they do not. 20 municipalities have not answered or do not know, 7 municipalities are mainstreaming some initiatives, while not a single municipality state that most new initiatives are being gender mainstreamed.

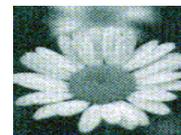
Reasons for this poor performance could be found in the fact that only 2 municipalities have initiated initiatives to bring skills and knowledge on gender mainstreaming to their employees, while the rest, 96 municipalities, have indicated that there have been no training, or have not answered.

With only 2 municipalities having initiated initiatives to the building of competencies among staff in the subject matter it seems easy to understand why municipalities score so low. The report states "... municipalities are responsible for the work to promote gender equality within their own field" (p. 18). The question seems to be if they are capable of doing it. The figures from the municipalities clearly show that the staffs are not. A concerted effort headed by the Minister for Gender Equality to bring gender mainstreaming to the forefront at municipality level has to be initiated.

Article 6: Special issues, Trafficking and Code of Conduct

Prostitution. 2005 saw the government release its action plan "A new Life" (Et andet liv) for interventions in the field of prostitution. The plan outlined multiple negative social, psychological and physical consequences of being in prostitution. Likewise the stigma and the reasons for staying in prostitution were outlined. It would suit the Minister for Welfare and Gender Equality if she used the report to voice the negative consequences prostitution have on the women to the Danish men who buy sex, thereby letting them know which harm they induce on the women.

Regrettably, in the public and governmental sphere prostitution is nearly only dealt with when trafficking is on the agenda. Very little attention is given to the Danish women in prostitution. Likewise, the demand side question – and thereby the customers - has a tendency to disappear



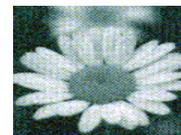
in the discussions. The WCD would like to see Denmark follow the example of Sweden, and soon Norway, by making it a criminal act to purchase sexual services. Needless to say, such a law should go hand in hand with offers in relation to social services, debt relief, education and creation of job opportunities into the labour market. The most substantial study on the subject matter in Denmark - based on interviews with prostitutes - shows that most of the prostitutes come from lower segments of society with only little education. Debt and economic problems are stated as some of the main reasons for women to enter into prostitution. WCD would like to see these women receiving appropriate support and not be used to cater for the needs of other people.

Figures suggest that the outreach work and offers for women who want to leave prostitution might be understaffed and/or under funded. As the report mentions, in 2007 26 women were referred to a psychologist, a number which suggests that much more could be done. Also the estimated minimum number of people involved in prostitution has seen a raise from 3886 in 2002/3 to 5567 in only four years. These figures indicate the need for attention by the Competence Centre for Prostitution, as it is stated in the report that the Centre should "play a key role in the combat of prostitution" (p. 21).

Regrettably, the government report to the CEDAW committee does not mention the existence of a circular on the issue of the use of prostitutes by persons with disabilities. This circular gives the State the bizarre role of a pimp, as it gives staff working with persons with disabilities the right to call for and make arrangements with prostitutes and further help with the logistics. The WCD obviously recognises the sexual needs of disabled persons but can in no way support the circular. Having one disadvantaged group to serve and cater for the needs of another disadvantaged group seems cruel. Furthermore it puts the sexual needs of persons with disabilities above the work towards gender equality.

Trafficking in Women.

- The nationwide information campaigns of the former action plan targeted at the potential customers (p. 25, third bullet) have to our knowledge resulted in neither a decrease on the demand side nor a decrease of trafficked women into Denmark.
- One of the action areas of the new action plan is likewise "preventing human trafficking by limiting demand" (p. 25, third bullet at the bottom). The WCD hopes that this campaign will prove successful, but fears that there will be an increase in the demand for trafficked women as Norway is on the way with a ban on the purchase of sexual services like the ban already existing in Sweden. This alongside the steady increase in the number of prostituted women in Denmark could lead to Denmark ending up as "the brothel of Scandinavia".
- Commending the extended reflection period, the WCD regrets that this is only given to women who decide to co-operate with the authorities to return voluntarily to the country of origin. Women who are scared to return to their home countries should not be sent out of Denmark and should not be refused the 100 days of reflection during which they could have received appropriate medical care and other services. We should not forget that it is Danish citizens who have bought the women for sexual purposes and in the first place made the demand which have led to the women being trafficked.
- As a society we have the duty to help trafficked women regardless of whether they dare to return to their home countries or not. The WCD would like to see victims of trafficking receiving residence permits on grounds of trafficking.



- The issue of compensation is not dealt with in the Danish action plan. Only very few and small compensations have been given to victims of trafficking.

- As stated in the report, more attention has been given to the area by the National Commissioner of Police through a new strategy for reinforced police action. However, in a recent documentary on Danish National Television (DR1, "Prostitutionens bagmand", 19. May 2008) it became evident how expectations did not seem to meet reality. The expected 5-15 police officers working on the issue of trafficking in each of the 12 police districts have in real life transformed to as little as 2. In the same documentary an anonymous police officer was cited for saying that police basically had given up on traffickers from Eastern Europe.

Article 7: Political Rights and Participation

Women in local politics. As stated in the report the proportion of women in local politics has remained unchanged at 27% from the election in 2001 to 2005. In fact the proportion of women in local politics has barely changed since 1989, when it stood at 26%. The proportion of female mayors has been declining since 1997 coming down to as little as 8% today.

The WCD had hoped for a more concerted effort from the Minister of Gender Equality on the occasion of the 100th year of women's right to vote in elections for local governments. Renewal of a leaflet distributed at the last local government elections, which did not see more women in local politics, is fine, but for things to move further it should be backed by local meetings and gatherings which the Minister could have catered for. Extra funding to make it possible to celebrate the 100th anniversary as well as a massive effort to move things forward should have been secured.

It is stated that "focus is to be moved from the barriers to the good examples that everybody can learn from" (p. 30). In this regard it is important to mention that just because focus is moved the barriers are still there. It is important to know and recognise the barriers so they can be dealt with and this can go hand in hand with a focus on the good examples.

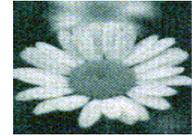
Both in regards to the poor representation of women and the general lack of focus on gender mainstreaming (refer to article 5 on gender mainstreaming) municipalities ought to be an area of concern and developments in these areas should be followed very closely.

Article 8: Representing government. Women Ambassadors.

Having initiatives in the Ministry of Foreign Affairs such as a mentorship programme for female employees with management (senior level) potential (p. 33) seems a good idea, as long as it goes hand in hand with initiatives for senior management to better its abilities to see and promote all the talented female employees.

Article 9: Citizenship

A foreign woman exposed to violence from her husband risks to be expelled from Denmark if she leaves her husband. If the woman has a residence permit on the grounds of marriage and has lived in Denmark less than 7 years, she cannot be sure to have her residence permit extended, despite of the fact that there is a dispensation in the Act on Aliens regarding women who are victims of violence (§19 article 8). She has to live up to certain criteria to obtain permission to stay. She must



be able to document the violence, she must prove her connection to Denmark and it must be substantiated that it is dangerous for her to return to her country of origin. For several women this means that they are caught in a choice between violence and expulsion. Amnesty International, Denmark, documented in a report (Vold eller Udvisning, 2006) that from 1998 to 2004 only 103 of 253 women had their permission of residence extended.

We regret that the report does not include statistics on this issue.

The WCD will underline that it is a duty for the Danish government to protect all women exposed to violence, including foreign women living in Denmark.

Article 10: Access to education.

Within all areas of education there is a serious need to mainstream the gender perspective. We would like to see the Minister of Gender Equality take action on this issue in cooperation with the Minister of Education. This action could be in the form of a survey covering the whole area of education with the aim of mapping where and how the gender perspective is best integrated in the educational system. We need knowledge more than single short time projects.

The WCD commends the detailed documentation on gender in relation to the universities. Regrettably, the figures still show a very slow development towards gender equality. The WCD would like to point at five possible areas for intervention. Firstly, allocating more funds for research projects led by outstanding female researchers. Importance must be paid to embed such projects at the university setting at the end of the programme. Secondly, targets and timeframes regarding female occupation of a specified percentage of professorships must be stated in the contract of each university. Thirdly, creation of more professorships in female dominated areas is needed. Fourthly, competitive appointments with regard to professorships on all levels should be ensured. Fifthly, resources to support the local gender equality initiatives at the universities should be allocated.

Outstanding female researchers are not valued in the way they ought to be. Recently, the Minister of Science gave his 'special science award' to seven elite researchers, none of them women. This was 'same procedure as last year', where 5 of 5 award winners were men.

Article 11: The Situation in the Labour Market.

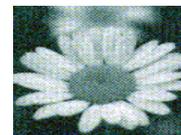
Unemployment rate. More women than men are unemployed regardless of the booming economy. Among unskilled women the difference is 100 % (women 6 % men 3 %). This is a structural matter that must be solved.

The Government has recently passed a bill which limits the access to supplementary unemployment benefit. Unskilled women constitute a large part of those being affected.

As long as the employers do not offer full time jobs, this will result in lower income and pensions for women employees.

The gender segregated labour market and the pay differentials. Denmark is ranked low both in international and EU rankings on gender pay gaps, and the gender pay gap in Denmark is widening in spite of a huge number of seminars, reports, surveys, meetings etc. on this issue.

It is a fact that female dominated jobs are valued lower than male dominated. The inequality is obvious both across sectors and within sectors. Women working in the health, social services and other service sectors are paid less than men working in jobs with comparable levels of education



and responsibility. This indicates that a core problem is to meet the principle of equal pay for work of equal value.

But unequal pay is not limited to certain parts of the labour market. As stated in the report the gender segregated labour market plays a critical role in this connection. The WCD supports initiatives to break down the gender segregation through campaigns and guidance in schools. However, the Government has itself removed a very important tool that could be extremely useful in the efforts to bridge the gender pay gap; in 2003 Parliament abolished the former Government's bill regarding gender disaggregated wages statistics. This means that now only big companies are obliged to produce gender disaggregated statistics and few employees are included due to the fact that the Danish labour market is characterised by many small and medium sized companies.

The Government and the municipalities have an important role to play as employers. They have the opportunity to be in the forefront in the effort to narrow the gender pay gap. Until now we have seen very little action in this regard.

Maternity, paternity and parental leave. The report shows clearly the imbalanced share of the parental leave. This leaves women as less attractive employees than men from the perspective of the employer. The state equalisation scheme in connection with childbirth introduced in 2006 was a step forward, but has not solved the problem. The WCD would like to see a model like that of Iceland, with a more equal share of the leave i.e. an independent right of fathers to at least 3 months of paternity leave.

Gender mainstreaming within the National Board of Industrial Injuries. Research in the field of gender differences in reactions upon the borderless work should be further developed.

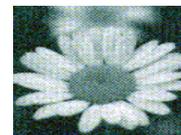
Women Entrepreneurs. Today, women make up 25 % of all people who are self-employed. However, if one looks specifically at women under the age of 30 they make up only 1.5 % of the self-employed. Women start up their own business later than men and account for only 10 % of the growth-entrepreneurs.

The Government has decided not to implement special measures to support women when they attempt to set up their own business. A number of courses targeted at female entrepreneurs have been closed down or are no longer offered.

One of the major problems for younger women is that there is no proper maternity scheme for self-employed women. They can either take full or half maternity leave on a public scheme and get paid the equivalent of unemployment benefit. Self-employed women need special terms for maternity leave. It is not possible for them to close down their business completely during periods of leave. Hence they need flexible arrangements.

Another important problem is access to resources. There are no specific loans available for female entrepreneurs. A survey from year 2000 concluded that it was not a case of discrimination when women had their loan requests turned down more often than men. Men got the loans because they could offer better security in the form of property. In other words, women's lack of access to economic resources hampers their chances of being able to set up a business.

There is a need to undertake research into what drives and motivates female entrepreneurs and self-employed women. In Denmark a lot of emphasis is put on growth and innovation, and it seems strange that there is no research that attempts to explain why women do not work in accordance with traditional concepts of growth.



Women in Management. In an effort to boost the depressing statistics on women in management, every year sees a new time consuming initiative be it camps, charters, set up of networks, appointment of ambassadors, mentor programmes etc. as described in the report. However, the statistics on women in management are still depressing and much lower than expectations should be. According to EUROSTAT Denmark ranks among the EU countries close to bottom in statistics regarding women in top management.

The WCD finds that time has come to use quotas as the mean to start moving ahead towards using the skills and knowledge of both women and men. Initiatives like the ones mentioned above are fine, sadly they have not proven successful or are simply too slow.

Quotas are not about giving women preferential treatment; quotas are about giving women and men equal opportunities.

Women's Pension Entitlements in Denmark. Women face difficulties in reaching the same level of pension payments as men on a similar educational level. Different and well-known factors are at work here. These are amongst others; the lack of equal pay is reflected in one's pension savings; women are unemployed more often than men, and as unemployed no funds are paid to one's labour market pension scheme; and women take the majority of maternity/parental leave.

Article 12: Health.

Violence against Women. The two National Action Plans aimed at combating violence against women are indeed a big step forward. However, WCD finds the aim of the action plans too narrow. The focus of the action plans is domestic violence, but from our perspective violence against women includes many sorts of violence, i.e. domestic violence, rape, violence against prostitutes, violence at the work place etc.

It is of great importance that the many initiatives resulting from the action plans become permanent. National campaigns and special projects are very useful in order to raise awareness and develop methods. The municipalities, however, are the key actors as regards social services to victims of violence including children, and a more comprehensive support requires allocation of additional funding.

We will emphasize the need for free access to long-term psychological treatment for both women and their children, whether or not they are in contact with a shelter.

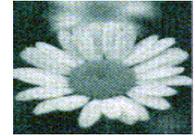
We call for more research regarding the long-term psychological effects of physical and mental violence.

We would like to see much more effort in the area of primary prevention of violence. This should be seen in the context of gender mainstreaming the educational system, the health system and the social service system.

Article 16: Marriage and Family Relations

WCD considers forced marriages a severe violation of human rights. Forced marriages are not legal, and we support the aim of the national action plan: to combat forced marriages. Police efforts to

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investigate cases of forced marriages should be increased in order to bring cases to the court and punish the perpetrators; likewise, increased support to victims and potential victims is needed.

With regard to arranged marriages, it is important to acknowledge that they are not illegal as long as they are not forced. Arranged marriage is a cultural phenomena which is incompatible with the gender roles and equality norms of modern society. Measures to meet arranged marriages should include awareness raising through information in schools, in families and among social servants. Increased dialogue between the minority and the majority population and increased efforts to integrate minorities at all levels of society, not least the labour market, are necessary.

In order to secure equal rights for all inhabitants in Denmark, WCD has recommended the government to find other measures to meet forced and arranged marriages than the 24 years age limit for family reunion with spouses.

In general we support inclusive strategies aiming at integrating women with ethnic minority background into Danish society. The Danish labour market, including the public labour market, has not proved sufficiently inclusive, resulting in high unemployment rates for women from non-western countries.

Act on parental responsibility. The new act on parental responsibility mentioned in the report is meant to meet children's need for both parents. The act on parental responsibility has a focus on parents cooperation and the indisputable equality between the parents, and therefore we think the act is a step towards equality between the sexes. But since the act has been implemented we experience that the focus on equality hinders that proper measures are taken in cases in which the parents are in reality not equal – e.g. in cases of domestic violence. It is with great concern that we now see, that the aggressor and his victim are brought together at the negotiation table to work out a common agreement on parental responsibility. In these negotiations focus is on cooperation and equality to an extend in which the women's status as victim is purely ignored and proper precautions are not taken. Therefore we now see a growing number of cases in which the parental responsibility is shared between the parents even though one of the parents (e.g. most often the father) has violated the other and sometimes also the child itself. This is in our view not to the benefit of the child neither the mother. Domestic violence must be a compelling reason to first of all give the negotiation process a special attention and procedure and secondly decide differently in cases of parental responsibility

Equal rights for lesbian couples. When a foreign woman gives birth to a child in Denmark, the child will get Danish citizenship if her partner is a Danish man. If her partner is a Danish woman this is not the case. In cases of insemination, the mother's partner – if a man - will have a right to parental leave. A female partner, on the other hand, has no right to leave. WCD supports equal rights for lesbian couples.

Copenhagen, 2008

**Ms. Randi Iversen
President, Women's Council in Denmark**