

Consideration of the Initial Report
submitted by Denmark
under Article 12 (1) of the Optional Protocol to the Convention on the
Rights of the Child on the Sale of Children, Child Prostitution and
Child Pornography

Introductory Statement by Denmark
19 September 2006

Mrs. Chairperson, distinguished members of the Committee,

At the outset, I would like to express my Government's deep appreciation for the important work of this Committee and its endeavours to ensure national compliance with the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

The Danish Government considers the effective and independent international monitoring of compliance with international human rights standards is a priority. Indeed, it is one of the five top priorities of Danish international human rights policy.

The others are:

- To strengthen efforts within focus areas such as the fight against torture and the rights of indigenous peoples
- To increase attention to the human rights situation in individual countries
- To promote democratisation and respect for human rights in the Danish development assistance activities and
- To enhance cooperation with civil society.

Compliance starts at home, and the Danish Government is firmly committed to ensure that Denmark acts in compliance with her international obligations at all time. We therefore welcome scrutiny and we welcome an opportunity to discuss in this knowledgeable and engaged forum the implementation in Denmark of the obligations laid down in the protocol under review today.

As the Committee is well aware, the Danish ratification only covers the Danish mainland. However, I am pleased to inform you that the Home Rule Authorities of Greenland recently has announced their intent to consider accession to the protocol by Greenland also.

Mrs. Chairperson,

We are scheduled today to review the initial report on the implementation by Denmark of the Optional Protocol. Allow me to note that it was submitted exactly two years following the entry into force of the Protocol in Denmark, on 24 August 2003.

In addition, we have provided the Committee with our written responses to the additional "List of Issues", which the Committee has identified as being likely to be raised in connection with the consideration of Denmark's report. I wish to assure you of our steadfast commitment to engage in an open and constructive dialogue with you and the Committee on the issues at hand. The participation in my delegation of line ministry experts illustrates this commitment.

May I take this opportunity to introduce to you and to the Committee the members of the Danish delegation:

- Head of Delegation, Head of the Human Rights Unit,
Mr. Kim Vinthen, Ministry of Foreign Affairs

- Assistant Head of the Human Rights Unit,
Ms. Caroline Rubow, Ministry of Foreign Affairs

- Minister Counsellor, Ms. Marianne Hoffmann,
Ministry of Foreign Affairs

- 1st secretary Mr. Asser Berling-Rasmussen, the Danish UN- Mission in Geneva

- Head of Section, Mr. Anders Herping Nielsen,

Ministry of Justice

- Head of Section, Mr. Christian Wiese Svanberg,

Ministry of Justice

- Head of Section, Ms. Irene Holve,

Ministry of Education

- Special Consultant, Ms. Sanne Larsen,

Ministry of Education

- Head of Section, Ms. Anne Sandbeck,

Ministry of Social Affairs

- Head of Section, Ms. Susanne Aamann

Ministry of Refugee, Immigration and Integration Affairs and

- MD. Specialist, Ms. Marianne Jespersen

National Board of Health.

Mrs. Chairperson,

In our reporting, we have strived to address the issues comprehensively and diligently. We have done so not only with regard to the present protocol. We have also done so with respect to the other optional protocol to the Convention on the Rights of the Child, the Protocol on the Involvement of Children in Armed Conflict, which entered into force for Denmark in 2002 and was considered by the Committee during its 40 th. Session

Domestically, I think it is fair to say that many children benefit from the advantages of a comparatively rich society, - a society that tends to focus on the best interests of the child through the creation of favourable conditions for the family as such. The Government is very conscious to find new and innovative ways and means to optimise conditions for the family, including the rights of the child.

In the international context, Denmark is strongly committed to international cooperation on improving the living conditions and rights of children. This is demonstrated, inter alia, by active and engaged participation in EU and UN/Security Council efforts to address the impact of armed conflict on children.

The Danish government has made it clear that Denmark's development assistance will not be less than 0.8 per cent of GDP. This places Denmark well above the UN-target of 0.7 per cent. Even more importantly, the constant high level ensures resources to continue improving the living conditions of children in developing countries.

Through both our multilateral and bilateral development assistance, Denmark aims at improving children's living conditions and protecting children's rights including the combating of trafficking of children and child prostitution. Many of the activities in our programme countries contribute directly or indirectly to the implementation of the Protocol before us.

In 2005, for example, a human trafficking programme was launched under the Neighbourhood Programme. The overall aim is to support national authorities, international organizations and NGOs in Moldova, Ukraine and Belarus in order to combat human trafficking. The means is to strengthen and promote the judicial system and to protect and help victims. Moreover, NGO's receive Danish aid in direct support of street child prostitutes and children who have been subjected to sexual abuse and trafficking.

In line with the strategy for Denmark's efforts to combat HIV/AIDS in developing countries from April 2005, Denmark will support orphans and other vulnerable groups of children. Furthermore, in 2003-2005, Denmark made extraordinary humanitarian contributions available for actions aimed at children in vulnerable situations, caused by floods, draughts, civil war, etc.

Finally, Denmark has actively promoted the preparation of an addendum to the OSCE Action Plan to Combat Trafficking in Human Beings (2003), which addresses the special needs of child victims of trafficking for protection and assistance. A formal

decision to this effect was taken at the OSCE Ministerial Council meeting in Sofia in December 2004.

Mrs. Chairperson,

With your indulgence, I would like now to address a few issues in relation to our report and the additional information, we have provided.

Effective protection of children specifically against sale, prostitution and pornography necessitates action in a large number of fields and demands constant coordination and monitoring by the public authorities, both at national level and at local level. These efforts are in many cases carried in coordination with national NGOs.

As stated in our report, Denmark has established a wide range of national rules and legislation in order to protect children against any kind of abuse. These endeavours mainly rest with the Ministry of Justice, the Ministry of Social Affairs and the Ministry of Refugee, Immigration and Integration Affairs and can be summarized as follows:

Firstly, an act was passed in Parliament in June 2006 to amend the provisions in the Criminal Code on jurisdiction in cases of sexual abuse of children committed abroad. According to this amendment, the principle of dual criminality is derogated from in the case of Danish nationals or residents abusing children abroad.

Thus, a sexual offence against a child committed by a person, who at the time of the offence was Danish national or resident, is subject to Danish criminal jurisdiction even if the offence is not punishable under the law of the foreign state. The act also stipulates that Danish courts of law are not bound by the maximum penalty in the country where a sexual offence against a child was committed, but can rule according to Danish law.

The act is clear evidence that the Danish Government is serious about taking responsibility for offences of this nature committed by its nationals and residents both in Denmark and abroad. This is in line with the international efforts to combat sexual abuse of children in third world countries.

Secondly, an Internet child pornography filter was introduced in Denmark in October 2005. The filter blocks access to Internet sites containing images of child pornography.

It is the result of a collaborative effort involving the National Commissioner of Police, the NGO "Save the Children" and the largest provider of telecommunications in Denmark, TDC. The filter has so far been successful in blocking the access to images of child pornography for an average of 1700 users every day. The National Commissioner of Police continues to work with other telecommunication providers in Denmark in order to introduce the filter at all levels.

Thirdly, I would also like to refer to the recent Danish action plan to combat trafficking of children and young people. The action plan was launched in 2005 as a result of a growing awareness both in the public and among politicians that trafficking of children and young people is severely damaging to the health and welfare of the victims.

The plan has been drawn up as an amendment to the action plan to combat trafficking of women. It consists of a variety of elements, which cover both the prevention of trafficking and the protection and recovery of the victims.

The plan was only meant to last for a year. We have gained a lot of experiences during this first year. We are currently preparing a new action plan, which will be launched in the beginning of 2007.

Thank you, Mrs. Chairperson