

## **Report by the Government of Greenland on the implementation of CEDAW**

### **Introduction**

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was ratified by Denmark and entered into force on 21 May 1983. The Convention was ratified without reservation extending to Greenland.

Thus, the human rights articulated in the Convention have been applicable to the people of Greenland for three decades. This is the second report to document the efforts of the Government of Greenland to ensure gender equality in all areas of society administered by Greenland.

### **Significant developments since the last report**

Gender equality is a fundamental value in the democracy of Greenland. Thus, the Government of Greenland strives to promote respect for human rights and fundamental freedoms in all society.

Since the 7<sup>th</sup> periodic report to CEDAW 2004-2008 efforts have been made to strengthen awareness on gender equality in Greenland through initiatives and legislation:

- Increased efforts to promote awareness on gender equality through e.g. increased cooperation, seminars, events, websites and a national gender equality day on 20 May
- Prepared national strategy and action plan against domestic violence 2013-2016, including various initiatives to combat violence against women
- Prepared amendments to Parliament of Greenland Act no. 7 of 11 April 2003 on Equality of Women and Men including additional provisions to:
  - promote equal representation of women and men on boards in companies owned or partly owned by the Government of Greenland
  - prevent sexual and gender-based harassment
- Improved legislation on maternity leave cf. Parliament of Greenland Act no. 14 of 7 December 2009
- Guidelines for corporate governance in companies, including promotion of diversity and equality between women and men
- Improved statistics on e.g. violence against women, income differences and women on boards.
- Establishment of Greenland Council for Human Rights

### **Article 1: Foundation**

Women and men in Greenland share the same formal rights, obligations and opportunities in society. Greenlandic legislation contains no formal impediment to gender equality.

It is stated in the government's coalition agreement 2009-2013 that equal opportunities and gender equality is a cause of national importance in Greenland. Women and men are perceived as equals. Thus, it is a basic principle for the government to promote equal opportunities in all aspects of life.

## **Article 2: Constitution and Legislation**

Greenland is covered by the Constitutional Act of the Kingdom of Denmark of June 1953.

On 21 June 2009, the Act on Greenland Self-Government entered into force replacing the former Greenland Home Rule Act of 29 November 1978, and on 7 October 2009 Denmark submitted a notification on the Act to the Secretary-General of The United Nations.

The Act in its preamble recognizes that the people of Greenland are a people pursuant to international law with the right to self-determination. The Act provides for Greenland to assume a number of new fields of responsibility and thus opens for expansion of further competences and responsibilities to Greenland. Also, the Act describes Greenland's access to independence.

The Parliament of Greenland has passed the following acts on gender equality:

- Parliament Act no. 5 of 20 May 1998 on the Equal Status Council of Greenland
- Parliament Act no. 7 of 11 April 2003 on Equality of Women and Men

The Act on the Equal Status Council of Greenland has reinforced the promotion of gender equality, by the establishment of the council, a secretariat and a grant from the Treasury. The council is obliged to submit an annual report on its work to the Government and Parliament.

The Act on Equality of Women and Men is the main act to ensure gender equality in Greenland cf. Article 3.

*Note:* 2013 The Government of Greenland has prepared a new act on gender equality, which e.g. tightens up provisions on mainstreaming through devolution of responsibility.

The act compiles the two present main acts on gender equality and includes more explicit provisions on sexual and gender-based harassment in workplaces, a new composition of the Equal Status Council based on the Paris Principles and amendments to promote equal gender representation in company boards' cf. article 11.

## **Article 3: National Policy. Basic Human Rights and Fundamental Freedoms**

All Greenlandic legislation is based on equal rights for men and women.

Parliament Act no. 7 of 11 April 2003 on Equality of Women and Men encompasses the following main areas:

- **Promotion of gender equality**, wherein public and private employers must integrate and promote gender equality in all planning and administration. Thus, all employers in Greenland are obligated to seek to promote gender equality.
- **Employment practices**, wherein, inter alia, an employer is not permitted to differentiate or discriminate among its employees on basis of gender
- **Equal pay**, wherein an employer must offer women and men equal pay for equal work.

- **Commissions, councils etc.**, wherein all governmental commissions, councils, representatives etc. that are appointed by a governmental authority or institution when possible must be assembled so that an equal number of women and men are represented.
- **Parental leave**, wherein all employees have the right to be absent from work in connection with pregnancy, child-birth and post-partum, pursuant to current law and/or agreements between the respective labour union and the employer.

The Act on Equality of Women and Men provides women and men a legal right to compensation for e.g. dismissals based on discriminatory treatment.

In order to monitor the labour market, all workplaces with 10 or more employees are obligated to file an annual report to the Minister for Gender Equality, which should include statistics, equality policies and initiatives to secure/promote gender equality.

In addition to general legislation and efforts, the Minister for Gender Equality focuses on special areas of concern. See for example efforts to combat domestic violence under Article 12 and initiatives to promote women on boards under Article 11.

## **Article 4: Equality Bodies and Special Measures**

### ***The Minister for Gender Equality***

The Minister for Gender Equality is responsible for public efforts to promote gender equality. The present Minister for Gender Equality is also in charge of social welfare, culture and church. The Minister for Gender Equality coordinates the Government's work on gender equality. Also, the minister represents Greenland in the Nordic Council of Ministers for Gender Equality. The Nordic countries' joint cultural, historical and democratic traditions allow them to develop a close and constructive partnership in the areas of gender equality.

[www.nanoq.gl](http://www.nanoq.gl)

### ***The Equal Status Council***

The Equal Status Council is independent. Cf. Parliament Act on the Equal Status Council the council's objective is to promote equal rights and opportunities for women and men. The council may, at its own initiative or on request, investigate gender equality issues in society. The council monitors developments in society and acts as an advisory body to the government, public authorities and citizens. Furthermore, the council cooperates and serves as a link to Nordic advisory bodies and promotes gender equality through campaigns and a network of ambassadors.

[www.nali.gl](http://www.nali.gl)

### ***Promoting gender equality***

During the 8<sup>th</sup> period the Government of Greenland has worked with NGO's, Nordic partners, public and private organizations etc., to promote different aspects of gender equality including:

- Focus on women on boards and women in leadership through public meetings and workshops. Efforts to maintain focus have been substantiated through improved statistics and features in news media etc.
- West Nordic seminar on various gender equality themes attended by politicians, officials and NGO's mainly from Greenland, Iceland and the Faroe Islands. Concurrently, the Equal Status Council arranged a West Nordic NGO-meeting on violence against women.

[www.westnordic-equality.org](http://www.westnordic-equality.org)

- Report on women and welfare in the West Nordic region regarding welfare questions that are considered important for young women in Greenland, Iceland and the Faroe Islands.
- National conference on domestic violence with special focus on the development of women's shelters in Greenland.

- Report on gender equality in the labour market including statistics on public and private workplaces, boards, commissions, councils etc.

## **Article 5: Priorities. Sex Role Stereotyping and Prejudice**

The main goal for the Government of Greenland is to ensure that women and men have equal opportunities in society. To achieve this goal it is significant to have a permanent public forum in which gender equality is discussed and promoted continuously.

In this regard the Equal Status Council has played an important role in raising public awareness on gender equality. In addition, the council has arranged numerous public meetings and contributed to legislative hearings, strategies, action plans and the like. In addition, different NGO's have contributed to raise awareness on e.g. combatting violence against women.

The Government of Greenland fully recognizes the common responsibility of men and women in the upbringing of their children cf. Article 12 on family education etc.. Greenlandic legislation regarding families, children and adolescent is principally based on the best interest of the child.

## **Article 6: Special Issues. Prostitution, Trafficking and Code of Conduct**

### ***Trafficking of Women***

Due to a limited population (approx. 57.000 citizens), very small communities and a remote geographic location, it is considered that trafficking of women and prostitution would be very difficult without the authorities becoming aware. No cases of organized prostitution and trafficking of women have been reported to the Chief Constable of Greenland.

### ***Abuse of Women***

Shelters have been established to support women in critical situations. The first shelter in Greenland was established in 1983 in Nuuk, the capital of Greenland. The shelters offer abused women (and in a few instances men) housing and personal guidance. The shelters cooperate with social services to provide legal advice, psychosocial support etc.

The statistics' on shelters are not fully consistent, but reports indicate that approximately 250-300 women and 250-300 children stay at the shelters for a shorter or longer period of time every year. Consistent statistics' show 42 women and 46 children stayed at the shelter in Nuuk in 2011.

Approx. 86 % of children in shelters have seen or overheard violence against their mother. The Mary Foundation and the Lego Foundation provide rucksacks for children in shelters with e.g. toothbrushes, nightclothes and toys. An evaluation from The Danish National Centre for Social Research concludes that the rucksack creates joy and helps to open up talks with children.

There are 7 shelters in Greenland in 2012 funded equally by the Government of Greenland and the municipalities. Training and education of employees has been implemented through courses etc.

The Union of Shelters in Greenland receives an annual grant from the Treasury.

## **Article 7: Political Rights and Participation**

Women and men have equal political rights in Greenland. Both women and men have the same right to vote and may be elected to the municipal councils, the parliament, the government and the Danish parliament, which at present has two female representatives from Greenland for two seats.

Table 1: The Government of Greenland January 2013

Members	Women	Women by %
9	4	44

Table 2: The Parliament of Greenland January 2013

Members	Women	Women by %
31	10	32

### ***Management of Ministerial Agencies and Institutions January 2013***

There are 9 departments in the central administration of Greenland. Among 9 deputy ministers 2 are women, i.e. 22 %.

Table 3: Mayors of Municipal Councils January 2013

Mayors	Women	Women by %
4	1	25

Table 4: Members of Municipal Councils January 2013

Municipality	Total	Women	Women by %
Sermersooq	21	8	38
Qaasuitsup	21	2	10
Qeqqata	15	6	40
Kujalleq	15	5	33
In total	72	21	29

### ***Permanent public councils, boards and commissions***

Parliament Act no. 7 of 11 April 2003 on Equality of Women and Men provides that the number of government elected women and men serving on public councils, boards and commissions when possible must be equal. Within this context equality is defined as an equal number of members of both sexes in each council etc. 9 boards etc. (33 %) fully meet this definition of equal representation.

In February 2011, there were 60 % men (91) and 40 % women (59) serving in 27 permanent public councils, boards and committees in Greenland.

## **Article 8: Representing Government. Women Ambassadors**

Women have the same right as men to represent the Government of Greenland internationally. Greenland and Denmark cooperates in international affairs of particular relevance to Greenland, based on chapter 4 of the act on Greenland Self-Government concerning foreign affairs.

The Department of Foreign Affairs of the Greenland Government, which includes Greenland's permanent Representations in Copenhagen and Brussels, currently has a staff of 16 employees, composed of 8 women and 8 men. The composition of the higher-ranking officials is also equal. Both representations have female Heads of Representation.

The number of women representing the Government of Greenland in international negotiations is relatively high. Of 9 Greenlandic ministers 4 are women and represent Greenland at international negotiations. Furthermore, there are several higher-ranking female officials whom represent Greenland in international negotiations.

## **Article 9: Citizenship**

The right to citizenship is an area that is under the competence of the Kingdom of Denmark. Therefore, the reader is directed to what is contained in the Danish report on this matter.

## **Article 10: Access to Education**

Throughout the Greenlandic educational system, boys, girls, men and women have equal rights to schooling and educational opportunities in all areas of study.

### ***Primary and Secondary school (Folkeskolen/Public School):***

The legal framework for Folkeskolen states, “The purpose and aim for Folkeskolen includes focus on intellectual freedom and the promotion of tolerance by all public school subjects and disciplines.

The subject Personal development works specifically with issues such as: family, love, feelings, self-esteem, health, sexuality, etc. Thus, Folkeskolen works towards equality and understanding of oneself and between the sexes.

Greenland has a mandatory ten-year schooling system at Primary and Secondary level. The gender distribution in the Public School is equal as shown in the table below.

Table 5: Gender distribution in mandatory tests in grade 3, 7 and 10 2012.

<b>Class level</b>	<b>Boys</b>	<b>Girls</b>	<b>Girls by %</b>
3	368	331	47,4%
7	327	367	52,9%
10	351	397	53%

Source: Inerisaaviks Evalueringsafdeling 2012

### ***Upper Secondary, Vocational, Higher Education***

Looking at the participation at a higher educational level, girls/women are overrepresented at the Upper Secondary educational level (in Danish, gymnasium), a level whose purpose is to prepare students for higher education. At this level, girls constitute the majority in all areas of study except areas centered on natural science.

Vocational training has the purpose of qualifying the student for employment directly after graduation. At this level the gender distribution is quite equal. However, it is clear that some types of employment are more dominated by men, while others are dominated by women.

Men tend to seek education in areas related to construction and other fields of education traditionally oriented towards men, whereas women primarily seek education in healthcare or in service. Various vocational education institutions attempt, with mixed results, to attract women or men to fields of education normally dominated by the other sex.

As in Upper Secondary and Vocational education, women are well-represented in higher education, but across a more diverse field of educational opportunities.

Men are still partial to educations related to natural science and women less so. Still, women comprise a growing part of this type of education, and dominate other areas of higher education.

Table 6: Gender distribution in upper secondary, vocational and higher education

Level	Men	Women	Women by %
Upper secondary	396	689	63,5%
Vocational	729	686	48,5%
Higher education	370	836	69,3%

Source: Ministry of Education and Research, Greenland, 2012.

## Article 11: The Situation in the Labour Market

In Greenland, women and men have equal right and access to all types of employment.

This right is safeguarded in Parliament Act no. 7 of 11 April 2003 on Equality of Women and Men. According to §§ 9-17 women and men must be treated equally with regard to employment.

This means that any employer, who employs women and men, must treat them equal in connection with employment, reassignment, promotion and dismissal and offer equal working conditions. Employers must offer women and men equal pay for equal work. It is illegal to dismiss women (and men) due to pregnancy and/or maternity leave.

### *Maternity, paternity and parental leave*

Provisions on allowance during maternity, paternity and parental leave were passed by the Parliament October 1996 (Parliament Order no. 12 of 31 October 1996). The act has had a significant influence on women's working conditions as it provides women with a right to maternity pay during maternity leave or full pay when agreed-upon in the employment contract.

Amendments have been passed in March 2006 and in Parliament Act no. 14 of 7 December 2009.

Since the last CEDAW report parental leave has been extended with 17 weeks. Today maternity leave is 17 weeks, paternity leave is 3 weeks and parental leave is 17 weeks that can be shared freely between the parents. The act stresses the joint responsibility of the parents.

### *Social security*

Women and men have equal access to social security in case of unemployment.

### *Women in the workforce in Greenland*

Table 7: Gender distribution in the workforce

Year	Total	Men	Women
2010	26.537	14.763	11.774
2011	26.791	14.794	11.996

Source: Statistics Greenland

Women make up approximately 45 % of the workforce cf. table 7, which is reflected in the employment statistics, were women similarly make up approximately 45 % of the working population cf. table 8.

2011 women have been slightly over-represented in the unemployment statistics cf. table 9.

Table 8: Gender distribution of employed citizens

Year	Total	Men	Women
2007	23.541	13.160	10.381
2008	25.034	14.078	10.956
2009	24.868	13.889	10.979
2010	24.525	13.576	10.950

2011	24.320	13.387	10.933
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Source: Statistics Greenland

Table 9: Gender distribution of the average unemployment percentage

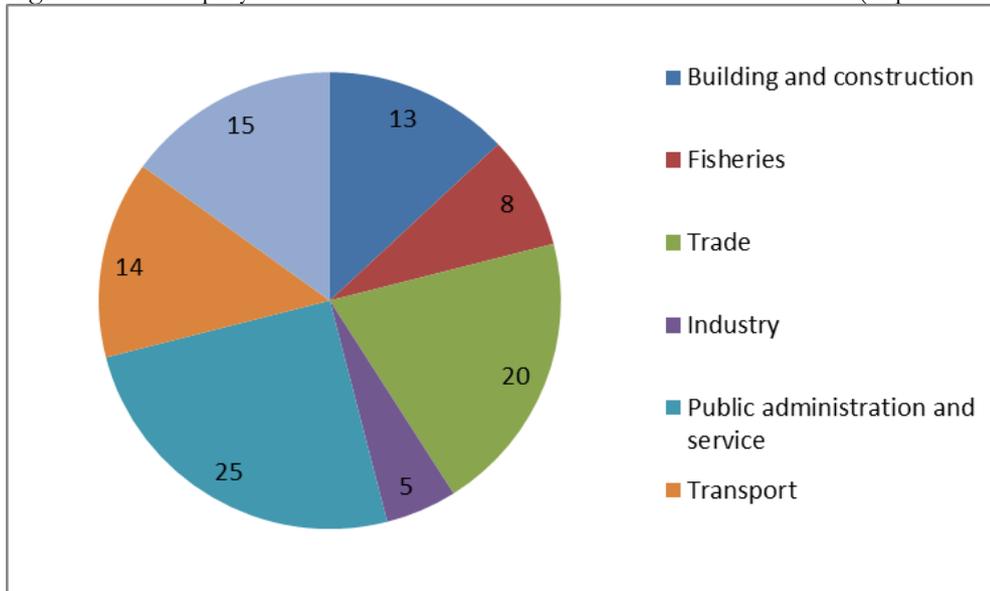
Year	Total (%)	Men (%)	Women (%)
2010	7,7	7,8	7,7
2011	9,4	9,2	9,7

Source: Statistics Greenland

***The gender-segregated labour market and the pay differentials***

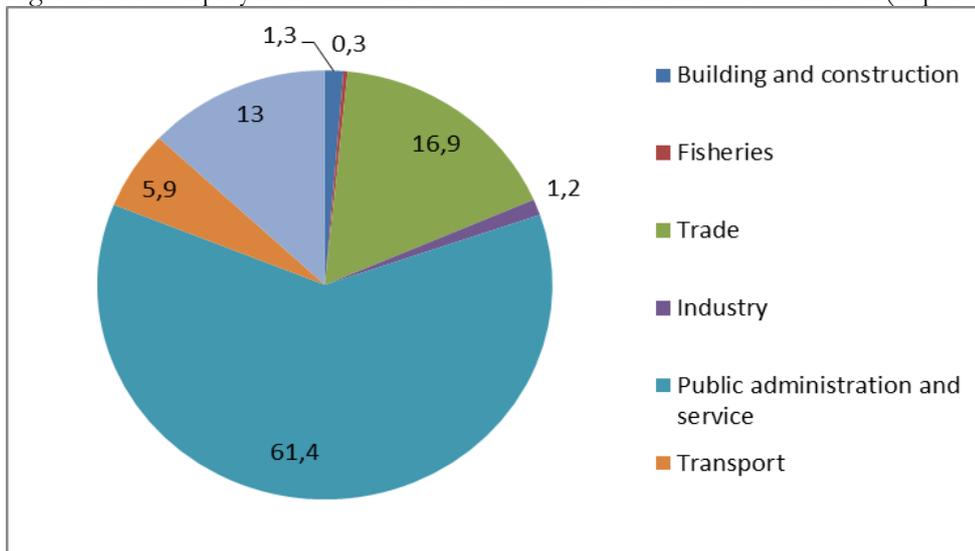
There is a significant difference in the lines of work women and men occupy cf. figure 1 and 2. Thus, more than 60 % of women work in the public service and administration sector in 2011, which is only the case for 25 % of men. In all other lines of work men are over-represented, especially in the fishery and construction sector where the percentage of women is very low.

Figure 1: The employment of men distributed on main lines of work 2011 (in percentage)



Source: Statistics Greenland

Figure 2: The employment of women distributed on main lines of work 2011 (in percentage)



Source: Statistics Greenland

Men earn a significant higher pay than women on average cf. table 10. However, the statistics do not take into account working hours and job functions. Therefore, a substantial part of the pay difference can be explained by the fact that women more often work part time. In addition, men are over-represented in different types of management positions.

The gender-segregated labour market is considered an essential reason for pay differentials between women and men.

Table 10: Gender distribution of average pay

Year	Payment per month (D.kr.)	Men (D.kr.)	Women (D.kr.)
2007	21.209	23.819	17.902
2008	21.670	24.298	18.293
2009	22.178	24.646	19.056
2010	23.113	25.666	19.949
2011	24.075	27.106	20.363

Source: Statistics Greenland

### ***Women in management***

The distribution of women and men in management has been examined in a questionnaire survey October 2011. The questionnaire survey was answered by 49 workplaces with 10 or more employees. The 49 workplaces employed 4090 men (approx. 30 % of men in the workforce) and 2733 women (approx. 25 % of women in the workforce), which correspond to 60 % men and 40 % women. In total 6823 employees or 28 % of the workforce was included in the survey.

The survey involves uncertainty. Thus, the statistics below should be regarded as indicative.

Women in the survey hold approx. 38 % of management positions in the public sector and approx. 34 % of management positions in the private sector. With regard to partly private and partly public companies in the survey, women hold 28 % of management positions. Regarding top management in companies with more than 51 employees, women hold approx. 30 % of management positions. Generally, women are most dominant in the middle and lower middle management positions.

### ***Women on boards***

§ 6 in Parliament Act no. 7 of 11 April 2003 on Equality of Women and Men states that men and women when possible must be represented equally in boards where members are elected by the Government. Thus, the Government has strived to meet the intention of § 6, namely with regard to board members in companies fully or partly owned by the Government of Greenland. From 2009 to 2011 the percentage of company boards with an equal distribution of women and men has risen from 9 % to 64 % concerning boards, where all members are elected by the Government.

Table 10: Board members in companies owned or partly owned by the Government of Greenland

Elected by:	Government	Employees	Other owners	Total
Board members	41	18	19	78
Men	27	13	18	58
Women	14	5	1	20
Men by %	66	72	95	74
Women by %	34	28	5	26

Source: Government of Greenland, Secretariat for State Owned Enterprises, October 2011

It is significant to mention that the company boards mentioned above make up the majority of boards in the largest and most important companies in Greenland.

### ***Initiatives to promote women on boards***

The Government has prepared a new Parliament Act on Equality of Women and Men that tightens the provisions on equal gender representation in boards, committees of representatives and similar collective management.

Amendments imply that the Government must provide equal representation in company boards fully assembled by the Government of Greenland according to the numerical principle 1/1, 1/2, 2/2, 2/3 etc. Regarding boards where the Greenlandic Self-rule only elects a part of the board members, the Government must elect an equal number of women and men.

The tightening of provisions on boards etc. has been passed by the Parliament of Greenland in 2011.

#### ***Initiatives to promote women in management***

In December 2012, the Government issued new guidelines for corporate governance in companies owned by the Government of Greenland.

According to the guidelines, the company board must review the company's activities to promote diversity on all management levels annually, including equal opportunities for women and men. In connection with the management's review the board must provide explicit goals for the promotion of diversity and account for the status of fulfillment of the goals.

Several meetings etc. on women in management have been arranged in the period 2009-2013.

## **Article 12: Health**

Women and men have equal access to health care services in Greenland. The national health care services, including the services of the municipal physicians, is provided free of charge for all citizens and legal residents. In general, women have a higher use of health care services. Therefore, there has been focus on men's use of health services with a view to motivate men to seek medical attention when they exhibit symptoms.

#### ***Population (as of February 29 2012)***

	2007	2008	2009	2010	2011	2012
<b>Male</b>	30 005	29 885	29 809	29 936	29 942	30 041
<b>Female</b>	26 643	26 577	26 385	26 516	26 673	26 708
<b>Total</b>	56 648	56 462	56 194	56 452	56 615	56 749
<b>Female by %</b>	47,0	47,1	47,0	47,0	47,1	47,0

The average life expectancy has risen increasingly in Greenland over the past 30 years. In the period 2006-2010 statistics show that newborn girls can expect to live 72.8 years, while newborn boys can expect to live 67.8 years. This is 6 years longer for women and 8 years longer for men compared with the beginning of the 1980's.

Despite the positive development, the average life expectancy in Greenland is relatively low in a Nordic perspective. A significant reason for this is a high suicide rate. The suicide rate in Greenland is 7.4 times higher than in Denmark, and many suicides are committed by young men. If this tragic loss of human life could be avoided, the average life expectancy would be higher. Thus, suicide prevention is a matter of the highest priority for the Government of Greenland.

#### ***Fertility***

2010 the fertility rate in Greenland was 2.2 children per women. The fertility rate has fallen gradually the past decades. 1970 Greenlandic women gave birth to 2.7 children per woman.

#### ***Right to abortion***

The main goal of the Government of Greenland is that all pregnancies should be wished for. Thus, family planning is a matter of high priority within the health care system and the education system. Today family planning is part of the curriculum in Folkeskolen.

Contraception are provided free of charge in health care institutions. Nevertheless, abortion rates are high. Similar to other health care services abortion is without charge. The number of abortions has been stable for a period of years and is approximately 870-900 annually. The health care system places severe attention to the high abortion rate. In February 2011, a national action plan on unwanted pregnancies 2008-2012 was put out. The action plan will be carried on in 2013.

### ***Family planning***

To prepare adolescents for the parenting role a special project has been introduced. The project implies that 14-15 year old girls and boys in schools are taught about the demands and consequences of being parents. As part of the education the pupils will take care of a real care doll that puts the same demands on them as a real child. The nursing is indexed electronically and the results are discussed with the pupil. Furthermore, sex education is part of the project. The real care doll project was initiated in 2009, and since 2012 it has been implemented in all Greenland.

### ***Prenatal care***

All coming parents in Greenland have a right to advice and support during the pregnancy. Thus, coming parents are invited to participate in family planning courses, and women are offered examinations during the pregnancy according to national guidelines. These guidelines also include preadmission assessment with regard to the risk of complications during the pregnancy and birth. Practically all childbirths in Greenland take place in a hospital.

### ***Health care for children***

Families are offered health care from birth to the child attends school. Health care continues during the school age until the child reaches 18 years of age.

### ***Immunisation***

Besides the normal gender neutral immunisation program, girls at the age of 12 years are offered immunisation against the human papilloma virus to protect them against cervical cancer.

### ***Violence against women***

The Government of Greenland regards violence against women as an unacceptable violation and a reflection of a lack of equality and respect between women and men.

Violence against women is an infringement of the Greenlandic Criminal Code.

The Greenlandic population survey 2005-2010 estimates that approximately 62.4 % of Greenlandic women over the age of 17 one or more times have experienced violence or severe threats of violence during their life. The estimated percentage for men is 56.6 %.

Significantly more women (65.2 %) than men (8.7 %) state that the offenders are present or former partners. The 18-24 year olds differ from older age groups by being less exposed to partner violence. In this group 48.6 % state that the offenders are present or former partners.

A recent survey on adolescents estimates that 38 % of 15-16 year olds have experienced violence against their mother. 7 % have witnessed violence against their father, while 10 % have witnessed violence against siblings.

The Government of Greenland recognizes that violence is a severe issue in Greenland. As a result the government has prepared a national strategy and action plan against violence 2013-2016, which includes 32 activities primarily targeted at combatting domestic violence. This includes legislative amendments, campaigns, psychosocial reinforcement and more. The activities of the action plan focus on prevention within four main goals to (1) support the victim (2) break the circle of violence (3) upskill professionals and (4) advance knowledge and information on violence.

### **Article 13: Gender Equality in Other Areas of the Financial and Social Life “The right to family benefits”**

Women and men have equal social and economic rights in Greenland. Women and men have the same access to sports and free-time activities and to cultural activities.

### **Article 14: Rural Women**

Women and men living in rural districts enjoy the same rights as other citizens of Greenland. However, due to the unique geographic and demographic conditions in Greenland, there is a substantial difference in the living conditions of small rural communities and larger towns.

### **Article 15: Legal Capacity**

Women and men are equal before the law and enjoy equal rights to hold property. They have the same right of access to the judicial system and to receive equal treatment before the courts.

### **Article 16: Marriage and Family Relations**

Women and men have the same right to enter into marriage, to select a spouse and to seek divorce. Women and men have the same right to enter into a registered partnership and the same rights to choose their last name and their occupation.

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## **The Greenland Self-Government Arrangement**

On 21 June 2009, the Act on Greenland Self-Government (Self-Government Act) came into force. This self-government arrangement for Greenland thereby replaces the Greenland Home Rule Arrangement that was established in 1979. The Self-Government Act is based on White Paper No. 1497 that was drawn up by the Greenlandic-Danish Self-Government Commission in 2008. The White Paper is accessible at [www.nanoq.gl](http://www.nanoq.gl).

Together with the Danish Constitution, the Self-Government Act constitutes Greenland's constitutional position in the Unity of the Realm. Two members of the Folketing (Danish Parliament) are elected in Greenland, cf. the Danish Constitution.

Prior to the entry into force of the Self-Government Act, a guiding referendum was held in Greenland on 25 November 2008. Of the votes cast, 75.5 per cent were for and 23.6 per cent were against the introduction of self-government.

In the preamble to the Self-Government Act, it is recognized that the people of Greenland are a people with right to self-determination under international law. Accordingly, the Act is based on an agreement between the Greenland Government and the Danish Government as equal partners.

A principal objective of introducing self-government has been to facilitate the transfer of additional authority and thus responsibility to Greenlandic authorities in fields where this is constitutionally possible and based on the principle of accordance between rights and obligations.

The Greenland Self-Government authorities comprise a democratically elected assembly – Inatsisartut (Greenland Parliament) – as well as an administration led by Naalakkersuisut (Greenland Government). The Self-Government Act does not contain specific rules and regulations regarding the composition, etc. of these bodies, but has left it up to the Self-Government authorities to lay down provisions in this regard. In the Self-Government Act, the Greenlandic terms for Parliament and Government are used.

In the Self-Government Act, the Greenlandic language is recognized as the official language in Greenland. Danish may still be used in official matters, cf. Greenland Parliament Act on case handling procedures in public administration. The question of educational instruction in Danish is not governed by the Self-Government Act, but it is assumed that the Self-Government authorities must ensure provision of education in Danish and other relevant languages that would enable Greenlandic youth to pursue further education in Denmark and other countries.

On 7 October 2009 Denmark submitted a notification on the Act on Greenland Self-Government to the Secretary-General of The United Nations.

### **The opportunities for the Greenland Self-Government authorities' assumption of fields of responsibility**

Pursuant to the Greenland Home Rule Act, Greenland has already assumed legislative and administrative responsibility in a substantial number of fields that affect the daily lives of Greenlandic citizens, including public finances.

The Self-Government Act provides for the Self-Government authorities to assume a number of new fields of responsibility, such as administration of justice, including the establishment of courts of law; the prison and probation service; the police; the field relating to company law, accounting and auditing; mineral resource activities; aviation; law of legal capacity, family law and succession law; aliens and border controls; the working environment; as well as financial regulation and supervision, cf. Schedule I and II in the Annex to the Self-Government Act.

In respect of the Unity of the Realm and special provisions in the Danish Constitution, responsibility for the following fields may not be transferred: the Constitution; nationality; the Supreme Court; foreign, defence and security policy as well as exchange rate and monetary policy.

The fields of responsibility not taken over by the Self-Government authorities fall within the jurisdiction of the central authorities of the Realm (Danish Government and Folketing).

Annex 1 contains a list of the fields where Greenland has assumed responsibility in accordance with the Home Rule Act and the Self-Government Act.

With the assumption of a field of responsibility, the Self-Government authorities assume legislative and executive power in the field as well as take over responsibility for the financing of the expenditure related to the attendance of the field.

The Self-Government authorities decide the time of assumption of fields of responsibility under the Self-Government Act. Certain fields that are listed in Schedule II to the Act (including the police, administration of justice, including the establishment of courts of law, aliens) require a higher degree of preparation, for which reason the time of assumption of these fields is decided by the Self-Government authorities after negotiation with the Danish authorities.

An Act passed by Inatsisartut and ratified by the Premier (Landsstyreformanden) in fields of responsibility under the Self-Government authorities is called Act of Inatsisartut.

The Self-Government authorities' own legal precepts enter into force, unless determined otherwise, two weeks after they have been forwarded to a number of public authorities in Greenland.

## **The economic arrangement**

With the Self-Government Act, a new economic arrangement has been introduced which entails that the Self-Government takes over responsibility for the financing of the expenditure related to the attendance of the field. The Danish Government subsidy to the Self-Government authorities is fixed by law at DKK 3.4 billion kroner annually (2009 price and wage levels).

Should the Self-Government authorities obtain revenues from mineral resource activities, the Danish Government subsidy to the Self-Government authorities is to be reduced by an amount equal to 50 per cent of such revenue exceeding DKK 75 million annually. When the Danish Government subsidy to the Self-Government authorities has been reduced to zero kroner, the subsidy will be discontinued and no further subsidy will be provided hereafter. In this situation, negotiations are to be initiated between the Danish Government and Naalakkersuisut regarding future economic relations between the Danish Government and the Self-Government authorities.

## **Foreign policy matters**

According to the Danish Constitution, the Danish Government and the Folketing have the authority to enter into obligations under international law as well as responsibility for conducting foreign policy.

The constitutional authority and powers of the Danish Government and the Folketing in the foreign policy field are, according to Section 19 of the Danish Constitution, not limited by the provisions set out in the Self-Government Act.

The Self-Government Act contains a comprehensive set of rules and regulations governing foreign policy matters for Greenland. In this respect, the authorisation arrangement from 2005 has been incorporated into the Self-Government Act. In addition, existing agreements between the Danish Government and Naalakkersuisut (Government of Greenland), including the Itilleq Declaration from 2005, and practice concerning the inclusion of the Greenland Self-Government authorities in foreign policy questions have been integrated into the Self-Government Act.

### *The authorisation arrangement*

The authorisation arrangement entails that Naalakkersuisut () may, on behalf of the Realm, negotiate and conclude international agreements with foreign states and international organisations, including administrative agreements, which exclusively concern Greenland and entirely relate to fields of responsibility taken over by Greenland.

The arrangement does not cover agreements under international law affecting the defence and security policy, as well as agreements under international law that are to apply to Denmark, or which are negotiated within an international organisation of which the Kingdom of Denmark is a member.

An equivalent authorisation arrangement has been introduced for the Faroe Islands. Naalakkersuisut and the Government of the Faroes may decide to act jointly in connection with negotiating and concluding agreements under international law that concern both Greenland and the Faroe Islands, provided the other conditions are met.

Where international organisations allow membership of entities other than states and associations of states (typically associated membership) the Danish Government may, subject to a request by Naalakkersuisut, decide to submit or support such applications, where this is consistent with Greenland's constitutional status.

The Ministry of Foreign Affairs has issued guidelines for the cooperation between the Danish Government and Naalakkersuisut() regarding the authorisation arrangement and has sent a circular note to inform the UN and its Member States about the Authorisation Act 2005 etc.

### *Agreements under international law concluded by the Danish Government*

For agreements that fall outside the scope of the authorisation arrangement and which are thus concluded by the Danish Government, the Self-Government Act contains rules and regulations for the involvement of the Self-Government authorities.

Accordingly, the Danish Government is required to notify Naalakkersuisut () in advance of negotiations regarding agreements under international law, which are of particular importance to Greenland. Such agreements must, before they are concluded or terminated, be submitted to Naalakkersuisut for comments. If the Danish Government deems it necessary to conclude the agreement without the consent of Naalakkersuisut (), this must, to the widest extent possible, have no effect for Greenland.

Except for special areas, for example in relation to human rights, it will normally be possible to accede to international agreements that exclusively affect Denmark, whereby Greenland may decide whether it wishes for the agreement in question to apply in relation to Greenland.

Agreements where Denmark and Greenland have jointly taken part in the negotiations must be signed by the Danish Government to the widest extent possible together with Naalakkersuisut.

Self-Government authorities are subject to the obligations that arise out of agreements under international law and other international rules applying to Greenland which are at any time binding on the Realm.

The Self-Government Act allows provision for representatives of Naalakkersuisut to be employed at the Kingdom of Denmark's diplomatic missions abroad in order to attend to Greenland interests within fields of responsibility that have been entirely assumed by Naalakkersuisut.

With the aim of easing and promoting the cooperation between the Ministry of Foreign Affairs and the Department of Foreign Affairs of Greenland, the Minister for Foreign Affairs and the Naalakkersuisut member for foreign affairs signed an administrative cooperation agreement in spring 2005.

### **Cooperation concerning statutes and administrative orders**

According to the Act on Greenland Self-Government, the Danish Government's Bills, which comprise or may be brought into force for Greenland must, before being presented to the Folketing, be submitted to the Self-Government authorities for comments. The Danish Government must await the Self-Government authorities' comments before presenting Bills to the Folketing, which contain provisions that exclusively apply to Greenland or are of particular importance to Greenland. Corresponding consultation procedures apply to administrative orders.

The Act on the Danish Law Gazette (Lovtidendeloven) applies to Greenland. The legislation passed by the central authorities of the Realm that applies to Greenland must thus be promulgated in the Danish Law Gazette, and the promulgation is, in the same way as in Denmark, a precondition for the entry into force of the administrative orders for Greenland.

### **Greenland's access to independence**

The Self-Government Act contains a provision regarding Greenland's access to independence. The provision stipulates that if the people of Greenland take a decision in favor of independence, negotiations are to commence between the Danish Government and Naalakkersuisut regarding the introduction of independence for Greenland.

An agreement between the Danish Government and Naalakkersuisut regarding the introduction of independence for Greenland is to be concluded with the consent of Inatsisartut and is to be endorsed by a referendum in Greenland. Furthermore, the agreement is to be concluded with the consent of the Folketing, cf. Section 19 of the Danish Constitution. Independence for Greenland implies that Greenland assumes sovereignty over the Greenland territory.

**Fields of Responsibility assumed by  
the Greenland Home Rule Government (I and II) and  
Greenland Self-Government (III) respectively**

**I. Fields of responsibility assumed by the Greenland Home Government under Section 4 of the Home Rule Act**

<b>Fields of responsibility assumed by the Greenland Home Government under Section 4 of the Home Rule Act</b>	<b>Date of Assumption</b>
Greenland's administration arrangement	1 May 1979
The administration arrangement for the municipalities	1 May 1979
Taxes and duties	1 January 1980
Regulation of the supply of manpower in Greenland	1 January 1980
Regulation of commercial Greenland fishing, whaling, etc.	1 November 1980
Preservation	1 January 1981
Power to intervene in conflicts notified in accordance with collective agreements concerning journalists	1 October 1982
Power to establish rules on compensation of pay, etc. for high cost of living for that part of the private labour market in Greenland on which pay is regulated on the basis of the Greenland wage regulation index	1 December 1983
Trade legislation	1 January 1985
Regulation of the remainder of commercial fishing	1 January 1985
The legal position of pupils in basic vocational education	1 February 1985
Power to intervene in conflicts notified in accordance with collective agreements (re-establishment of the duty to keep the peace) on the remainder of the public, non-State labour market and on the private labour market (Thule Air Base partially exempted)	1 November 1985
Power to establish rules on other terms of pay and employment on the private labour market in Greenland (Thule Air Base partially exempted), including rules on compensation of pay, etc. for high cost of living where the pay is regulated on the basis of the Danish wage regulation index	1 November 1985
Competition legislation	1 January 1986
Employment of seamen	1 July 1986
Village halls	1 January 1987
Interference suppression and communal aerals	1 January 1987
Regulation of non-commercial hunting and fishing	1 January 1989
Power to legislate on invitations to submit tenders	1 May 1989
The establishment of rules concerning the conclusion of collective agreements and other agreements, etc. for personnel employed by the Greenland Home Rule Government and the municipalities who are not covered by the general agreement for civil servants in Greenland	1 April 1991
The establishment of rules for and supervision of the production of naturally-dried fish for the Greenland domestic market	1 November 1993
<b>Fields of responsibility assumed by the Greenland Home Government under Section 7 of the Home Rule Act, cf. Section 4</b>	<b>Date of Assumption</b>
Place names in Greenland - Act 555 30/11-1983	1 January 1984
The establishment of rules concerning the Greenland flag - Act 222 6/6-1985	6 June 1985
The establishment of rules on summer time - Act 817 19/12-1989	1 January 1990
The establishment of rules concerning expropriation in fields of responsibility taken over - Act 1012 19/12-1992	19 December 1992
The study and exploitation of water power resources - Act 1075 22/12-1993	1 January 1994
Dogs and prevention of cruelty to animals - Act 906 16/12-1998	1 January 1999
Responsibility and liability in the media field - Act 439 31/5-2000	1 January 2001

## II. Fields of responsibility assumed by the Greenland Home Government under Section 5 of the Home Rule Act <sup>1)</sup>

<b>Fields of responsibility assumed by the Greenland Home Government under Section 5 of the Home Rule Act</b>	<b>Date of Commencement</b>
Act 579 29/11-1978 relating to municipal primary and lower secondary school in Greenland	1 January 1980
Act 580 29/11-1978 for Greenland relating to labour and social agencies	1 January 1980 <sup>2)</sup>
Act 581 29/11-1978 for Greenland relating to the training of teachers for municipal primary and lower secondary school and relating to socioeducational training <sup>3)</sup>	1 January 1980
Act 583 29/11-1978 relating to radio and television activities in Greenland (replaced by Act 815 19/12/1989 relating to radio and television activities in Greenland)	1 January 1980
Act 584 29/11-1978 for Greenland relating to leisure activities	1 January 1980
Act 587 29/11-1978 relating to the Church in Greenland (replaced by Act 264 6/5/1993 relating to the Church in Greenland)	1 January 1980
Act 589 29/11-1978 relating to the library system in Greenland	1 January 1980
Act 582 29/11-1978 for Greenland relating to vocational training	1 January 1981
Act 609 23/12-1980 relating to people's high schools in Greenland	1 January 1981
Act 610 23/12-1980 relating to the museum system in Greenland	1 January 1981
Act 612 23/12-1980 for Greenland relating to land use, urban development and building	1 January 1981
Act 134 28/3-1984 relating to support for trade and industry in Greenland	1 January 1985
Act 135 28/3-1984 for Greenland relating to the production and sale of Greenlandic products	1 January 1985
Act 944 23/12-1986 for Greenland relating to housing supply, housing support, rental of housing, etc.	1 January 1987
Act 848 21/12-1988 relating to the transfer of Greenland's central salary processing system to the Greenland Home Rule Government	1 January 1989
Act 850 21/12-1988 for Greenland relating to environmental matters, etc.	1 January 1989
Act 369 6/6-1991 relating to the health service in Greenland <sup>4)</sup>	1 January 1992
Act 1393 27/12-2008 relating to the upper secondary educations in Greenland	1 January 2009
<b>Fields of responsibility assumed by the Greenland Home Government under Section 7 of the Home Rule Act, cf. Section 5</b>	<b>Date of Commencement</b>
Act 469 6/11-1985 for Greenland relating to supply, traffic, postal service, etc.	1 January 1986
Act 943 23/12-1986 for Greenland relating to electricity, water, heating, the fire service, ports, roads, telecommunications, etc. <sup>5)</sup>	1 January 1987
Act 847 21/12-1988 relating to the transfer of Greenland Fisheries Research (Grønlands Fiskeriundersøgelser) to the Greenland Home Rule Government	1 January 1989
Act 305 14/5-1991 fixed the State subsidy to the Greenland Home Rule Government for civil tasks at the airport at Sdr. Strømfjord and at the defence area at Thule as well as the responsibility for Kulusuk Airport. These tasks were transferred to the Greenland Home Rule Government via an agreement of 21 February 1991 between the Office of the Danish Prime Minister and the Greenland Home Rule Government with effect from 1 October 1991.	1 October 1991

<sup>1)</sup> By Act 474 12/6-2009 on various conditions in connection with Greenland Self-Government all Acts of authorisation listed in table II above were repealed. The Greenland Self-Government authorities have the legislative and executive power in fields of responsibility that have been assumed pursuant to Section 5 of the Greenland Home Rule Act, cf. Section 23, Subsection 4, in the Self-Government Act. The Self-Government has the same powers in fields of responsibility assumed pursuant to Section 5 of the Greenland Home Rule Act as in fields assumed pursuant to Section 4 of the Greenland Home Rule Act and in fields of responsibility assumed pursuant to The Self-Government Act.

<sup>2)</sup> The rules on assistance activities for Greenlanders in Denmark did not enter into force until 1 January 1981.

<sup>3)</sup> Act 581 29/11-1978 was repealed with the commencement of Act 582 29/11-1978 for Greenland relating to vocational training.

<sup>4)</sup> By Act 1406 27/12-2008 on amendment of Act relating to the health service in Greenland, the Greenland Home Government assumed the field concerning the use of coercion in psychiatry on 1/1-2009 pursuant to section 7, cf. section 5 of the Greenland Home Rule Act.

<sup>5)</sup> By Act 1089 29/12-1997 for Greenland relating to telecommunications, telecommunications to and from Greenland were transferred to the Greenland Home Rule Government on 1/1-1998. By a Royal Decree of 27/10-1997, departmental responsibility was transferred from the Office of the Danish Prime Minister to the Danish Ministry of Science, Technology and Research.

**III. Fields of responsibility assumed by the Greenland Self-Government under Section 2 of the Self-Government, cf. Section 3**

<b>Fields of responsibility assumed by the Greenland Self-Government under Section 2 of the Self-Government Act, cf. Section 3</b>	<b>Date of Assumption</b>
The mineral resource area (List II, Nos. 26)	1 January 2010
The working environment on the offshore area (List II, part of Nos. 27)	1 January 2010

## *Appendix B*

### **REPORT BY THE GOVERNMENT OF THE FAROE ISLANDS ON THE IMPLEMENTATION OF CEDAW**

#### **Introduction**

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was ratified by Denmark and entered into force on May 21, 1983. The Convention was ratified without reservation extending to the Faroe Islands.

Pursuant to a parliamentary resolution dated March 31, 1987, the Parliament of the Faroe Islands endorsed the entry into force of the Convention in the Faroes. Hence, the human rights expressed in the Convention have been applicable in the Faroes for a number of years. This is the third report documenting the efforts of the Government of the Faroe Islands to ensure gender equality in all areas of society.

The Faroese Government has sought to prepare this report in an open and transparent process, involving government agencies, the Faroese Parliament, NGOs and civil society. The Faroese Prime Minister's Office coordinated the preparatory process in close cooperation with Faroese ministries and the Danish Ministry of Foreign Affairs.

#### **Legislative and Administrative Powers of the Faroese Government**

The Faroe Islands are a self-governing country within the Kingdom of Denmark. For areas of jurisdiction governed by the Faroese authorities, legislative power rests with the Faroese Parliament, while administrative power rests with the Faroese Government. For a description of the Faroese Home Rule arrangement, reference is made to CEDAW/C/DEN/7. pp.108.

#### **Developments Since the Last Report**

The effort to achieve equality between men and women in the Faroe Islands continues to be guided by a two-pronged approach. On the one hand, the main activities focus on changing attitudes to gender equality in the Faroe Islands through efforts to increase awareness of the political, social, economic, and cultural importance of gender equality. On the other hand, financial resources are directed at guaranteeing rights through legal measures, as well as increasing the participation of women in Faroese politics.

#### **Statistical Material**

With regards to statistical material, we must regrettably acknowledge that the small population and the consequential moderate size of the central administration places limits on the resources available for data compilation. In spite of these constraints, the Faroese Government strives to continuously improve the availability and sophistication of such material.

On November 11, 2011, Statistics Faroe Islands carried out the first nation-wide census since 1977. The goal was to visit each and every residence in the country to gain not only an overview, but also a precise snapshot of conditions in the Faroe Islands in 2011. The census provided a full set of country data, facilitating the production of more comprehensive statistical material for further analysis and study. Once the final results are published, the statistics relevant to gender equality will be greatly improved. At the time of writing (May 2013), only limited preliminary statistics have been made public.<sup>1</sup>

A national Action Plan to Combat Violence in Close Relationships containing 18 different initiatives was launched in 2012 (see Article 12). The more focused approach to combatting violence in close relationship will also contribute to the compilation of more statistical material

## **CEDAW**

### **Article 1**

Faroese legislation contains no impediment to gender equality. Faroese legislation does not distinguish between women and men; it guarantees the same rights for all citizens of the Faroes without according any positive rights to either gender. Accordingly, women and men have the same rights and the same responsibilities in all areas of society.

### **Article 2**

The Faroese Parliament passed the law governing gender equality in 1994 (Parliamentary Act No. 52, dated May 3, 1994, on Gender Equality). The principal purpose of the act was to eliminate all forms of gender-based discrimination.

The legislation provides, *inter alia*, that the Gender Equality Commission, may 1) invoke its prosecutorial powers to investigate a case of alleged violation of protected rights; 2) may recommend that those whose rights have been violated seek legal redress for compensation; and 3) may bring a civil action alleging activities or practices inconsistent with the intent of the law (§ 12). For further information on the work of the Gender Equality Commission, reference is made to Appendix 1 to the present report.

### **Article 3**

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<sup>1</sup> Source: Faroe Census 2011: <http://www.manntal.fo/english/index.html>.

Current legislation regarding gender equality encompasses the following areas:

- **Employment practices, etc.**, wherein, *inter alia*, employers are not permitted to differentiate or discriminate employees on the basis of gender, and employers are required to offer women and men equal pay for equal work.
- **Parental leave**, wherein all employees have the right to be absent from work in connection with pregnancy, childbirth and post-partum pursuant to current legislation or agreements between the respective union/employee and the employer.
- **Education materials**, wherein materials for the education and formation of children shall be consistent with the intent of the law.
- **Commissions and boards**, wherein all government commissions, committees, boards, representatives and the like that are appointed by a governmental authority or institution shall be constituted in such a manner that essentially an equal number of both genders are represented.
- **Gender Equality Commission**, wherein the Gender Equality Commission shall have oversight powers to ensure compliance with the Gender Equality Act, and the Gender Equality Commission shall serve in the capacity of gender equality advisor and counsel to governmental authorities, institutions, organizations and individuals.

To ensure that CEDAW is implemented into new legislation, and that Faroese legislation is in conformity with the Convention, the Ministry of the Interior scrutinizes any draft legislation proposed by a ministry before bills are submitted to the Faroese Parliament. Draft legislation is scrutinized to determine whether it complies with the Danish Constitution, The Faroese Home Rule Act and any applicable international conventions, regulations, standards or principles.

The Faroese Ministry of the Interior has prepared a guide for the drafting of legislation referring to international conventions on human rights. The guide includes a check-list for the bill's potential financial, administrative, environmental, social and human rights impact at the governmental, regional and municipal level.

The publication of a new handbook for drafting legislation is planned for autumn this year. It will emphasise that the language used in all new bills must be gender neutral.

Explicitly addressing the effects a proposed bill has on human rights ensures that new legislation is not in conflict with existing instruments. Moreover, it increases awareness of the various human rights instruments in the legislative process, which will ultimately further improve the standing of such rights.

#### Article 4

Promoting gender-specific rights does not run counter to existing legislation on gender equality, provided that the goal of these specific rights is to ensure attainment of the intent of the law.

### **Article 5**

The overarching goal of the Faroese Government is to achieve a shift in attitude ensuring that women and men have access to the same possibilities in Faroese society. One means by which to achieve this goal is to arrange for public fora where issues regarding gender equality can be presented and discussed. In this regard, Demokratia and the Gender Equality Commission have played a pivotal role in raising public awareness of gender equality issues. For further information on the work of Demokratia, reference is made to Appendix 2 to the present report.

In addition, the Gender Equality Commission is arranging for the publication of teaching materials and the review of the gender equality perspectives in existing teaching materials.

At all levels of the Faroese educational system, women and men enjoy equal rights to schooling and educational opportunities in all areas of study. One of the core values in the curricula for primary, secondary and upper secondary school is tolerance, which is a value that schools are obliged to strengthen and improve. Teaching in all subjects in primary, secondary and upper secondary school emphasises that students should understand that everyone comes from a different background, and that students should learn to respect other people's needs and opinions, regardless of age, sex, race or personal beliefs. The mainstreaming of these perspectives in all subject syllabi also means, that schools must make sure that these basic competences are highlighted and considered in the assessment of each individual student.

As regards everyday care of children, it is common practice at schools and day-care centres, as well as in other areas, such as the social domain, to include both parents in any issues concerning their children. This means that both parents are asked to participate in parent-teacher conferences, and also that arrangements increasingly take into account that both parents are expected to take responsibility for bringing up their children, given that this is in the best interest of the child.

### **Article 6**

#### **Trafficking**

The UN Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography has been submitted to the Faroese Parliament. The Parliament's general response was very positive and it is expected to adopt the Protocol.

The Government is in the process of submitting to the Parliament a motion on the UN Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

### **Minority Women**

The Faroese authorities have not taken over jurisdiction in matters relating to the Danish Aliens Act, however, integration affairs are under Faroese legislative and administrative power. The Faroese authorities are aware that immigrants seeking residence in the Faroe Islands are in a vulnerable position, because of their lack of social network and knowledge about Faroese society. Therefore, the Minister of the Interior appointed a working group in 2011 to draft a report on integration of immigrants in the Faroe Islands. The objective of the report was to identify the best practices for integrating migrants with a residence or work permit, enabling them to become part of Faroese society as quickly as possible on equal terms with the local population.

The report highlighted the importance of offering language courses as early as possible in conjunction with intensive courses on Faroese society, history and culture. Furthermore, it concluded that it is important to facilitate immediate information about basic rights and responsibilities pursuant to Faroese law, preferably in the new resident's own language. This would include information on where to turn in case of violence in close relationships.

The report and its recommendations were presented to the Faroese Parliament in March for debate. The Parliament was in general positive towards the report and an integration bill is now scheduled for drafting and submission to Parliament in early 2014.

## **Article 7**

### **Political Rights**

To address the identified low participation of women in politics, the Faroese Government established an independent committee, Demokratia, explicitly tasked with encouraging more women to participate in politics.

Demokratia has sought to raise awareness of gender equality by organizing public events and debates, as well as actively attracting media coverage to the issue of gender equality. Furthermore, Demokratia, in close cooperation with the Gender Equality Commission, has engaged in active exchanges with the political system, as well as the general public.

Demokratia remains active on many fronts, including education. In the months running up to the general elections in October 2011, Demokratia launched a major campaign to encourage women to

participate actively in the political debate and to increase the number of women running for Parliament. From a gender equality perspective, the results of the general elections were very positive, as the number of women in Parliament increased significantly.

**Table 1**

<b>Elections</b>	<b>Total</b>	<b>Women</b>	<b>Women in %</b>
2011	33	10	<b>30.3%</b>
2008	33	7	<b>21.2%</b>
2004	32	3	<b>9.4%</b>
2002	32	4	<b>12.5%</b>
1998	32	4	<b>12.5%</b>

At the elections in October 2011, the share of women in Parliament rose from 21.2% to 30.3%. Most importantly, these results seem to indicate that the relevance of gender equality in politics is now an accepted, integral part of public debate and public opinion. Thus, over the past three general elections, the share of women in the Faroese Parliament has gone from less than 10% to over 30%, i.e. more than tripled.

This is a significant increase, in part explained by the combined efforts of the Faroese Government, the Gender Equality Commission, Demokratia, and NGOs to promote the role of women in politics. The response from government authorities, media, and the general public has, by and large, been positive. Most political parties have placed gender equality on their political agenda, and at the organisational level the parties have taken steps to improve their party structure, so as to encourage more women to run for Parliament. The public debate and the results of the general elections indicate a change in attitude with respect to the importance of gender equality in political and public fora.

However, on-going efforts to further increase women's representation in the political process are still warranted. The Faroese Government, the Gender Equality Commission and Demokratia will continue championing the issue and providing input for the political process.

### **The Faroese Government**

Following the general elections in 2011, the women's representation in the Faroese executive power, i.e. Government, decreased from 3 to 1 out of 8 possible ministerial seats. In other words, the representation decreased from 37.5% to 12.5%

**Table 2**

<b>The Faroese Executive</b>	<b>Total</b>	<b>Women</b>	<b>Women in %</b>
2011	8	1	<b>12.5%</b>
2008	8	3	<b>37.5%</b>
2004	7	0	<b>0%</b>

2002	9	1	<b>11%</b>
1998	8	1	<b>12.5%</b>

### Municipal Local Government Councils

Local elections were held in 2012. The gender distribution on municipal local government councils indicated below shows that women are underrepresented on most municipal councils. On the Municipal Council of the capital Tórshavn, which is by far the largest municipality in the Faroe Islands, the representation of women and men is, however, equal with 7 men and 6 women. The same applies to the Municipality of Klaksvík, which is the second largest municipality.

**Table 3**

Municipality	Council members	Hereof women	Mayor	Head of Administration
Vestmanna kommuna	7	3	Male	Female
Sunda kommuna	11	3	Male	Female
Sørvágs kommuna	7	1	Male	Female
Nes kommuna	7	2	Male	Female
Vága kommuna	11	2	Female	Male
Eystur kommuna	9	3	Male	Male
Sjóvar kommuna	7	1	Male	Female
Tórshavnar kommuna	13	6	Male	Female
Klaksvíkar kommuna	11	5	Male	Male
Runavíkar kommuna	11	1	Male	Female
Tvøroyrar kommuna	7	3	Male	Male
Fuglafjarðar kommuna	9	1	Male	Male
Vágs kommuna	9	3	Male	Female
<b>Total</b>	<b>119</b>	<b>33</b>	<b>12/1</b>	<b>5/8</b>

*Note: Only municipalities with more than 1000 inhabitants are listed*

Counting all the municipalities, a total of 149 men and 57 women were elected corresponding to 72% men and 28% women. In comparison, in 2008, 145 men and 63 women were elected corresponding to 70% men and 30% women.

### Management of the Central Government Executive Administration

There is currently a total of eight government ministries in the Faroe Islands. Five of the permanent secretaries are men. The number of women permanent secretaries has grown from one to three since the last report. The Permanent Secretary to the Faroese Parliament and the Ombudsman to the Faroese Parliament are both women.

### Government-Appointed Commissions and Boards

The Gender Equality Act stipulates that the number of women and men serving on public commissions and boards must be equal. In this context, equality is defined as an equal number of women and men members. In case of an odd number of members, either sex must only be overrepresented by a single member, i.e. on a board with 5 members equality is achieved if the gender distribution is 3 to 2, but not if it is 4 to 1.

Since the law entered into effect, the Gender Equality Commission has worked diligently to ensure that the representation of women and men on public commissions and boards complies with the provisions set forth in the above-mentioned Act. In 2012, there were 64% men and 36% women serving on public commissions and boards. This is a slight increase compared to 2007, when there were 65% men and 35% woman.

**Table 4: Public Commissions and Boards**

<b>Year</b>	<b>Men</b>	<b>Women</b>
2012	64%	<b>36%</b>
2007	65%	<b>35%</b>
2000	70	<b>30%</b>

**Table 5: Distribution by Sex on Government Commissions and Boards 2012**

<b>Governmental Ministries</b>	<b>Women in %</b>	<b>Men in %</b>
Prime Minister`s Office	<b>21</b>	79
Ministry of Social Affairs	<b>44</b>	56
Ministry of Fisheries	<b>24</b>	76
Ministry of Finance	<b>48</b>	52
Ministry of Health Affair	<b>36</b>	64
Ministry of the Interior	<b>33</b>	67
Ministry of Education, Research and Culture	<b>41</b>	59
Ministry of Trade and Industry	<b>34</b>	66
<b>Total</b>	<b>36</b>	<b>64</b>

#### **Article 8**

Women have the same right as men to represent the Faroe Islands internationally. The Faroes maintain diplomatic missions in Copenhagen, Brussels, Reykjavik and London. Only the mission in Brussels is headed by a woman.

#### **Article 9**

The right to citizenship is an area that is a competence of the Kingdom of Denmark. Please refer to the contents of the Danish report on this issue.

## Article 10

In the Faroes girls, boys, women and men continue to enjoy the same rights and equal access to all schools and educational opportunities in all subject areas.

### Primary and Secondary Education

The curriculum for primary and secondary education stipulates: “Education shall provide the student with a general understanding of the different preconditions of human life and ensure that the student learns to respect the diverse needs and views of all individuals irrespective of their age, gender, race, and personal beliefs.” From this follows, that education must emphasize that students achieve an understanding of the diverse conditions of human life and gender equality. However, no specific reference to women’s rights is made in the curriculum.

Existing legislation on public childcare and registered child-minding stipulates, that child-minding and care must nurture children’s intellectual freedom and promote children’s understanding of tolerance, equality and democracy. This legislation does not make specific reference to women’s rights.

Educational material on women’s rights consists of a compendium on the United Nations and human rights by the Faroese division of Amnesty International. The compendium contains an article entitled “CEDAW – Human Rights for Women” by the former chair of the Gender Equality Commission. It is intended as teaching material in secondary education and as an introductory text in higher education.

**Table 6: Gender Distribution in the Faroese Public School System <sup>2</sup>**

Class level	Girls	Boys	Girls % of total
1	337	341	49.7%
2	355	393	47.4%
3	364	368	49.7%
4	377	378	49.9%
5	343	380	47.4%
6	318	343	48.1%
7	398	376	51.4%
8	342	365	48.3%
9	341	375	47.6%
10	218	239	47.7%

<sup>2</sup> Source: The primary and lower secondary schools (figures from the provisional student overview dated February 1 for the school year 2013/14).

<b>Total</b>	<b>3385</b>	<b>3540</b>	<b>48.8%</b>
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**Table 7: Secondary Education - by Gender<sup>3</sup>**

	<b>Girls</b>	<b>Boys</b>	<b>Total</b>	<b>Girls % of total</b>
<b>Students</b>	1135	904	2039	<b>55.6%</b>

**Table 8: Higher Education – by Gender and Place of Education<sup>4</sup>**

	2010/11				2011/12			
	Women	Women in %	Men	Total	Women	Women in %	Men	Total
<b>Faroese</b>	380	<b>44%</b>	493	873	396	<b>44%</b>	507	903
<b>Abroad</b>	756	<b>61%</b>	484	1240	967	<b>60%</b>	656	1623
<b>Total</b>	<b>1136</b>	<b>54</b>	<b>977</b>	<b>2113</b>	<b>1363</b>	<b>54%</b>	<b>1163</b>	<b>2526</b>

The figures in Table 8 for persons studying in the Faroe Islands were compiled on the basis of monthly student grants paid. All students who received student grants that year are included in the above figures. The figures for persons studying abroad were compiled on the basis of the number of students who received travel grants.

### **Academic Professionals**

The number of academic professionals at the University of the Faroe Islands is 41 men and 37 women, including the professors at the departments of nursing and education and assistant professors.

### **Research and Gender Equality<sup>5</sup>**

The Faroese Research Council, Granskingarráðið, grants public funds to research project. From 2001 to 2012, funds were awarded to 123 research projects. Women are project coordinators on 46 of the 123 projects. Of the total research funding, DKK 72 million, projects with women project coordinators account for DKK 32 million, i.e. 44%.

## **Article 11**

<sup>3</sup> Source: The upper secondary schools dated February 1, 2013.

<sup>4</sup> Source: The Faroese Student Grant Fund dated February 2013.

<sup>5</sup> Source: The Faroese Research Council.

New legislation on job creation initiatives is intended to address the issue of people becoming disconnected from the labour market. This legislation is also expected to offer opportunities for young people at risk of never entering the labour market. The legislation stipulates certain age restrictions, meaning, for example, that young people do not receive financial support while in upper secondary education, and people under the age of 25 do not receive benefits while completing an apprenticeship. People with children are exempt from these restrictions. The main reason for this exemption is that the social situation of young single mothers might limit their work opportunities.

### **Employment**

Faroese legislation does not distinguish between women and men, but ensures that all citizens of the Faroes are vested with the same rights, without any preferential positive rights to any gender. Accordingly, women and men have equal rights and responsibilities in all areas of society. Women and men have equal rights and access to all types of employment. Employers are not permitted to differentiate or discriminate employees on the basis of gender. Employers shall also offer both women and men equal pay for equal work. (Reference is made to CEDAW/C/DEN/7, p. 100, article 3).

### **Unemployment**

Slightly more women are unemployed (6.3%) than men (4.7%). When the financial crisis hit in 2008, male unemployment rose faster than female unemployment, but female unemployment has not fallen as fast as male unemployment.

**Table 9: Average Annual Unemployment as % of work force<sup>6</sup>**

	<b>Men</b>	<b>Women</b>	<b>Average total</b>
<b>2007</b>	1.1	<b>2.0</b>	1.5
<b>2008</b>	1.0	<b>1.7</b>	1.3
<b>2009</b>	4.0	<b>3.6</b>	3.9
<b>2010</b>	5.7	<b>5.6</b>	5.7
<b>2011</b>	6.2	<b>7.5</b>	6.8
<b>2012</b>	4.7	<b>6.3</b>	5.5

This is quite likely due to the fact that the recession severely affected the Faroese fish processing industry – a sector of the labour market, which has traditionally employed a disproportionately large share of women. This sector has not yet recovered.

### **Income and Wages**

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<sup>6</sup> Source: Statistics Faroe Islands.

**Table 10: Of the total wages paid in 2012, 38.8% were paid to women <sup>7</sup>**

<b>Wage payments 2012 (DKK 1,000)</b>	<b>Men</b>	<b>Women</b>	<b>Total</b>	<b>Women in %</b>
Agriculture	6,949	2,617	9,565	<b>27.4%</b>
Fisheries	756,329	15,788	772,116	<b>2.0%</b>
Fish farming	159,580	62,177	221,758	<b>28.0%</b>
Natural resources	42,777	3,535	46,312	<b>7.6%</b>
Fish productions	187,552	116,586	304,138	<b>38.3%</b>
Boat building	144,596	11,158	155,754	<b>7.2%</b>
Other industry	153,375	53,806	207,181	<b>26.0%</b>
Construction	392,638	26,859	419,497	<b>6.4%</b>
Energy production	49,456	6,763	56,219	<b>12.0%</b>
Commerce and maintenance	392,919	257,639	650,557	<b>39.6%</b>
Hotels and restaurants	34,131	51,918	86,049	<b>60.3%</b>
Maritime transport	332,698	49,790	382,488	<b>13.0%</b>
Other transport	154,660	48,519	203,179	<b>23.9%</b>
Post and telecommunication	96,122	49,616	145,738	<b>34.0%</b>
Finance and insurance	162,048	164,307	326,355	<b>50.3%</b>
Commercial services	196,915	85,246	282,161	<b>30.2%</b>
Domestic services	33,378	34,049	67,427	<b>50.5%</b>
Government	136,456	113,898	250,354	<b>45.5%</b>
Municipal and other institutions	299,914	449,479	749,393	<b>60.0%</b>
Education	286,559	288,929	575,488	<b>50.2%</b>
Health and social services	196,127	789,426	985,553	<b>80.1%</b>
Organisations, culture etc,	116,897	63,559	180,456	<b>35.2%</b>
Undisclosed	244	28	271	<b>10.1%</b>
<b>Total</b>	<b>4,332,318</b>	<b>2,745,691</b>	<b>7,078,009</b>	<b>38.8%</b>

The average income for Faroese women in 2012 was DKK 238,000, up from DKK 209,000 in 2007. The average income for Faroese men in 2012 was DKK 356,000, down from DKK 370,000 in 2007. This indicates that the wage gap has decreased somewhat since 2007.

**Table 11**

<b>Average wage 2012 (DKK 1,000)</b>	<b>Men</b>	<b>Women</b>	<b>Total average</b>	<b>Wage difference</b>
Agriculture	178	152	170	<b>17.6%</b>
Fisheries	490	220	478	<b>123.1%</b>
Fish farming	354	213	299	<b>65.6%</b>
Natural resources	523	347	504	<b>50.8%</b>
Fish productions	264	177	222	<b>48.7%</b>

<sup>7</sup> Figures only available for January to November 2012. December 2012 projections are based on the average in the previous 11 months. Source: Statistics Faroe Islands.

Boat building	294	185	282	<b>59.2%</b>
Other industry	299	227	276	<b>31.9%</b>
Construction	276	242	274	<b>14.4%</b>
Energy production	402	278	381	<b>44.7%</b>
Commerce and maintenance	295	164	224	<b>79.6%</b>
Hotels and restaurants	166	140	149	<b>18.5%</b>
Maritime transport	439	303	415	<b>45.2%</b>
Other transport	392	265	352	<b>47.7%</b>
Post and telecommunication	368	281	333	<b>31.0%</b>
Finance and insurance	512	335	405	<b>52.7%</b>
Commercial services	448	293	386	<b>52.7%</b>
Domestic services	289	181	222	<b>59.6%</b>
Government	437	340	387	<b>28.5%</b>
Municipal and other institutions	305	216	244	<b>41.3%</b>
Education	401	325	359	<b>23.3%</b>
Health and social services	394	258	277	<b>52.5%</b>
Organisations. culture etc.	309	261	290	<b>18.4%</b>
Undisclosed	3	-	4	-
<b>Total</b>	<b>356</b>	<b>238</b>	<b>299</b>	<b>49.5%</b>

The significant difference in wages can partly be explained by the fact that around 54% of Faroese women work less than 35 hours a week, while the corresponding figure for men is only approximately 17%. Around 75% of women working under 35 hours a week consider their hours of work satisfactory, while just over 20% would like to work more hours.<sup>8</sup>

In 2009 the Gender Equality Commission published a report on the wage gap in the public sector. The report found that women, on average, have lower ranking positions, are less educated and work fewer hours than men. Yet, while the difference in working hours, age, economic sector and education may explain a large portion of the wage gap, a residual difference of 2.9% remains, which can only be explained by difference in gender. Furthermore, the results seemed to indicate that having children also adversely affects a woman's average wage. Thus, there are structural labour market issues, which must be addressed in order to reach economic parity on the labour market.

### **Parental Leave Grant Scheme**

Parents are entitled to parental leave for a total of 52 weeks, during which they are entitled to wages paid by the employer for 34 weeks. Since the last report, parental leave has been extended in order to facilitate the reconciliation of family and work life, as well as to promote equality on the labour market. Paternity leave has been extended from 2 to 4 weeks, shared leave has been extended from

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<sup>8</sup> Faroese Census 2011.

10 to 16 weeks, while maternity leave remains at 14 weeks. This has also meant that the total parental leave period with employer paid wages has been extended to 34 weeks.

The Faroese Government is currently in the process of revising the Parental Leave Grant Scheme with a view to further increasing disbursement entitlements. The system will be made more flexible, so as to allow parents to arrange their parental leave according to their own needs. Paternity leave will likely also be increased. A reform proposal will be submitted to Parliament in autumn 2013.

### **Competency Development for Women**

Specific programmes aimed at enhancing the competences of women on the labour market and as independent entrepreneurs continue to be arranged. In 2009 the Ministry of Trade and Industry launched the Action Plan for Growth and Industry, (Vøkstur og Virksemi), which highlighted the need to encourage women to become entrepreneurs and to establish training and guidance programmes. Over the last three years, the House of Entrepreneurs (Íverksetararhúsið) and the Fund for Promotion of Trade and Industry (Vinnuframi), both government-funded organisations, have held a series of networking events and competency development courses specifically designed for women interested in establishing or developing their own business.

## **Article 12**

### **Population Statistics**

In 2013 the total population of the Faroe Islands was 48,197, of which 23,178 were women.

**Table 12: Population as of January 1<sup>st</sup> 2007-2013<sup>9</sup>**

	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>Male</b>	25,122	25,128	25,317	25,248	25,184	25,081	25,019
<b>Female</b>	23,205	23,232	23,385	23,32	23,32	23,203	23,178
<b>Total</b>	48,327	48,36	48,702	48,568	48,554	48,284	48,197
<b>Female in %</b>	<b>48.2</b>	<b>48.1</b>	<b>48.1</b>	<b>48.0</b>	<b>48.1</b>	<b>48.0</b>	<b>48.0</b>

In 2012 The Faroese Government appointed a committee tasked with analysing and making recommendations on how to increase the population in the Faroe Islands. An action plan was presented to the Faroese Government in April 2013.

It is mostly young people, especially young women, who move abroad to seek higher education. The Action Plan focuses, among other aspects, on making it attractive for young people to study for all, or parts of, their higher education in the Faroe Islands, as well as on attracting Faroese students abroad, particularly women students, back to the Faroe Islands after they complete their studies.

<sup>9</sup> Source: Statistics Faroe Islands. The figures for 2012 and 2013 are taken from April 2013.

Many of the recommendations in this Action Plan are centred around the general situation of women in the Faroe Islands.

In 2011 the average life expectancy of Faroese men was 79.1 years, while that of women was 84.9 years.

**Table 13: Average Life Expectancy**

	<b>2007-2008</b>	<b>2008-2009</b>	<b>2009-2010</b>	<b>2011</b>
<b>Male</b>	78.1	78.4	78.7	79.1
<b>Female</b>	83.5	84.0	84.4	84.9
<b>Average</b>	80.1	81.0	81.4	81.8

Since 2009 the Faroese government has been offering all women between the ages of 14 and 28 free HPV-vaccination, as a cervical cancer prevention measure.

**Table 14: Free HPV-vaccinations – Total**

	<b>Women 11-20 years</b>	<b>Women 21-30 years</b>
<b>2009</b>	576	597
<b>2010</b>	782	800
<b>2011</b>	689	696
<b>2012</b>	521	624

### **Violence Against Women**

All acts of violence against women are prohibited under the Faroese Criminal Code.

The Crisis Centre in Tórshavn (Kvinnuhúsið) offers women, who have suffered abuse, shelter and social, legal, and psychological help and guidance. In 2012, the Crisis Centre processed 624 requests for assistance; 15 women and 5 children stayed at the Crisis Centre for periods ranging from 1 day to 89 days. The reasons for referral included domestic violence, divorce, financial difficulties, incest and rape. The Crisis Centre received most of its funding from the Government.

In an effort to, *inter alia*, prevent and end violence against women, the Faroese Government in 2011 adopted an Action Plan to Combat Violence in Close Relationships (Harðskapur í parlagi og nærsambondum). This is the first such plan in the Faroes. Reference is made to CEDAW/C/DENMARK/Q/7/Add.1 pp. 29-31.

The Faroese Government considers violence in close relationships to be a problem based on imparity between two people, e.g. in a relationship. However, it is not necessarily gender-based. The Action Plan reflects this view, for example in the funding allocated to the Crisis Centre under the Action Plan itself, which is in addition to the annual appropriation allocated by the Faroese Government to the operation of the Crisis Centre (approximately DKK 1 million). The Action Plan should therefore be viewed as a supplement to existing schemes, rather than a stand-alone project.

The Faroese Government is of the opinion that it may have negative consequences for the gender parity debate in the Faroes, if the Action Plan to Combat Violence in Close Relationships only targets one gender. A victim of violence may be extremely vulnerable, regardless of gender. The traditional gender equality debate, which pits the genders against each other, has not yielded sufficient results in terms of promoting gender equality in the Faroes. It is therefore necessary to facilitate the participation of both men and women in efforts to promote gender equality.

The Faroese Government considers that efforts to prevent and end violence in close relationships will benefit from not solely focusing on (in)equality, but also violence as a social problem. It is therefore necessary to involve the social and health services, as well as social and health-care practitioners in efforts targeting violence, and this is also part of the Action Plan.

The Action Plan to Combat Violence in Close Relationships is a 5-year plan, which defines violence as physical, psychological, sexual, financial and material violence. The plan contains 18 different initiatives, which can be classed as follows:

- Information and prevention
- Assistance and support for the victim
- Initiatives targeting occupational groups
- Treatment options for those who perpetrate violence

A full-time project coordinator has started implementing the Action Plan, which will be phased in over the next five years starting from 2012. In May 2012 a number of information campaigns were launched to create awareness and disseminate information about the issue of violence, breaking the silence that has surrounded this issue.

One aspect of the action plan is initiatives aimed at migrant women living in the Faroe Islands. These women are considered to be a particularly vulnerable group, because of their lack of social network and knowledge about Faroese society.

Educational material has been created or acquired, including information material for foreigners, hereunder immigrant women. Efforts also include information drives on the duty to report and confidentiality issues under the Child Welfare Act. The Crisis Centre in Tórshavn has received financial assistance to cover translation and interpretation services for immigrant women, as well as food and emergency supplies for women and their children.

Activities in 2013 include organising treatment options for both perpetrators and victims of violence. Work continues to develop and improve guidelines and practices and to continue preventive efforts.

The Action Plan to Combat Violence in Close Relationships mainly focuses on new initiatives and does not directly concern itself with regulations and instruments already provided by law, although these will be supported and strengthened through the implementation of the plan. The current system already provides financial support to women to cover psychological consultations through the Faroese public health service. Women with children who suffer domestic violence are also entitled to support pursuant to the Child Welfare Act. This support is provided free of charge. Women without children are entitled to financial support for psychological treatment, while women with children receive treatment free of charge through the Child Welfare Authorities.

The Faroese Government provides a number of support mechanisms for victims, in addition to those stipulated in the Action Plan. As mentioned, the Faroese Government allocates approximately DKK 1 million to the Crisis Centre annually. Faroese legislation also stipulates that women (and men) with children may receive psychological treatment free of charge. The cost of this service is borne entirely by the local authorities. In addition, Faroese legislation stipulates that victims of violence are eligible for reimbursement of 40% of the cost of psychological treatment. The Government intends to review this legislation and increase the percentage of costs reimbursed to victims. These provisions are not included in the cost of the Action Plan.

Furthermore, in the Action Plan funding is allocated to emergency consultation with a psychologist. Such consultation is available to women who turn to the Crisis Centre, if they need it. Following these consultations, women are eligible for financial support for consultations with a psychologist under the existing schemes described above.

Any person from any social group, who has experienced violence in a close relationship, is included in the scope of the Action Plan. As part of the Action Plan, targeted efforts should be made to ensure that institutions and authorities cooperate and coordinate activities related to violence. Moreover, employees should receive the training needed to identify cases of violence and care for those affected by it.

Criticism has been levelled at the Action Plan to Combat Violence in Close Relationships. The contentious issue is that more funds have been allocated to treat those who commit violence than those who are victims of violence – the victims in most cases being women.

The Crisis Centre has pointed out that migrant women are over-represented among those who seek the Centre's assistance. The Minister of the Interior is therefore considering an amendment to the Alien Act, via the Danish authorities, barring persons resident in the Faroe Islands, who have been convicted for violence against a former partner in the last 10 years, from applying for family reunification with a spouse not resident in the Faroes.

The Ministry of the Interior is at the moment considering proposed amendments to the Faroese Administration of Justice Act, which would extend the entitlement to legal assistance of victims of sexual violence and abuse to victims of domestic violence.

The Ministry of the Interior is also examining the possibility of drafting new legislation, which in cases of violence in intimate partnerships would grant authority to remove the perpetrator from the home for a period of time, instead of the victim leaving the home.

### **Article 13**

Women and men have the same social and economic rights, and there are no substantial developments to report in this regard. Women and men also continue to enjoy the same access to sports, leisure and cultural activities.

### **Article 14**

Women and men living in the more remote villages and on the outlying islands enjoy the same rights as other citizens of the Faroes. There have not been any changes or substantial developments in this regard since the last CEDAW report.

### **Article 15**

Men and women are equal before the law. Women and men continue to have equal rights of access to the judicial system, enjoy equal rights to hold property, as well as to receive equal treatment before the courts. There have not been any changes or substantial developments in this regard since the last CEDAW report.

### **Article 16**

There have not been any changes or substantial developments since the last CEDAW report.

## **Appendix 1**

**Comments from the Gender Equality Commission (Javnstøðunevndin) on appendix B regarding the Faroe Islands to the eighth periodic CEDAW report by the Government of Denmark**

The Gender Equality Commission serving from 2008 to 2011 had the following priorities:

- Politics and gender parity
- Labour market and gender parity
- Paternal rights
- Children and gender parity

### **Publications**

The Commission funded a study of potential pay differences between women and men on the public labour market in cooperation with Statistics Faroe Islands (2010). The study shows that, on average, men are paid 16.3% more than women, and that 3% of the pay gap between men and women cannot be explained.

Furthermore, the Commission funded a gender parity study of educational material in Faroese for school children in years 1 – 3. The study was published in a booklet (2010), which is intended for use in education and information.

In cooperation with the Faroese publishing company BFL, the Commission published a children's book (2009) about gender parity issues. The Commission has also published a leaflet containing information on how to appeal in cases of gender discrimination. The leaflet is distributed at public venues.

### **Events**

The Commission has focused on generating broad debate and informing as many people as possible about the entire scope of gender parity, in order for them to feel that gender parity issues are also relevant to them. The Commission has been visible in public debate through comments, letters in newspapers and media interviews. The Commission has also organized several public events, and it emphasized spreading them throughout the country and reaching as many people as possible. Some of these events were co-organized with Demokratia (the committee for increased gender parity in politics), with which the Commission has an active partnership.

The pay survey was published in 2010. In 2010 the Gender Equality Commission organized workshops for people producing educational material and for primary and lower secondary school teachers around the country.

As examples of other events around the country, we could mention lectures and debates on paternal rights and parental custody. Also, on UN Day October 24, 2009, the Commission along with Demokratia organized a public information event about CEDAW. In 2012 the Commission participated in a public mass meeting. The Commission's main subject was emigration and the deficit of women in the Faroes. The Commission offered a series of lectures and organized a contest among participants regarding proposals to work on. Furthermore, there were several events on different gender parity issues in which politicians, business people, authors, experts, researchers and

others participated. Overall, the level of attendance at events was high and they generated lively debate.

In addition, the Commission is regularly invited to participate in meetings hearings, public information events, presentations, etc. Commission representatives participate in conferences and meetings in the Faroes and the Nordic region.

### **Appeals and Court Case**

In 2009 and 2010 the Gender Equality Commission ruled on six appeals. Four concerned dismissal or discrimination due to pregnancy or childbirth. In three cases the Commission found that discrimination had occurred, and ordered the employer to pay compensation to the appellant. In the fourth case the Commission did not find in favour of the appellant. One appeal concerned dismissal due to gender, in this case the Commission did not find in favour of the appellant. One case concerned a job advert setting out different requirements for men and women. The Commission called on the employer to delete this provision from future adverts.

In 2010 the Commission won a court case at Føroya Rættur (Faroe Court of Justice) against a public employer on behalf of a male employee, who did not receive pay while on paternity leave. The court's decision surprised many who had predicted that the Gender Equality Commission would not win this case. The Court's ruling has improved conditions for fathers taking paternity leave. Two appeals are at present under review, both regarding discrimination owing to pregnancy/parental leave. Decisions in both cases will be reached later this year.

### **Cooperation with Authorities, Institutions and other Entities**

The Commission monitors social developments and, as needed, comments on draft legislation and other matters relevant to gender parity. The Commission calls on the authorities, institutions and others to implement measures to further gender parity. The Commission also receives several inquiries from citizens, associations, institutions and other entities.

The Gender Equality Commission serving as of 2012 has the following priorities:

- Youth and gender parity
- Parental leave and gender parity
- Pensions and gender parity

Furthermore, the Commission intends to draw attention to emigration and the deficit of women in the Faroes.

## **Appendix 2**

### **Comments from Demokratia on appendix B regarding the Faroe Islands to the eighth periodic CEDAW report by the Government of Denmark**

There have been three elections since 2009 – Danish general elections, September 25, 2011, Faroese general elections, October 29, 2011 and Faroese local elections, November 13, 2012. This set the agenda for the Committee's work. In the summer of 2011, a large-scale campaign intended to draw attention to gender parity in politics was launched. The tone of the campaign was positive and pro-active with reminders that it is our own decision, responsibility and vote. Posters and social media, including Facebook, provided the platform. Furthermore, in an effort to raise awareness about the Committee and our objective, committee representatives attended festivals, sporting events and other venues drawing large crowds, where they distributed bracelets with the committee logo and offered to face painting with the logo. This brought the Committee into direct contact with a large number of people, particularly young people. In addition, the Committee commissioned a series of portrait articles on women in politics, which are now available on Facebook and our website, along with regular comments, reminders, news and other items.

### **Cooperation with Political Parties**

The Committee emphasises that the political parties shoulder much of the responsibility for working towards gender parity, for example, as regards recruitment, election candidacy and training. The Committee has reminded the parties to strive for gender parity on their lists of election candidates and to allow both women and men to stand for elections. In 2010 the Committee held a joint meeting with all the political parties to debate which steps the parties have taken to promote gender parity in politics, their impact, and what other actions can be taken. The 2010 meeting followed-up on the 2007 meeting, when the Committee also met with the parties to discuss the same issue. Another meeting with the parties is planned for 2013.

### **Youth Events**

The Committee has decided to reach out to the young generations. A Committee representative gave a presentation on the importance of gender parity in politics at the Youth Parliament<sup>10</sup> (2010). In 2010 the Committee also contacted the political youth organizations seeking inspiration and advice on how to reach this target group. Over 2010-11 the Committee organized a film competition under the headline *Javnstøða í politikki* (Parity in Politics) targeting young people. The four films entered were screened at a public event in the Nordic House, Tórshavn, on March 8, 2011 and the winning film was chosen. The films are available on YouTube.

### **Public Events**

The Committee has organized several public events with politicians, experts, researchers, authors and others around the country. On UN Day, October 24, 2009, the Committee, along with the Gender Equality Commission, arranged a public information event featuring, among others, experts presenting CEDAW. In autumn 2009 the Committee organized a series of lectures, 16 in total, around the country, where experts gave presentations on democracy and gender parity. In 2009 Committee representatives visited 13 upper secondary schools and higher education institutions, where they explained the importance of gender parity in politics. A lecture on personal development

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<sup>10</sup> The Youth Parliament is an annual event held at the Faroese Parliament for lower secondary school students from around the country. It offers students the opportunity to try their hand at parliamentary work.

was held in 2010, and in 2012 the Committee participated in a public mass meeting in Tórshavn featuring lectures and opportunities for direct contact with attendants. The Committee intends to continue organizing and participating in public debates and lectures around the country.

### **Surveys**

The Committee commissioned surveys on gender parity in politics in 2009 and 2012. The surveys show that 90% support increased gender parity in politics. However, a large majority is against instituting a quota system. Almost 75% believe that the political parties should take steps to promote gender parity. The survey also indicates that women voters cast their votes with greater gender parity than men. The Committee intends to analyse and interpret surveys and election results from recent years in greater detail.

### **Election Results**

The Danish general elections resulted in minor progress on gender parity. In the Faroese Parliament the number of women is currently at a record high – 10 women and 23 men, a percentage distribution of 30/70. This is a major step forward, as compared to the previous Faroese parliamentary elections in 2008, when women accounted for 21%, and 2004 when they only accounted for 9%. The progress in the Faroese Parliament should partly be seen in light of the fact that in 2008 the seven electoral constituencies became one. The local elections represented a setback for gender parity – women representation dropped to 28% from 30% at the 2008 local elections. After the 2008 elections one village council was single-gendered (i.e. only men); now, four village councils are entirely made up of men. There has also been a regression in government; the current Faroese Government is made up of seven men and one woman, while the previous one counted four men and three women.

### **Appendix 3**

**Comments from Amnesty International Faroe Islands Section (see next page).**

**Comments from Amnesty International Faroe Islands Section on:  
“REPORT BY THE FAROESE GOVERNMENT ON THE IMPLEMENTATION OF CEDAW”**

Faroe Islands Section is part of the international organization Amnesty International. Our work is based on the organization’s global campaigns, which include fighting gender-based discrimination, violence against women and human trafficking. The comments from Amnesty International Faroe Islands Section on the official Faroese CEDAW Report 2013 focus on gender-based violence and human trafficking.

**Article 12:**

In 1992 the CEDAW Committee issued a recommendation regarding violence against women. In it, the Committee stated that, “Gender-based violence is a form of discrimination that seriously inhibits women’s ability to enjoy rights and freedoms on a basis of equality with men.”

In 2004 Amnesty International launched a campaign we called: Stop Violence Against Women. We were trying to place the issue on the political agenda, and in 2010 we made a breakthrough. We then had 14 points, which we felt were important in the context of stopping violence against women. We are very pleased that a plan to combat violence has now become reality, and would like to see many of our 14 points in the Faroese Government’s Action Plan to Combat Violence in Close Relationships (Harðskapur í parlagi og nærsambondum).

**We therefore have five comments on the Action Plan to Combat Violence in Close Relationships:**

- 1) In reference to Art. 5 of CEDAW and the 1992 recommendation on gender-based violence, we believe that the Action Plan should acknowledge, that this violence to a large extent is gender-based, and that the root-cause of this violence is, in part, a distorted attitude to the balance of power between men and women.**
- 2) Insufficient funds are allocated to the victims, who are mostly women.**
- 3) The coalition currently in power included the issue: ‘Sexual Abuse of Children’ in the scope of the Action Plan in 2012, without allocating additional funds.**
- 4) There are no plans to generate statistics.**
- 5) Certain groups of women are not included in the scope of this Action Plan.**

**1)** An Action Plan aimed at combatting violence in close relationships, and which also refers to the provisions in CEDAW, must acknowledge that it is largely women, who are the victims of violence committed against them by their partners.

The Action Plan does not explicitly acknowledge this. However, nearly all the support for victims of violence is offered through the Faroese crisis centre for women, Kvinnuhúsið. This indirectly acknowledges that most of those who experience this form of violence are women. Yet there is no recognition that the underlying cause of this violence partly is to be found in our culture and

mentality, as well as in the skewed balance of power between men and women, where men often hold the power over women. We regret that the Action Plan fails to include measures aimed at fostering fundamental changes in attitude in favour of the equal distribution of power between women and men. The Action Plan identifies the perpetrator of the violence as the root of the violence, and treatment options for perpetrators of violence are therefore prioritized. We do believe that this is positive. However, we also believe that the underlying cause is to be found in our attitude towards the distribution of power between women and men, and action is required to change it. Such a change in attitude should also be part of any public education efforts related to this Action Plan.

2) We regret that insufficient funds are allocated to treatment options for victims. A note on page 13 in the report accompanying the Action Plan to Combat Violence in Close Relationships reads as follows, “The restriction to 2 to 3 consultations with a psychologist has been stipulated owing to limited funding, and should not be understood as a limitation based on professional practice or expertise.”

Evidently, the funding allocated to the victims is insufficient and unwarrantable in psychological practice. In 2013 less funding was allocated to this Action Plan than intended. This is a problem, when certain measures could currently be deemed reckless in psychological practice owing precisely to a lack of funding. According to a psychologist we consulted (Súsanna Skaale, who works for Kvinnuhúsið), offering victims 2 to 3 consultations can be worse than doing nothing. It is like opening a wound without the time to heal it.

3) Since the Action Plan to Combat Violence in Close Relationships entered into force, more areas have been included in its scope, for example sexual abuse of children. However, no additional funding has been allocated for this area. We believe that funding to hire a coordinator should be made available. This coordinator would focus exclusively on child abuse, as it is such a serious social problem.

4) It is of utmost importance to compile statistics regarding which groups are particularly exposed to violence, in order to target efforts. Otherwise the approach may become too broad, if all forms of violence are included - in close relationships and intimate relationships, as well as child sex abuse – without any statistical basis.

5) We are concerned that there are groups of women, who are not included in the scope of this Action Plan.

1. Women with substance abuse problems
2. Women with mental illness
3. Women with disabilities
4. Women living in community care homes.

## **Article 6:**

### **Trafficking**

It is a problem that the Faroe Islands are not included in the *Convention on Action Against Trafficking in Human Beings*. Amnesty International has for a number of years been calling on the Faroese authorities to ratify this Convention, which Denmark ratified in 2007 with a reservation for the Faroe Islands. The Convention has yet to be implemented in the Faroe Islands.

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## *Appendix C*

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Copenhagen, June 2013

**Comments of the DANISH WOMEN'S SOCIETY  
on the eighth Periodic Report by the Government of Denmark  
on the Implementation of the CEDAW Convention**

The Danish Women's Society (DWS) appreciates the opportunity to comment on the Danish Government's Report on the Implementation of the CEDAW Convention.

In general DWS finds the National Report a fair and comprehensive description of the position of women in Denmark and the policies and measures implemented to ensure gender equality.

For the sake of convenience and with our agreement, the comments by DWS are appended to the Government's report and will be limited to the following:

- Prostitution and Trafficking
- The Situation in the Labour Market
- Health:
  - Maternity car,
  - Violence against woman

**Article 6: Prostitution and trafficking**

Danish Women's Society (DWS) consider prostitution as part of male violence against women and has since 2005 called for the abolition of prostitution. This means demanding a criminalization of the buying of sexual services in addition to a strong effort to support persons in leaving prostitution whether they are Danish citizens or foreigners who have been trafficked for the purpose of prostitution. The latter should in DWS' human oriented approach to victims of trafficking obtain a residence permit in Denmark.

The Danish state considers prostitution a social problem. Gender and power inequalities in the system of prostitution are not recognized and addressed at all by the state. The social discourse has been under hard pressure from lobbyists from the sex industry as well as from conservative and neoliberal political forces and in the spring of 2013 a proposal to legalize pimping and procuring was discussed in Parliament - the proposal fell.

DWS is very worried about the tendency to politically demand a normalization of prostitution as a

job and to separate trafficking in persons for the purpose of sexual exploitation from prostitution. All forms of legalization of pimping and procuring will be a threat to women's security and a severe violation of all treaties signed and ratified by the Danish state to secure women's rights and combat sexual exploitation and trafficking.

#### **Demand for prostitution**

A research study of more than 7.000 Danish men<sup>1</sup> recently showed that the percentage of sex buyers has risen by 2 percent since 2005 and in addition sex buyers are getting younger and younger. One third of the respondents actively supports or silently accepts buying sex from victims of trafficking (VOT) and the buying of sex is generally accepted by Danish men. According to the respondents one of the reasons for buying sex is a craving for power over women, despite this prostitution and trafficking is not addressed as a gender problem in the national action plans.

Despite that buying sex from a VOT is considered rape in Denmark, the minister for gender equality does not want to publically condemn men accepting or committing these rapes. Instead an information campaign, one in a long row of campaigns without any impact, will be carried out to, once more, inform Danish men about the conditions and lives of VOTs. One of the most severe forms of violence against women – raping sex slaves - is still widely accepted in Denmark – also on government level.

Criminalizing the buying of sexual services has been rejected by the government in November 2012. Next to nothing is done to reduce prostitution and trafficking by reducing the demand side in Denmark.

#### **Pimping and procuring**

In the spring of 2013 the criminal code, the chapter on sexual offences, was altered. Now procuring covers all prostitution arenas. DWS strongly support this amendment, as criminalizing pimping is a vital tool in the fight against the trafficking of women and against the exploitation of the prostitution of others.

#### **Exit programs**

DWS welcome the efforts from the Ministry of Social Affairs carried out in the first national 'Exit prostitution programme 2012 - 2015' to support persons in leaving prostitution. However the programme is much too unambitious since it only supports and rescues a maximum of a hundred Danish prostitutes in 4 years. Although the prostitution market is based on more than 50 percent of foreigners, the exit programme doesn't offer non-danes including trafficked women any help to leave prostitution.

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[http://www.dr.dk/NR/rdonlyres/DAE8B0FA-1459-4697-B799-2D9CFDC0A324/5207446/Kortl%C3%A6gning\\_af\\_prostitutionseftersp%C3%B8rgslen.pdf](http://www.dr.dk/NR/rdonlyres/DAE8B0FA-1459-4697-B799-2D9CFDC0A324/5207446/Kortl%C3%A6gning_af_prostitutionseftersp%C3%B8rgslen.pdf)

## Trafficking in women

### *Victim status*

In 2011 Denmark was strongly criticized by the GRETA<sup>2</sup> expert group evaluating Denmark's efforts in combating trafficking in human beings. According to the Council of Europe Convention on Action against Trafficking in Human Beings<sup>3</sup> Denmark is not securing the rights of the victims and proper victim identification processes.

Today – 2 years after - potential victims of trafficking are to a large extent still treated as illegal immigrants and are imprisoned instead of being brought to a shelter for protection. Most foreign prostitutes are still expelled directly while arrested by police. Even persons identified as potential victims by Immigration Service or CMM are kept in prison – many from 20 to 40 days - before they are transferred to a safe house. Protests from women's rights organizations and human rights organizations against these gross violations of the rights of the victims have not yet had any impact on the Ministry of Justice.

### *Victim identification*

The identification of a potential victim of trafficking has to be executed within 3 days by either the Center against Human Trafficking (CMM) or the Immigration Service, and only very few obtain the status of a potential victim of trafficking, a status, that only allows them a maximum of 120 days in a rehabilitation program.

### *Rehabilitation*

Rehabilitation is only focusing on a prepared repatriation. During 2008 – 2010 only three victims of trafficking obtained a residential permit in Denmark. The repatriation program allows victims to obtain financial and other forms of support in their home countries for half a year.

Almost no victims accept repatriation. In 2012 half of all victims of trafficking in women at Reden International (safe house for VOT) fled from the safe house during their reflection period. The assumption is that the conditions in the victim's home countries are so dangerous and the links to very violent trafficking networks so close that the risk of repatriation is too high. The victims choose to be re-trafficked rather than to return home. The Danish repatriation programs have shown to be counterproductive in relation to securing women's fundamental human rights and safety.

### *Solutions*

- Instead of imprisonment victims should be brought directly to safe houses.
- The victim identification process should be put in the hands of NGO's in the safe houses after a trust building period and not in the hands of immigration services or GO's interviewing victims while they are imprisoned and deciding the status of the person within 3 days.
- Access to permanent residence permits should be given if a person is identified as a victim of trafficking as a consequence of the violence and exploitation committed to VOT by Danish sex buyers, pimps and traffickers.

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<sup>2</sup> [http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA\\_2011\\_21\\_FGR\\_DNK\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA_2011_21_FGR_DNK_en.pdf)

<sup>3</sup> <http://conventions.coe.int/Treaty/en/Treaties/Html/197.htm>

### **Police investigation**

Traffickers, pimps and sex buyers have an easy life in Denmark. The risk of being caught by the police is very low and the profit high. Only few traffickers and pimps are being charged, sentenced and imprisoned. No sex buyers are charged, sentenced and imprisoned for raping VOT's.

Combating trafficking in women for prostitution is not prioritized by the police, not even in Copenhagen where street prostitution with foreign prostitutes and brothel prostitution is taking place at a large scale.

The police mainly treat victims as illegal immigrants and not as victims of serious human rights violations.

Violations of the victim's right to protection and rehabilitation in safe surroundings are an exception and not a rule. The intention set forth in the national action plan to combat trafficking is simply not implemented at a wider scale by the police force:

The police force does not allocate enough resources to do proactive investigations into the sex industry.

Traffickers and pimps are to a high extent working transnational with organized cross border crime, but transnational cooperation and investigation do almost not take place.

Investigations into especially escort services and other grey zones where minors and victims of trafficking can easily be sold are not carried out.

One of the effects of these questionable practices is that almost no VOT bear witness and give police valuable information about traffickers, pimps and sex buyers.

### **NGO's under pressure**

Services for both national and foreign prostitutes run by NGO's are underfinanced by authorities. This is a growing and worrying tendency. Especially foreign prostitutes and victims of trafficking are hit very hard by the fact that no projects are focusing on supporting them to leave exploitation in the sex industry and by the fact that the projects offering shelter and outreach work have to spend much of their sparse resources hunting for financial support fighting for their survival.

New trends and methods developed by pimps and traffickers to exploit prostitutes are discovered first by NGO's. And NGO's are and have always been on the forefront developing social methodologies to support prostitutes to obtain a life without exploitation. GO-support systems cannot and must not stand alone.

NGO's in especially the capital area are in an ongoing process developing exit houses, exit support groups and preventive programs that are vital in the process of developing strategies that can stop the growth in the sex industry and the growth in sexual exploitation and trafficking in women in the long run.

## Article 11: The Situation in the Labour Market

### Ban on discrimination

As stated in the report Denmark has several laws protecting the individual against discrimination. However, the report also shows that since 2008 the courts of law and the Board of Equal Treatment have only dealt with a few cases regarding equal treatment. DWS sees this as a symptom of what could be called problems concerning citizens' access to justice. From the view of an employee these include problems such as unclear formulation of antidiscrimination law, low knowledge of other employees' salaries, uncertainty regarding the reasons for obtaining higher pay on the job and the high personal cost of taking a case to court. We call on the government to look into these problems.

### The Gender-Segregated labour market and pay differentials

For the past 10 years the wage gap in Denmark has remained the same and DWS would like to stress that 17 percent is a huge gap in a country where both women and men participate actively in the labor market. Furthermore, we are puzzled by the fact that the government lists in the report educational level and work experience as some of the factors explaining this gap since Danish women today are better educated than Danish men and the level of work experience is practically the same for men and women.<sup>4</sup>

DWS welcomes the initiatives taken by the different governments such as renewing the law on gender-segregated pay statistics (2013), the state equalization scheme (2006) and the extension of this scheme to include self-employed persons (2013). Also, we hope that the government will renew the law concerning parental leave in such a way that part of the leave (e.g. 3 months) is allocated to the father.

However, if Denmark is to minimize the wage gap, even more needs to be done. In the report the government writes that the gender-segregated market is one of the most important reasons for the pay differentials between women and men. DWS agrees with this statement. However, we do not appreciate the fact that the government has not – and still does not – list any concrete plans regarding how to deal with this problem. The gender-segregated labor market constitutes one side of the coin. The fact that the pay is much higher in the trades dominated by men than it is in the trades dominated by women constitutes the other side. For example, 86 percent of the social workers, who are employed in the Danish municipality, are women and 83 percent of the constructors, who are employed in the Danish municipality, are men. Both groups deal with municipal case work (one regarding human beings and the other regarding buildings) and their education is at the same level. However, the constructor earns 34 DKK more per hour than the social worker does, or more than 65,000 DKK a year (1924 hours x 34 DKK). This example illustrates a general trend in the Danish labour market and DWS finds that these trends are problematic in regards to rights concerning *"equal pay for work of the same value."*

However, even though the Danish government is internationally obligated to make sure that this right is not violated, different governments have not dealt with the problem. For example, contrary to Sweden, which has a labour market that is quite similar to the Danish with regard to the strong role played by the social partners, the Danish government has not made any attempts to clarify what

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<sup>4</sup> Holt og Larsen (2010) "Løngabet og det kønsopdelte arbejdsmarked" i Deding og Holt, SFI, 10:12 (2010), "Hvorfor har vi lønforskelle mellem mænd og kvinder? En antologi om ligestem i Danmark", pp. 86-87.

is meant by "work of the same value". Nor has it made any attempts to develop job evaluation schemes of any sort. DWS regrets this and we stress the fact that it is the job of the government to ensure that the rights of its citizens are not violated. An important part of this means ensuring that the rights are understandable and that citizens have access to the tools needed to test whether their rights are being violated.

## **Article 12: Health**

### **Maternity care**

Denmark has previously been known for its strong traditions with regard to midwifery and a low intervention rate at childbirth. This has changed significantly during the last 10 years where we have seen a steep rise in interventions such as caesarean section (from 13.1% in 1997 to 21.3% in 2011) and inducing of labour (from 7% in 1997 to 23.3% in 2011). It is fair to say that there is currently less possibility for a spontaneous birth in the Danish hospitals than ever before in the history of Danish health care.

In contrast to Norway and the UK, the subject is rarely discussed in Denmark. However, in spring 2013 there has been widespread debate about the use of the off-label drug "misoprostol" to induce labour at Danish hospitals even though it can have significant side effects (among these uterus ruptus, heavy bleeding and death of the unborn child). The debate has not only been about the use of misoprostol itself but also about patients' right to receive appropriate information about possible side effects and to refuse treatment.

As labour and birth with few interventions is best both for the woman and the child, DWS finds the above mentioned points concerning and strongly recommends the issues be further debated at all levels of society.

### **Violence against Women**

On the whole, the government's efforts to reduce violence against women have had a positive effect. DWS is especially pleased that the Minister for Equality has taken action to establish a Danish branch of White Ribbon in Denmark. The Danish branch is now part of the international campaign of men who actively say NO to men's violence against women. It is, however, still important to raise awareness about the problem with continuing information campaigns, for example in schools and work places.

Denmark can improve even further for the benefit of the 29,000 women who are exposed to violence in Denmark every year. If Denmark wants to make substantial progress in the prevention of violence, a whole new concept for the treatment of battered women is needed. First of all, there is a wide discrepancy between the offers for treatment that the victims of violence and the perpetrators are entitled to. Today the perpetrator can get free treatment, often lasting for several years, either at ATV (Alternative to Violence) or at Dialog mod Vold (Dialogue to Prevent Violence). This is a very good system because it can help prevent future violence. However, the battered woman is only allowed four free hours of psychological treatment, and that only applies until the end of 2013. If she wants more she has to pay herself. Most of the women cannot afford

that. These women are often the victims of years of violence and abuse, both physically and psychologically. Over the last ten years Denmark has improved in this area since we now recognize the violence that the women have been the victims of, however we still do not recognize the consequences of being exposed to violence. Living in a violent relationship can create trauma – a traumatic crisis that must be dealt with by a psychologist. It is generally known that many of these women end up in a new violent relationship. Therefore it is important that battered women have the rights to receive treatment until they feel free of the violence, and until they understand what makes them fall in love with a violent man. An offer of such treatment is necessary if we want to have a marked decline in the number of battered women.

Furthermore, creating a follow-up offer for the woman after she has been staying at a crisis center/shelter for battered women is another initiative that would make a great difference in the efforts to minimize violence against women. Today the crisis centers have no further contact with the women when they have left the centers despite evidence that if women are to be helped in the best possible way, they must also receive support after their stay in a shelter. The ideal solution would be to start preparing these women for their future life – a new life on their own - already before they leave the shelter. It is important that such an offer is established by the staff at the shelter because the women have often built up a close bond of trust with their liaison person. It should be part of the budget at any shelter and be paid via the fee that the municipalities pay for the stay of their citizens. In this way the offer could be standardized all over the country. Quality standards are important to ensure that women are supported in the best possible way in their new life.

#### **DANISH WOMEN'S SOCIETY**

Lisa Holmfjord  
President

Contributions from: Hanne Helth, Lisa Holmfjord, Johanne Mygind, Mette Marie Stæhr Harder, Leslie Larsen og Charlotte Ferslev Møller.

# Appendix D

women's council in denmark **kvinderådet**



## **The Women's Council in Denmark Comments on the Eighth Periodic Report by the Government of Denmark on CEDAW**

### **Introduction**

The Women's Council in Denmark (Kvinderådet, hereafter WCD) welcomes the opportunity to comment on the official Danish report (hereafter the report). Our comments have not been presented to nor accepted by the Government and thus, the comments fully represent the viewpoints of the WCD. The comments are based upon input from a number of our 45 member organisations and from other NGOs.

The comments follow the composition of the report.

### **Article 1: Foundation**

Acknowledging that Denmark has a high level of gender equality compared to a large number of countries, we do not agree upon the opening statement in the report saying that 'Women and men have the same rights, obligations and opportunities in all fields of society' (p. 4). We still lack equal opportunities for women and men, and it is evident that women and men do not obtain the same results in society, in terms of for instance decision making positions in political, economical and cultural life.

On issues such as women on boards, in research and parental leave the Government ought to compare itself to countries that are comparable (European and especially Nordic countries). In this regard we do not see Denmark as a frontrunner.

After national elections in 2011, the new Centre-left government announced a number of gender equality initiatives in the Governmental platform which we are still waiting to see being realised. While welcoming separate initiatives in the field of i.a. sexual abuse and trafficking in women, we are waiting for the Government to act on prostitution, unequal pay and parental leave.

Hence, we would like to see the Government bridge the gap between progressive statements on gender equality and real political commitment and action. The Ministry of Gender Equality is under financed and resources for NGOs and other actors in the field of gender equality are scarce.

### **Article 2: Constitution and Legislation**

The Danish constitution does not mention gender equality as such, which means that equality between women and men is only regulated by ordinary legislation.

The CEDAW convention is still not incorporated into Danish legislation, as we have stated in several previous reports to the CEDAW Committee. Incorporation is likely to promote the visibility



of the convention in Danish society and promote the status of the convention in the court system. Very few, if any, references are made to the convention by Danish courts.

The Government has not yet signed the Istanbul Convention on Violence against Women and Domestic Violence. The Council of Europe opened for signatures on May 11, 2011, and the WCD has currently urged the Government to sign and ratify the convention.

A core problem regarding the efficiency of the Danish gender equality machinery is the fact that the gender mainstreaming obligation as stipulated in the Act on Gender Equality section 4 is not taken seriously. A new strategy on gender mainstreaming has recently been launched, but only few resources has been allocated for implementation. Without additional resources it seems unlikely that the strategy will prove effective.

### **Article 3: Basic Human Rights and Fundamental Freedoms**

The report mentions that “the public opinion concerning domestic violence has changed – it is no longer regarded as a private matter, but as a public concern” (p.5). We will underline that positive results regarding elimination of violence against women depend on allocation of adequate resources to the NGOs working in this field. We will recommend the Government to increase funding enabling NGOs to fulfil the intentions of national action plans and strategies in the area.

Women and girls with disabilities experience multiple forms of discrimination which create barriers to the guarantee of rights and redress for rights violations. Due to the intersections of discrimination on the basis of gender and disability, women and girls with disabilities are at greater risks of violence including gender based violence, sexual abuse, neglect, maltreatment, harassment and exploitation. It has been documented that almost 80 percent of women with disabilities are victims of violence and they are four times more likely than other women to suffer sexual violence.<sup>1</sup> Women with disabilities experiencing domestic violence have limited access to shelters, as they are often not accessible for women with physical disabilities.<sup>2</sup> Furthermore, information about shelters are not provided and disseminated in accessible formats, neither is the information about and complaints mechanisms themselves rendered accessible for women with hearing, visual, learning and intellectual disabilities. When the woman is a person with disabilities with children, forced to stay in a violent relationship, this also impacts severely on the well being of the children.

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<sup>1</sup> European Parliament, Report on the situation of minority women in the European Union (2003/2109(INI)), p 13, cited in OHCHR Thematic study on the issue of violence against women and girls and disability, A/HRC/20/5, 30 March 2012, para 21

<sup>2</sup> This website shows a list of shelters. Many are not accessible, and especially women living in the Southern part of Jutland have very long distances to travel to accessible shelters. <http://www.lokk.dk/Faa-hjaelp-her/Oversigt-over-krisecentre/Liste/>



Furthermore, women with disabilities, victims of violence are less likely to report and seek assistance from police or other interlocutors.

Proposed recommendation: In both mainstream legislation and disability-specific legislation, address the heightened risk for women and girls with disabilities of becoming victims of violence, abuse, and exploitation in the home, community and institutions, and adopt measures to ensure the accessibility of victim support services and information to victims with disabilities, including training of police and other interlocutors.

Collect adequate data on children and adults with disabilities, including women and girls with disabilities, in all spheres including with respect to violence, and use disaggregated data and results of studies to develop policies and programmes to promote equal opportunities for them in society.

#### Gender Equality in the Public Sector

According to the report "it appears that the authorities have obtained results" (p.6) in terms of incorporation of gender equality in all planning and administration. Reality tells a different story. Gender mainstreaming activities in the public administration are sporadic.

#### Bills

A low number of bills have been gender assessed. From 2003–11, 11 ministries had never gender assessed a bill, 7 ministries had gender assessed from 1–5 bills and only 4 had gender assessed more than 5 bills. The new guidelines mentioned in the report are characterized by contradictions in the approach to gender mainstreaming. The guidelines underline the importance of gender assessment, but, at the other hand, much attention is paid to examples where it is acceptable to pass a bill that is in favour of men.

#### Municipalities

The majority of municipalities have no gender mainstreaming activities. Few municipalities have started gender mainstreaming capacity building and a minority uses the gender mainstreaming tools offered by the Ministry of Gender Equality. In numbers:

- 78% of municipalities do not have a strategy or plan for working with gender mainstreaming or gender assessment.
- 12% of municipalities gender assess decisions for the municipal council.
- 22% of municipalities gender assess initiatives or activities. Apart from the biggest cities only 24 services have been gender mainstreamed.
- 2% of municipalities uses the toolbox created to the purpose of gender mainstreaming and gender assessment.
- 8% of municipalities have started to build up competences in order to be able to gender mainstream.

#### Enforcement

It is a major problem that the Department of Gender Equality does not have the competence to monitor and follow up on gender equality reports, and there are no sanctions.



The numbers clearly show that public authorities can ignore the gender mainstreaming obligation, and they do so to a wide extent. The new improvements do not seem to affect this problem.

#### Article 4: Equality Bodies and Special Measures

##### The Minister for Gender Equality

As stated above, the WCD would like to see the Minister for Gender Equality pay much more attention to monitoring and follow up on gender equality reports, action plans and other initiatives. A recent example of lack of gender mainstreaming is the *National Reform Program*.

As part of the European project member states each year submit a *National Reform Program* (NRP) outlining plans for economic development and job creation. The Danish NRP is structured along the objectives identified by the Euro Plus Pact and the Euro 2020 strategy targets and it specifies the national targets linked to the Europe 2020 Strategy's headline goals. The programs have till now demonstrated an unfortunate lack of gender awareness. There are no additional national targets and none of the policy goals and reforms mentioned considers prospective gender differences. In spite of the fact that one of the main gender challenge in Denmark is the lack of recognition of gender differences in the labour force, statistics in the NRP are - with a few exceptions - not broken down by gender and gender segregation in the labour market and the persistent gender pay gap are non-issues.

The Women's Council want to point out that an open, dynamic, growth-generating and inclusive European labour market is a labour market for both sexes. EU and the member states must therefore implement a consistent gender equality assessment of all proposals for job creation and assess growth and job creation policies to see if they benefit both men and women. Unfortunately the Danish contribution to NRP2013 does not include the gender equality assessments that are supposed to be part of the Government's mainstreaming strategy.

It should be noticed that the Government several times has rejected to include equality of transgendered persons into the mandate of the Minister for Gender Equality.

##### The Board of Equal Treatment

The Board has recently (June 2013) settled a case about the right to breast feed in a café. According to the Board it is legal to ask a breast feeding woman to leave a café in order to protect other guests from indecency. The WCD has supported an open letter to the Minister for Gender Equality calling him to react upon this decision and protect breast feeding women from discrimination.

LGBT Denmark (Organisation for Gay Men, Lesbians, Bisexuals and Transgendered persons) has proposed to include gender identity to the list of discrimination grounds that the Board deals with, but this has been rejected.

##### The Danish Institute for Human Rights (DIHR)



The inclusion of equal treatment in relation to gender in the mandate of the DIHR is meant to strengthen the institutional mechanisms related to gender equality. The WCD welcomes the intention to implement the EU directives on equal treatment and gender equality. Yet we are waiting for a clear and transparent sharing of tasks and responsibilities between the Minister for Gender Equality and DIHR.

LGBT Denmark has proposed Parliament to include gender identity in the mandate but this was rejected.

Denmark's Centre for Information on Women and Gender (KVINFO)

The WCD regrets that KVINFO has lost financial support for its Mentor Network. The network has successfully supported foreign women's entry into the Danish labour market (please refer to <http://www2.kvinfo.dk/mentor/>).

NGOs

The WCD would like to see more funds allocated to NGOs working on gender equality and on issues related to LGBT persons.

**Article 5: Sex Role Stereotyping and Participation**

The article addresses the issue around participation and gender-stereotypes. The section however mainly addresses the individual choices and preferences of women and men in education and professional training and professions, and influencing these through projects aimed at one or the other gender in order to influence the choice in a different direction than the traditional one. Also campaigns aimed at influencing attitudes are used as tools. Thereby the structural and institutional aspect of gender-inequality at the labour market and in the educational system is absent. Quotas and affirmative action as tools for changing gender-biased preferences and choices are not mentioned. As far as we know it has only been used in the educational system to promote men's access to medicine-studies in a situation where girls seemed to constitute the majority of the students.

We find that the lack of focus on the structural and institutional inequality reflects a lack of understanding of the overall problem, because it puts the responsibility for changing choices and actions on the individual woman or man/girl or boy. The individualization of the problem makes it harder to change it.

**Article 6: Special issues. Prostitution, trafficking and Code of Conduct.**

Prostitution.

Unfortunately, the official report completely fails to mention the single most important and controversial decision taken in Denmark regarding prostitution since the last Periodic Report was submitted in 2009. Even though two of the minority Government's three parties and the Government's supporting party are in favor of a ban of buying of sexual services, the Government



decided in late 2012 that Denmark should *not* ban the buying of sexual services. The Women's Council strongly regrets this.

The Minister of Justice – representing a pro-ban political party - decided to ask the ministry's Standing Committee on Criminal Law on its opinion on the matter. The committee comprising 8 members (0 women, 8 men) representing institutions such as the police, the Ministry of Justice, the Supreme Court etc. and no social workers, psychologist, prostitution experts, etc, advised not to follow the example of Sweden, Norway and Iceland. The report by the committee did not produce any new information or knowledge on the subject matter and did not in our opinion give justice to the Swedish experiences by failing to acknowledge most of the positive issues and results related to the Swedish law on prostitution. Thus the decision not to criminalize the buying of sexual services rested upon 8 male, non-prostitution-expert's report which did not add any new information or research to the subject matter.

Thus sex buyers in Denmark can still legally buy sexual services from prostitutes adding on, one by one, to the often severe physical and/or psychological harms some of the prostituted women have to deal with. The Government is trying to cater for some of the women in prostitution through a 4 year exit project as described in the official report. Focusing on exit projects and supporting women who wants to leave prostitution is very much needed. Unfortunately, the project is geographically limited, not addressing trafficked women and there is only allocated app. DKK 11 million per year in a 4 year period.

As far as we know the only initiative from governmental side targeting the buyers of sexual services is yet another campaign focusing on educating buyers of sexual services on the situation of trafficked women. We have seen no proof that earlier campaigns addressing the group of sex buyers have resulted in a decrease in women being trafficked into Denmark or a drop in the overall demand for prostitutes.

Furthermore, NGOs working on exit programmes often lack sufficient funding to run their activities. It is important to acknowledge and support the work of these organisations, often first movers in the field of catering for trafficked women and developing programmes for all women in prostitution.

#### Trafficking.

As described in the official report an important step within the field of trafficking was "the guidelines to the prosecution launched in June 2012 regarding when charges can be withdrawn for victims of trafficking for violations that have to do with the persons in question being victims of trafficking e.g. forgery of documents in connection with entry papers" (p. 14). WCD supports this and all other initiatives that bring victims of trafficking (VOT) closer to being looked upon and treated as victims and not criminals.

Consequently it is of great concern to the WCD that



- Ngo's working with VOT report that some of the potential VOT are treated as illegal immigrants and are not taken to a safe house but are imprisoned.  
WCD finds that all potential VOT should be brought directly to a safe house.
- The identification of VOT has to be done within 3x24 hours.  
WCD finds that much more time has to be given to this process.
- A condition for a VOT to obtain the 120 days reflection period is that the VOT agrees to a voluntary return.  
WCD finds there should be made no conditions for the VOT to receive the reflection period.

#### Article 7: Political Rights and Participation

##### Women in politics

The official report gives a depressing look at the underrepresentation of women at municipality and regional level. As many decisions taken at municipality and regional level influence the daily life of children, elderly and families it is a severe democratic problem that women's experiences, network and knowledge are underrepresented when discussing cut downs, visions and investments that may concern these groups.

In 2009, at the last municipality and regional elections the WCD managed to get women candidates to arrange special events in their municipalities highlighting the fact that there is a lack of women in the municipality hall, but at the same time there is enough women on the ballot papers to choose between when casting one's vote. In nearly 2/3 of the municipalities women candidates, representing different political parties, arranged events, meetings etc. The local and regional press coverage of the different events was good and the women reported back that meeting other women candidates from other political parties had proved as an added advantage. This year we are going to try to mobilise the women standing for municipality and regional council elections once again.

The official report gives the impression that focus on the underrepresentation of women in local politics is not an area of great concern to the Government. Unfortunately, no thoughts on what to do to get out of the limbo are presented.

##### Women in management and on boards

The voluntary approach – soft initiatives like charters, corporate governance codes etc. – have provided no significant progress in terms of a gender balanced representation on boards. The WCD fully agrees that “there is room for improvement” (p. 18). We find that binding regulation is the only efficient way to reach the desired effect. The best results for a balanced gender representation on boards are found in countries that have adopted such binding regulation. Anyway, we welcome the intentions in the new legislation, passed in 2012, though we would have preferred fixed time-bound measures for progress as well as sanctions.

#### Article 8: Representing Government. Woman Ambassadors. No comments

#### Article 9: Citizenship/Nationality



A foreign woman exposed to violence from her husband risks to be expelled from Denmark if she leaves her husband. Fortunately, in April 2013 the Parliament adopted an amendment to the Act on Aliens that makes it possible for these women (and men, if any) to keep the residence permit also in cases where they have stayed in Denmark for less than two years. The amendment also includes violence against a child. The WCD highly appreciates this. However, we find the criteria one has to meet to prove connection to Denmark difficult for women to meet who have been exposed to violence from their spouse. These criteria include ability and willingness to integrate in Danish society. WCD recommends authorities to pay attention to the special conditions that can prevent victims of violence from a successful process of integration.

#### **Article 10: The Educational System and Gender in General**

##### Primary and Lower Secondary Education

The report states that "The objectives of the Folkeskole are i.a. to reduce and prevent gender stereotypes" (p. 21). This is not the case, as it is not stated anywhere that the Folkeskole is committed to counteract gender stereotypes. Denmark is the only Nordic country lacking clear objectives in legislation and curriculum to fight gender stereotypes and work systematically for equal opportunities and gender equality in schools.

The so called gender neutral approach tends to be gender blind because of lack of professional knowledge about gender. In practice children are met with gender specific expectations and this creates barriers for both girls and boys and it is likely to promote the gender segregated choices of education and career.

The WCD strongly recommends gender knowledge be part of curriculum for teachers.

##### Women in research and higher education

Low percentage of women in permanent positions at Danish universities is seen as a key challenge in governmental and institutional research strategies. It has, nevertheless, been difficult to generate broad enthusiasm for gender balance. A likely reason is that gender equality in Denmark is discussed without clear connections to other key strategic objectives, such as quality in research and an appropriate academic profile. In spite of the gender mainstreaming strategy that the Danish government endorsed, the strategy is not being implemented in any significant degree in the research institutions, as exemplified below by the RESEARCH2020 program.

Men and women are to high degrees employed in different research areas and most of the research resources are channeled into male dominated areas. Hence the allocation of resources between scientific areas has negative effects on the overall gender balance in Academia.

The Danish system of research and higher education presents a number of structural barriers to women's advancement in the academic system, for instance a high share of temporary positions.



These problems should be addressed and strategies for gender balance not primarily aimed at “fixing the women” should be implemented.

The strategic research program, RESEARCH2020, was published in 2012 by the Danish Strategic Research Council, with the aim of pointing out the most promising research areas in regard to growth, employment and welfare using major societal challenges as starting point. It is politically agreed that RESEARCH2020 will form the basis for decisions for strategic funding of research in the future. In spite of several requests from the Coordination for Gender Studies and associations of female researchers, no mainstreaming of the document was performed with the result that many areas of special importance for women – and for women researchers – were left out of the catalogue or were included in such a way that they did not reflect the specific situation of women.

#### 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. A new interdisciplinary gender certificate specialization is planned to open at University of Copenhagen in 2014, but that is far from enough. 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 activities and assignments are focused both at national and at university tasks. The Co-ordination is in 2013 staffed with one associate professor and research and student assistants, that caters for national co-ordinations tasks as well as hosting and financing the editorial board of the scientific journal for gender research, *Kvinder, Køn og Forskning (Women, Gender and Research)*.

WCD would like to point to the following areas of intervention: firstly, a strengthening and re-establishing of a national co-ordination for gender studies at university and governmental levels. Secondly, development of a master degree program and a PhD. school in gender studies. Thirdly, allocation of resources for a national research programme in gender equality and as well as gender mainstreaming of both national and EU research programs.

#### **Article 11: The Situation in the Labour Market**

##### Women in the workforce in Denmark

According to a survey (Gender, disability and employment, 2010, carried out by The Danish National Centre for Social Research) 52,1% of men with disabilities are employed while the employment rate is only 42,6% for women with disabilities. Gender is not considered when designing reasonable accommodation and support to enter the labour market for persons with disabilities. Therefore, the same kinds of services and accommodation are offered to everyone. The



combination of gender and disability is not considered when combating disability specific stigmatization and discrimination.

We recommend the Government to continue to monitor the gap in employment rates between men and women with disabilities. Furthermore, to take gender specific initiatives to ensure that women with disabilities are employed to the same degree as men with disabilities.

We recommend the Government to pay attention to the high rate of unemployed transgendered women.

*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 has not – despite the public and political awareness of the size of the gap - changed the past 10 years.

There is a relatively big difference between women's and men's wages in Denmark. Statistics from the Governmental initiated "Commission on Wages" (Lønkommission) from 2010 shows that the average pay gap is 18%<sup>3</sup> between men and women - despite the fact that Danish women are better educated than Danish men, and the fact that Danish men and women have approximately the same participation rate<sup>4</sup>. The life-wage of a police officer is for example DKK 2.5 mio. more than a midwife's (91% of all police officers are men), and a building expert (83% of the public employed buildings expert are men) is paid DKK 3 mio. more than a biomedical laboratory scientist even though they have the same level of education. As shown, the level of education and participation cannot explain the big wage gap. The explanation should be found in the fact that men and women work in different trades, and wages are higher in male dominated trades than in female dominated trades such as service and care. The significant wage differences between women and men and different valuation of job functions are closely connected to gender inequality, and accordingly discrimination is still an important factor.

This means that one of the core problems is to live up to the principle of equal pay for work of equal value. The legislation on equal pay for work of equal value is implemented in the Act on Equal Pay, but unfortunately the act does not specify guidelines on how to examine whether two types of work have the same value. There is a need to change and specify definitions and tools, so it becomes easier to compare jobs across trades and sectors.

In terms of altering a system where the existing pay gap is reproducing itself, employer and employees need to be able to compare different jobs and estimate the corresponding value. A gender neutral job evaluation system which both employer and employees can support is an obvious solution.

<sup>3</sup> Lønkommissionen (2010), "Lønkommissionens redegørelse," Bind 1, p. 263

<sup>4</sup> Deding og Larsen (2008), "Lønforskelle mellem mænd og kvinder, 1997 – 2006", SFI, 08-28, pp. 17-18 og p. 52.



The National Network on Equal Pay has argued that the Act on Equal Pay should be amended in order to extend the number of employers be covered by the obligations to produce gender segregated wage statistics. Likewise, the network points to the need for measures to compare the value of jobs across trades and sectors.

#### Maternity, paternity and parental leave

The unequal sharing of parental leave is a major gender equality problem with a number of consequences for parents regarding gender equality in the labour market as well as in the family, such as:

- Women are regarded less valuable in the work force and this affects wages and career opportunities negatively.
- Men are not encouraged by colleagues and employers to have their equal share of the parental leave.
- Fathers miss the opportunity to build close relationships to the baby.

The WCD would like to see the Government taking action and secure the individual rights of each parent to have an equal share of the leave.

As a member of the Committee on Parental Leave under the Minister of Employment the WCD has strongly recommended a reform of the maternity, paternity and parental leave. Inspired by Iceland we advocate a model giving 12 earmarked weeks to each of the parents as a right, 2 weeks to each of the parents as an obligation and 20 weeks for sharing.

The WCD welcomes the inclusion of self-employed persons in the state equalisation scheme in connection with childbirth. We will recommend Government to include all free-lance workers in the scheme.

#### **Article 12: Health**

##### Prevention packages

The WCD recognises the Government's focus on prevention in terms of health. The report says that "Focus will be on inequity in health where impaired social conditions and poor educational background are important determinants" (p.35). We will like to underline that gender analysis should be integrated as an important dimension in health studies and in communication, services and treatment.

##### Violence against Women (VAW).

The report states that the Government regards violence against women as a serious gender equality problem (p. 37). The WCD fully agrees upon this understanding of the phenomena, and we are looking forward to see more political initiatives in the field of gender equality. Accordingly, we find a broad approach to VAW fruitful, including VAW in the public and private sphere and physical, mental, sexual violence etc. as defined in the Beijing Platform for Action.



The report says that “the widespread efforts of the action plans have contributed to breaking the silence surrounding domestic violence and have added to the decrease in the number of female victims of domestic violence.” (p. 38). This might be true, but we need to underline that VAW is still a widespread, serious and tabooed problem. The numbers that the report refers to are estimates and have recently been corrected. The estimated number of women in the population (incl. non-citizens) exposed to physical violence from a partner is 33.000 (2010). This does not appear from the report, and the report does not refer to the source of information.

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 regard social services to victims of violence including children, and a more comprehensive support requires capacity building and 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 will stress the need for a sufficient number of emergency alarms to women who are victims of partner violence.

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

We would like to see much more efforts in the area of primary prevention of gender based violence. There is a need for a long term strategy based upon Danish and international practical experience and knowledge based documentation.

#### Article 16: Marriage and Family Relations

##### Forced marriages and other honour related violence

Regarding the implementation of the national strategy against forced marriages and other honour related violence we will point to the need for allocation of additional resources. If the strategy proves successful the demand for shelters will increase proportionally.

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.

##### Act on parental responsibility

The act on parental responsibility mentioned in the 7<sup>th</sup> report is meant to meet children’s need for both parents. While supporting the intention of the act we are still concerned that it might create great trouble for mothers who are victims of partner violence and their children.



June the 21<sup>st</sup>, 2013  
Randi Iversen  
President, Kvinderådet /The Women's Council in Denmark

## Appendix E

**Kvindernes  
U-landsudvalg**



**Comments by K.U.L.U.-Women and Development  
on the Eighth Periodic Report by the Government of Denmark  
on the Implementation of the Convention on the Elimination of All  
Forms of Discrimination against Women (CEDAW)**

*KULU-Women and Development / Kvindernes U-landsudvalg (KULU), a women's rights in development advocacy organization and umbrella organization for 23 women's and development civil society organizations, including trade unions, a regional organization, and individual members, welcomes the opportunity to comment on the Danish Government's Eighth Report on CEDAW implementation. We will limit our comments to the areas that are most pertinent for KULU as a women and development CSO that links international work for women's rights in development with national work for gender equality and women's empowerment.*

### **Article 3: Basic Human Rights and Fundamental Freedoms**

K.U.L.U. – Women and Development fully appreciates the progress made in achieving the current level of gender equality and women's empowerment in Denmark and the Government's commitment to promoting further progress in order to promote de facto equality and equal choices in life for all.

K.U.L.U. – Women and Development also highly commends the Government's decision to give higher priority to this cross-cutting body of work by establishing the Ministry of Equality in 2011, enabling the Minister of Equality to strengthen the promotion of gender equality policy, the implementation of CEDAW, the Beijing Platform for Action and other connected plans of action and conventions, as well as the performance of national and international tasks in relation to the EU, the Nordic countries, the Council of Europe, and the UN.

This work was correspondingly strengthened in the Danish Parliament by the establishment of the "Gender Equality Committee" in 2011 that enabled the body to strengthen the work for gender equality and women's empowerment, which KULU-Women and Development welcomed. However, we regret the loss of some of the important functions and qualities of the former "Committee regarding International Gender Equality" (Udvalget vedr. Internationalt Ligestillingsarbejde), which resulted from closing the Committee in December 2011. These remarks will be explained under comments to Article 4 below.

A general remark to the report is that many interesting initiatives and campaigns are mentioned throughout the report, but only a few are specifically identified and results presented. This makes it difficult to assess what impact these initiatives/campaigns have had and whether the issues should receive or need further focus in the future.

For example, we commend the measures undertaken by the Government to ensure the inclusion of men and boys as partners in the empowerment of women and as important actors in eliminating gender-based discrimination. It would have been very interesting to include

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information on the outputs, results and visions from the male panels and networks established in order to define how men and boys can be included in this essential work.

## Gender equality in the public sector

KULU wishes to emphasize gender mainstreaming as a fundamental principle and tool for gender equality work, affirmed by law in the Act of Gender Equality, and commends the work exerted to implementing section 4 of the Act which requires public authorities to incorporate gender equality in all planning and administration. The intention to step up the work on identifying indicators and improving documentation in order to better measure results of actions is very important as a means to improve tools and methodology and, in the end, to improve the efficiency of gender mainstreaming work.

KULU therefore commends the Government's efforts to step up gender mainstreaming in citizen-related services/initiatives in order to deal with persisting challenges on the state and local levels. KULU looks forward to seeing the results and lessons learned from the Government's new strategy for the gender mainstreaming of public authorities' initiatives (2013), which contains three approaches: improved gender equality assessments, improved guidance and knowledge dissemination, and improved monitoring.

Gender responsive budgeting is an important albeit difficult instrument in the promotion and implementation of gender equality and gender mainstreaming in policies, programs and projects. It would be beneficial for this report to reflect the work carried out and progress made in ministries, municipalities, and other public authorities and would be of considerable interest for sharing lessons learned and benefiting from reactions and lessons learned from other CEDAW members, as well as other actors in Denmark.

## Article 4: Equality bodies and Special Measures The Minister and Ministry for Gender Equality

As noted above, Danish mechanisms and measures to improve gender equality and women's empowerment were strengthened by the Government's establishment of the *Ministry of Equality* and the Danish Parliament's establishment of the "*Gender Equality Committee*" in 2011.

However, KULU regrets the loss of some of the important qualities and functions of the "*Committee regarding International Gender Equality*" upon its abolishment in 2011. The Committee was a regular dialogue forum for parliamentarians and CSO representatives, which was serviced by the Ministry of Foreign Affairs and the former Equality Department. The forum was a valuable mechanism for monitoring and promoting global gender equality and women's rights work and cooperation in this comprehensive area, for linking gender equality work in Denmark with global work, and for regular dialogue among parliamentarians, civil society organizations, and civil servants in the Ministries of Foreign Affairs and Development, the Equality Department, and other ministries. The dialogue forum had the important functions of sharing information and coordinating and monitoring work as it was implemented, as well as identifying work that needed to be done.



To close this gap there are now two possibilities: 1. The Parliament's Committee for Gender Equality can invite CSOs to specific meetings or CSOs can request an audience/hearing with the Committee. However, the regular dialogue with CSOs and the ministries is lost.

2. KULU-Women and Development greatly values the membership of the Quarterly Meetings of the Ministry of Gender Equality, which has been opened up to women rights and development CSOs like KULU. The Quarterly Meetings deal with national Danish, EU, Nordic and UN/international issues within a Danish national framework, but gender justice and development issues lose out and other ministries do not participate. The three-way dialogue is lost. KULU suggests that the valuable functions of dialogue on global women's rights issues and the three-way dialogue be enhanced and reintegrated in a regular manner in the existing structures.

KULU – Women and Development congratulates the Danish Institute for Human Rights (DIHR) on their appointment by the Danish Parliament to execute a new function as equality body in relation to gender. KULU is happy to join them in this work as member of DIHR's Human Rights Council.

## NGOs

The Report acknowledges Denmark's long history of civil society organizations (CSOs) taking active part in the work to promote gender equality between women and men and their primary function to act as watchdogs vis-à-vis public initiatives and policies, as well as to participate actively in the public debate in order to promote gender equality between women and men, including disseminating knowledge about the CEDAW Convention. The close cooperation and dialogue with CSOs and experts in the field is one of the strengths of official Danish gender equality work. KULU – Women and Development appreciates this recognition and the Government's initiatives to work with and draw on CSO expertise.

Due to the national focus of CEDAW reporting, the considerable cooperation and work contributed in the area of gender equality and women's empowerment in development cooperation policy and development aid, including macro-economic policies such as trade policy and environmental and climate change policies in the EU and internationally, carried out in close cooperation with the Ministries of Development and of Foreign Affairs has not been highlighted. Gender equality in development policy and strategies is part of the national Danish gender equality and empowerment work. This considerable volume of CSO work done nationally on a professional but most often voluntary basis should be noted. Here KULU-Women and Development has played a particular role since its establishment in 1976. KULU is the only development-CSO linking Danish women's organizations, development and environment CSOs, and Danish decision-makers and has contributed on a regular basis to the development of gender-sensitive policies in these areas.

Although progress has been made in gender equality and women's rights in development in Denmark and internationally, there is on the one hand, a long way to go before words and intentions embodied in CEDAW and other conventions, action plans, and agreements become reality, and on the other hand, a constant need for a women's rights advocacy organizations to maintain a watchdog role to monitor developments, guard against roll-backs, for example in regards to reproductive and sexual rights and health internationally, and be on the forefront of

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issue and strategy development. The importance of this area of work in Denmark, which is confirmed by broad political support and top prioritization by the Government, clashes with the reality for women's rights organizations and warrants appropriate financial support for these organizations, for both program and core costs, in order to ensure their continued contributions.

## Article 5: Priorities, Sex role stereotyping and Participation

KULU – Women and Development notes that establishment of the website “the future is yours.dk”/ [www.fremtidenerdin.dk](http://www.fremtidenerdin.dk) in 2011 as part of a campaign focusing on breaking gender segregated educational choices by using role models and profiles of young men and women who made untraditional educational choices was a good idea. It would be very useful to include information about a) how many young people have actually visited the site and b) whether site has helped them to make informed choices regarding their further education. We regret to note one unfortunate item, where the site in at least one place makes use of derogatory and condescending gender stereotyping: “Vidste du... at der er masser af flotte mænd med til festerne på tømreruddannelsen, og at der næsten aldrig er kø til dametoiletet?”/Did you know that... there are lots of good-looking men at the carpentry education's parties, and that there almost never are any queues in the women's toilets?

## Article 6: Special issues. Prostitution, Trafficking and Code of Conduct Trafficking

The higher prioritization of this issue, the progress and improvements made on this front since 2008, and the third national action plan for combating trafficking in human beings that was launched in June 2011 for 2011-2014 are greatly valued. The improved victim identification, especially within the group of foreign women in prostitution, the increased maximum sentence for trafficking in the Danish Criminal Code's specific provision on trafficking (section 262a), the expanded definition of trafficking to include trafficking for petty crimes, as well as mapping the “demand for prostitution in Denmark” in order to reduce the demand are steps in the right direction.

## Legislation, Reflection periods, Residence permits

However, there is still much room for improvement in regards to: the discussion of the legality of prostitution or not, the legality of buying sex or not, the offered social, legal, health, psychological, and vocational assistance, support for voluntary repatriation to country of origin, the length of *reflection period* which can be from 30 to 100 days, if special circumstances make it appropriate or if the foreigner accepts an offer of a prepared return and cooperates in the efforts of planning this. The Government's agreement with the political party Unity List-Red/Green Alliance/ Enhedslisten in 2013 to expand the period of 100 days to a total of 120 days in order to improve the planning of the victim's return to the country of origin, the possibility for asylum, and the extension of this work in transit countries for human trafficking as preventive and rehabilitating measures are definite improvements, although they are qualified by phrases such as “where and when reasonable and warranted”.

There appears to be a hole in the legislation regarding residence permits for persons who come to Denmark legally as brides of Danish citizens. If they get a divorce because they are subjected to



domestic violence or other abuse before they have been in Denmark long enough to get a residence permit or if they do not qualify as asylum seekers, they risk being forced leave Denmark, which can cause problems concerning custody of children and/or splitting families, parents and children up.

## Chapter 2: Public Life

### Article 7: Political Rights and Participation

#### Women in management and on boards

The use of voluntary approaches to increase participation of women in top management positions and on boards of public and private companies and institutions has yielded some disappointing results. Although monitoring shows some progress and perhaps functions somewhat as a “naming and shaming” approach for companies that have signed on to improving the gender balance in their management positions, but don’t achieve any or good results, a better approach that combines multiple mechanisms is warranted. More precisely how the Government is committed to getting more women in management is not clear.

#### Women in armed forces

Since 2006, young women at the age of 18 have been invited to participate in the armed forces recruitment events along with young men of the same age, which has proved to be successful; but it is also noted that there continues to be problems in recruiting and retaining women in the armed forces. Focus on the recruitment and retention of women to and in the armed forces has been emphasised by the publication of the Ministry of Defence’s Diversity Policy in April 2011 which sets out a number of initiatives to retain women in the armed forces, including awareness of management levels and drawing up action plans and analyses of the possibilities of differentiated career paths. It is to be expected that these initiatives will improve the recruitment and retention of women in the armed forces. Strategies and solutions on how conscription on an equal basis can be offered to men and women and diversity ensured, how discrimination in the military can be eliminated, and how access and career paths to top managements and leadership positions for women in the armed forces would encourage more women to choose the military as a career.

## Chapter 3: Education

### Article 10: The education system and gender in general

In the educational sector women regardless of ethnic background tend to do better than men in achieving higher levels of education and vocational qualifications. Women are simply doing better than men in the Danish education system. In spite of this, the disconnect between men and women’s attainment of level of education and its translation into leading positions and top management in the educational sector persists. Why are fewer women granted PhD.s, and why are there fewer female professors? Barriers should be identified and removed to promote a better gender balance. Gender stereotyped educational choices are blamed, illustrated by women being overrepresented in welfare, education programmes and men being overrepresented in the technical sciences. Thus conundrum persists. The underlying barriers must be identified and eradicated.



## Article 11: The Situation in the Labour Market

Gender stereotyped educational choices, the gender-segregated labour market and the related pay differentials are also designated as the reason for job choice and wage gaps between women and men. Pay differentials are explained as reflections of differences in the trades in which that men and women work, differences in the jobs performed, and differences in personal characteristics such as educational level and work experience. It is concluded that *discrimination is a minor problem!* However, given the facts that the report provides on the differences in men's and women's educational levels and the very gender-based and -stereotyped choices of education and career and vocational paths, it seems a curious conclusion to reach. The considerable differentials in pay, employment, pensions, and the lack of gender equality in top and management positions appear to result in considerable problems of discrimination and should be dealt with as such.

The reports notes that Social Partners have a crucial role in this field in changing attitudes towards gender equality subjects such as equal pay, the gender-segregated labour market, and the reconciliation of working life and family life through debates and seminars. It is questionable whether this method really works, for example in decreasing wage gaps between men and women. A second study analysing wage differences between men and women from 1996-2006, concluded that men on the average continued to earn 12-19 per cent more than women, showing that the wage gap had not changed/lessened during the 10 year period. A new report is expected in September 2013. If it confirms no considerable improvements in wage gaps, methods should be evaluated and alternative means of making progress undertaken in order to transform policy into action.

## The Convention on Migrant Workers

The Convention on protection of Migrant Workers and their families, adopted by the UN in 1990, has not yet been ratified in Denmark, although the number of people living and working outside their countries of origin is estimated to have increased since 1975. Denmark should ratify the convention and integrate it into Danish law in order to ensure migrant workers' and their families their universal and inalienable rights and adequate social and civic protection

## K.U.L.U.-Women and Development

Janice Goodson Foerde  
KULU chairperson

### About KULU – Women and Development (KULU)

KULU - Women and Development founded in 1976, is an umbrella organization for 23 women's and development organizations, including trade unions, a regional organization and individual membership. KULU's main objectives are to promote women's rights in development, enhance women's access to resources and influence in society, as well as strengthen their rights to full control over their own bodies and lives. This is done in close dialogue and cooperation with Southern partners through advocacy, information, development education, and project cooperation. KULU acts as advisor on women's rights and gender in development issues in official delegations to UN conferences and the WTO and is the gender in development link between development, environmental and women's CSOs in Denmark.

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ERADICATE POVERTY - SUPPORT WOMEN'S INITIATIVES AND RIGHTS  
37 YEARS FOR WOMEN'S RIGHTS IN DEVELOPMENT

## *Appendix F*

**THE DANISH  
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### **COMMENTS TO THE EIGHTH PERIODIC REPORT BY THE GOVERNMENT OF DENMARK ON IMPLEMENTATION OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN**

29 MAY 2013

The Danish Ministry of Foreign Affairs has sent a final draft of the eighth periodic report by the government of Denmark on implementation of the convention on the elimination of all forms of discrimination against women (CEDAW), by email dated 19 April 2013. The ministry invites the Danish Institute for Human Rights and other organisations to comment on the Danish periodic report by submitting a parallel report to the ministry, which will be annexed to the governments periodic report.

While appreciating the opportunity to comment on the Danish report prior to submission to the Committee on the Elimination of Discrimination against Women, the Danish Institute for Human Rights has decided not to draft a parallel report at the current stage of the reporting cycle.

The Danish Institute for Human Rights plans to submit country-specific information concerning Denmark for the pre-session working group's adoption of list of issues for Denmark. Furthermore the institute will submit a parallel report and plans to make an oral intervention before the committee prior to the consideration of the eighth periodic report of Denmark.

Kind regards,

Christoffer Badse

HEAD OF MONITORING

