



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the eighth periodic report of Denmark at the Committee's sixtieth session, held in March 2015. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/DNK/CO/8). You may recall that in the concluding observations, the Committee requested Denmark to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraph 18 of the concluding observations.

The Committee welcomes the follow-up report received on time in March 2017 (CEDAW/C/DNK/CO/8/Add.1) under the CEDAW follow-up procedure. At its sixty-seventh session, held in July 2017 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 18** of the concluding observations, that the State party "Enact legislation providing for the collection of data, disaggregated by age, ethnicity, nationality and relationship between the victim and the perpetrator, on all forms of violence against women": The State party informed that the Ministry of Justice annually conducts a national crime victim survey, which inter alia measures the prevalence of rape of women and includes questions on physical violence, including questions concerning the relationship between the victim and the offender, the victim's age, sex and national origin (Danish, immigrants and descendants). It further informed that "Statistics Denmark" provides data on victims of reported criminal offences by type of offence, age and sex. The State party added that through the adoption of the Action Plan on Measures to Combat Violence in the Family and in Intimate Relationships in 2014, it has ensured the provision of updated data in 2017 by the National Institute of Public Health on physical violence, sexual violence and violent threats towards women and men. This data will be disaggregated by age, gender, ethnicity, education, religion and relationship between the victim and the perpetrator.

His Excellency
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The Committee notes the information provided by the State party that data on criminal offences, and specifically on sexual offences and physical violence, which is disaggregated by age, sex, and sometimes nationality and relationship between the victim and the perpetrator, is collected through several studies. It moreover welcomes the plans to produce a more inclusive study on violence against women, which will also provide data disaggregated by ethnicity. The Committee considers that the State party has taken important steps to implement the recommendation. It considers that the recommendation **has been implemented**.

In relation to the recommendation that the State party “establish a mechanism with a clear mandate as well as adequate human, technical and financial resources for the analysis of such data”: The State party indicated that the Danish Police conducts an annual strategic analysis of criminal trends, which describes, inter alia, the relationship between victims and offenders in cases regarding sexual offences, violence and homicide. The State party added that the Ministry of Justice publishes an annual report on the basis of the crime victim survey, and that it is currently using the data of “Statistics Denmark” for the production of a report on the demographic and socioeconomic profile of female victims of different kinds of sexual offences.

The Committee notes that the State party periodically analyses collected data on violence against women and also produces specific thematic analysis, mainly through the Research Division in the Ministry of Justice. The Committee however regrets that no mechanism with a clear mandate and adequate human, technical and financial resources for the analysis of such data has been established. It considers that the State party has taken some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

With regards to the recommendation that the State party “further strengthen the quality and accessibility of protection measures, including restraining orders, for women who are victims of violence in Greenland and the Faroe Islands”: The Government of Greenland indicated that its Parliament adopted the Danish Act on Restraining Orders, Ban on Residence and Eviction (Act No. 112) and requested the Government of Denmark to put the act into force by royal decree. The Decree is expected to enter into force in Greenland on 1 April 2017 and provides for prohibition of contact and access to the shared home and other places. It further reported that it will follow up on the implementation of the Act and evaluate the need for further action accordingly.

The Committee welcomes the steps taken by the Government of Greenland to adopt the Danish Act on Restraining Orders, Ban on Residence and Eviction. It regrets however the absence of information on measures taken to strengthen the quality and accessibility of protection measures in general. The Committee considers that the recommendation **has been partially implemented**.

With regards to the same recommendation, the Government of the Faroe Islands reported that its Parliament has recently adopted legislation aiming to strengthen protection measures, which allows expulsion of the perpetrator from the shared home for a limited period in time. It added that an amendment to the Criminal Code, inter alia extending the chapter on sexual offences, is currently before the Parliament

The Committee welcomes the adoption of legislation that allows expulsion of the perpetrator from the shared home and the planned amendment of the Criminal Code. It however regrets the absence of measures to strengthen the quality and accessibility of protection measures. The Committee considers that the recommendation **has been partially implemented**.

With regards to the recommendation that the State party “adopt a legislative framework that explicitly provides for the protection of women from psychological violence, in line with the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, to which Denmark is a party”: The State party indicated that harming the body or health of a person (including causing psychological trauma of a certain degree of seriousness), coercion or threat creating fear in another person for his or her own or other people’s life, health or welfare are criminalised (Act No. 1052 of 4 July 2016), in line with Article 33 of the Council of

Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. The State party added that the Restraining Order Act became effective on 1 January 2016, and that it is planning to increase the maximum penalty for invasion of privacy under aggravating circumstances.

The Committee notes that the legislative framework of the State party criminalizes acts of psychological violence, in line with the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. It welcomes plans to increase the maximum penalty for invasion of privacy under aggravating circumstances and the coming into force of the Restraining Order Act. The Committee however regrets the absence of an explicit legislative framework protecting women from psychological violence. It considers that the State party has taken some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

The Committee recommends that, in relation to paragraph 18 of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

1. Establish a mechanism with a clear mandate as well as adequate human, technical and financial resources for the analysis of data on violence against women.
2. Further strengthen the quality and accessibility of protection measures, including restraining orders, for women who are victims of violence in Greenland and the Faroe Islands.
3. Adopt a legislative framework that explicitly provides for the protection of women from psychological violence.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Hilary Gbedemah
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women