

# Denmark - List of issues submissions consolidated from Danish civil society organisations working with child rights

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# Introduction

The present report, containing proposed questions for the list of issues, is based on inputs from the Danish Coalition of civil society organisations working to promote the UN Convention on the Rights of the Child and ensure effective implementation of the rights enshrined in the Convention. The inputs are based on expert knowledge, official reports, NGO reports, academic research, and dialogue with children and young people.

In recent years, Denmark has witnessed a marked shift in both public discourse and legislative practice away from the spirit of the UN Convention on the Rights of the Child. A clear trend is emerging towards weakened rights and diminished legal safeguards across a wide range of areas affecting children and their families in vulnerable situations. Notable developments include the establishment of Youth Crime Boards, increased use of criminal sanctions, the expansion of secure institutions for socially placed children, and proposals for ‘emergency schools’ that enable swift exclusion. Collectively, these measures normalise control and punishment rather than participation and protection. Under this emerging paradigm, children displaying violent or disruptive behaviour are framed as offenders when, in fact, they are often signalling unaddressed trauma, social marginalisation, or unmet support needs. Meeting such reactions with exclusion rather than understanding both erodes individual rights and seeds a worrying cultural shift in which distress is criminalised.

This reflects a broader shift in how children and young people are perceived – from rights-holders to risk factors. However, developments are not uniform across policy areas. In some domains, notably the introduction of Barnets Lov (The Child’s Act), a more modern and child-centred approach is taking root — one that affirms the child's right to be heard, involved, and respected. Yet this positive vision stands in stark contrast to the more punitive and adult-dominated perspectives emerging elsewhere, such as in the youth crime system, asylum policy, and school discipline. The divergence reveals a fragmented and inconsistent understanding of children’s rights across sectors.

We, as civil society organisations, fear that Denmark is increasingly moving away from the spirit and obligations of the Convention on the Rights of the Child. This should be a cause for concern and for action.

# General measures of implementation (art. 4, 42, 44(6))

## Reservations

Denmark maintains its reservation to Article 40, paragraph 2 (b), of the UN Convention on the Rights of the Child, which, in breach of the right to a fair trial, limits the right to appeal for children who have been sentenced for minor offenses.

Q: How many children have been affected by Denmark's reservation to Article 40, paragraph 2(b) of the Convention, and what steps will Denmark take to withdraw this reservation?

## Status of the Convention

Since the Committee on the Rights of the Child's most recent Concluding Observations in 2017, Denmark has, contrary to the Committee's recommendations, not taken steps to incorporate the Convention or its Optional Protocols into national legislation.

This is despite the fact that several comparable European countries have done so, including Germany, France, the Netherlands, Ireland, Spain, Finland, Iceland, Norway, and, most recently, Sweden in 2020.

In February 2024, the Socialist People's Party submitted a parliamentary proposal to incorporate the Convention on the Rights of the Child, but the proposal was rejected. The main argument – that incorporation would shift power from the Parliament to the courts – has been dismissed, among others, by Professor Kirsten Sandberg, former Chair of the UN Committee on the Rights of the Child, who has closely studied Norway's experience with incorporation<sup>1</sup>. Furthermore, the experience from Norway shows that incorporation has given the Convention a strong legal position, increased the government's sense of obligation, led to more references to the Convention in court proceedings, and fostered a cultural shift toward viewing children as rights-holders.

In Denmark, the European Convention on Human Rights is systematically considered where relevant in the legislative process. The Convention on the Rights of the Child, on the other hand, is often overlooked, resulting in laws that do not adequately take children's rights as enshrined in the Convention into account.

Q: Why has Denmark not taken steps to incorporate the Convention on the Rights of the Child into national legislation, despite repeated recommendations?

Q: When will Denmark take measures to incorporate the Convention?

Q: How will Denmark ensure that draft legislation is considered and evaluated in terms of its impact on children?

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<sup>1</sup> Ursula Kilkelly, Laura Lundy, Bronagh Byrne, 2021: "Incorporating the UN Convention on the Rights of the Child into National Law", Cambridge University Press.

## Coordination

Denmark does not have a Children's Ombudsperson, unlike neighboring countries such as Sweden and Norway. Instead, Denmark has a National Council for Children (Børnerådet), whose mandate in some areas resembles that of the Norwegian and Swedish ombudspersons. However, the Danish setup differs significantly: the Council operates with substantially fewer financial resources than its Scandinavian counterparts and is led by a chairperson employed on a part-time basis, only 15 hours per week.

The National Council for Children is part of a child ombuds collaboration (børneombudssamarbejdet) that also includes the Parliamentary Ombudsman and the NGO Børns Vilkår. The ambition for the model is to build on the specific strengths and mandates of each of the three institutions.

However, this ambition has proven difficult to fulfill as the three organisations have different possibilities and limitations, and the current division of responsibilities across three bodies has come at the expense of transparency and visibility.

Denmark thus lags behind countries such as Norway and Sweden when it comes to having the necessary conditions for an independent children's rights institution (ICRI).

Furthermore, Denmark has not taken steps to strengthen the coordination and evaluation of the implementation of the Convention and has not followed the Committee's recommendation from 2017 to establish a single coordinating body.

Q: How will the government ensure that the implementation of the Convention is effectively monitored?

Q: In what way does the government intend to ensure that Denmark can follow up on how all children's rights are respected and ensured?

Q: To what extent does the government believe that Denmark should have an ICRI that independently advocates for children and works to promote and protect children's rights under the Convention on the Rights of the Child?

## General Principles (art. 2-3, 6, and 12)

### Non-discrimination

#### Lack of educational rights for asylum seekers 17+

Young asylum seekers effectively lose access to education after the age of 17. The reason is either the lack of financial means (phase 2) or legislative restrictions (phase 3).

Q: Which measures will Denmark take to ensure that asylum-seeking 17-year-olds have not just a theoretical, but also a practical right to education?

## Combatting discrimination based on ethnicity

In Denmark, discrimination against children based on ethnicity is at a high point, especially by teachers in the school system and fellow students<sup>2</sup>. The UN has raised concerns about this issue<sup>3</sup>. Ethnic discrimination in the school system is a crucial area of intervention, as schools are central arenas for inclusion, belonging, and combating discrimination among children<sup>4</sup>.

In 2025, the Danish Government launched an action plan against racism and discrimination<sup>5</sup>. However, the plan fails to address key issues affecting children and young people and does not recognise the systemic bias experienced by boys and young men with ethnic minority backgrounds<sup>6</sup>. This can lead to significant social and psychological harm.

Q: How does Denmark plan to combat ethnic discrimination of children from all backgrounds, across sectors, by promoting awareness of the prohibition against discrimination and fostering a cultural change in both policy and daily practice?

## Respect for the views of the child

In Denmark, there are numerous examples of children not being included in decisions that affect them, both at a personal level and in policymaking. For instance, a study shows that only 16 percent of children in grades 6–10 feel that adults listen to them when decisions affecting them are made in school, and only 34 percent believe that the adults at school listen to the student council<sup>7</sup>. Another study shows that 4 out of 10 students experience low or very low levels of influence on teaching practices<sup>8</sup>.

One central challenge relates to the competencies of educational staff. This is partly because child rights and rights-based participation do not play any significant role in teacher education or in continuing education programmes.

In addition, there are significant challenges regarding the respect for children's perspectives at private schools – most recently with several examples where students have been expelled without being sufficiently consulted before decision-making, even though this has been a legal requirement since 2019.

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<sup>2</sup> [https://menneskeret.dk/files/media/document/2024\\_05\\_29\\_Etnicitet-og-mobbedynamikker\\_DK\\_04-1.pdf](https://menneskeret.dk/files/media/document/2024_05_29_Etnicitet-og-mobbedynamikker_DK_04-1.pdf)

<sup>3</sup> <https://www.ms.dk/diskrimination>

<sup>4</sup> <https://www.kk.dk/sites/default/files/agenda/558a3e45-2621-4251-b13b-fa199f99d0a3/0b439d84-5a60-466a-8376-a70076ac8815-bilag-1.pdf>, p. 8

<sup>5</sup> <https://uim.dk/media/vjrf3czp/handlingsplan-mod-racisme.pdf>

<sup>6</sup> [https://menneskeret.dk/files/media/document/Politi\\_Hovedrapport\\_06.pdf](https://menneskeret.dk/files/media/document/Politi_Hovedrapport_06.pdf)

<sup>7</sup> Institut for Menneskerettigheder & UNICEF Danmark, 2023: Børns kendskab til rettigheder

<sup>8</sup> Børnerådet, Danske Skoleelever & UNICEF Danmark, 2024: Medbestemmelse i undervisningen – fra børnenes perspektiv: [https://www.unicef.dk/wp-content/uploads/2024/11/medbestemmelse-i-undervisningen\\_2024.pdf](https://www.unicef.dk/wp-content/uploads/2024/11/medbestemmelse-i-undervisningen_2024.pdf)

Several recent studies have shown that authorities have failed to meet key obligations to involve children and young people in decisions concerning their social cases<sup>9</sup>. In 2024, the Child's Act (Barnets Lov) came into force, with the aim of strengthening children's rights, including the right of children to be involved in decisions affecting them in accordance with Article 12 of the UNCRC. However, it remains to be seen how the rights enshrined in the law will be implemented in practice.

Denmark is falling behind its Nordic neighbours when it comes to children and young people's participation in policymaking. There are no systematic processes at either national or local level when it comes to involving children and young people in policymaking that affects them.

At the municipal level, Denmark does not have statutory youth councils, even though Denmark has had statutory senior citizens councils and statutory councils for disabled people since 1997 and 2006, respectively, and both Finland and Norway have statutory youth councils. Only 60 out of 98 municipalities in Denmark currently have a youth council. This means that over one-third of Danish children and young people lack a formal mechanism to have their voices heard in local democracy.

The lack of involvement leaves children and young people disconnected from democratic participation and dialogue. Six out of ten children between 12 and 17 believe that politicians do not sufficiently involve children and young people in decisions that affect them<sup>10</sup>, and more than half of young people between 16 and 24 do not believe that their opinions are worth listening to<sup>11</sup>.

Q: How will Denmark ensure that more children and young people feel they can influence decisions made in schools?

Q: How will Denmark ensure that teachers and educators have the necessary competencies to involve students in decision-making in schools?

Q: How will Denmark ensure that schools comply with legislation and include the child's perspective in disciplinary cases, such as expulsions?

Q: How will Denmark ensure that the Child's Act leads to real changes in practice, so that children and young people are not only formally but also meaningfully involved in decisions affecting them?

Q: How will Denmark ensure that children and young people from all parts of society are systematically involved in policy development at the national and municipal level?

Q: How will Denmark ensure that municipal employees have the necessary competencies to involve children in policymaking processes that affect them?

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<sup>9</sup> Ankestyrelsen, Børnesagsbarometret, 2024

<sup>10</sup> Epinion & UNICEF Danmark, 2021: Danske børn føler sig overhørt af medier og politikere: [boernewes-kampdag-undersogelse-2021.pdf](https://boernewes-kampdag-undersogelse-2021.pdf)

<sup>11</sup> Dansk Ungdoms Fællesråd, 2024: Demokratianalysen 2024: [https://duf.dk/fileadmin/user\\_upload/Editor/Demokratianalysen\\_2024\\_-\\_final\\_version\\_PDF.pdf](https://duf.dk/fileadmin/user_upload/Editor/Demokratianalysen_2024_-_final_version_PDF.pdf)

## **Civil Rights and Freedoms (arts. 7, 8, and 13-17)**

### **Nationality**

#### Temporariness in children's lives in relation to obtaining permanent residence permits

In Denmark, to apply for a permanent residence permit, you must be over 18 years old and have had a residence permit in Denmark for at least eight years.

If you have had at least eight years of legal residence as a child, there are more lenient requirements for applying for a so-called permanent residency when you are between 18 and 19 years old. The temporary residency permits pose significant challenges for children and young people. Their lives are often filled with loneliness and uncertainty, and the temporary nature of their residence negatively affects their mental health and well-being<sup>12</sup>. In addition, children must meet several requirements, such as a language test and self-sufficiency, to obtain their residence permit.

Convictions or juvenile sanctions for crime postpone or completely exclude access to permanent residence. Often, the total number of requirements means that many refugees only obtain permanent residence much later than the required eight years, and some live indefinitely under temporary conditions because they cannot meet the requirements. The fact that education no longer counts towards the conditions for obtaining permanent residence means that young people face difficult choices between the desire for stability and their educational dreams. Lastly, it is worth noting that a so-called permanent residency is not necessarily permanent, as it may be withdrawn when certain criteria are met.

Q: What will Denmark do to abolish temporary residence permits for children, given the reports highlighting their negative impact on children's mental health, well-being, and sense of security?<sup>13</sup>

## **Violence Against Children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

### **Torture and cruel or degrading treatment, or punishment**

Solitary confinement is rarely applied to juveniles in Danish prisons. However, with regard to solitary confinement, used as a disciplinary sanction ("strafcelle") this happened in 15 cases in 2023 and in 20 cases in the first nine months of 2024. National legislation does not explicitly prohibit it, and juveniles can be placed in solitary confinement, used as a disciplinary sanction, for up to 7 days, and in rare cases, up to 28 days.

Juveniles in pre-trial detention may also experience de facto solitary confinement.

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<sup>12</sup> <https://taggodtimod.redbarnet.dk/wp-content/uploads/2024/03/Ung-i-usikkerhed-rapport-Red-Barnet.pdf>

<sup>13</sup> <https://taggodtimod.redbarnet.dk/wp-content/uploads/2024/03/Ung-i-usikkerhed-rapport-Red-Barnet.pdf>

There have been repeated recommendations by the CPT, the UN Committee against Torture, and the UN Human Rights Committee that this practice be abolished due to its harmful effects and generally to comply with the UN Mandela Rules.

Even short-term isolation can result in serious psychological harm, and according to international standards, solitary confinement of anyone under 18 years of age may constitute cruel, inhuman or degrading treatment and should be prohibited.

Q: What steps has Denmark taken to prohibit all forms of solitary confinement of children?

Q: With regards to pre-trial detention, what alternative measures are used to ensure safety or investigative needs without resorting to solitary confinement?

## Corporal and psychological violence

Despite the legal prohibition of physical and psychological violence against children in Denmark<sup>14</sup>, a significant number of children continue to experience violence by their primary caregivers. A recent national survey among 1,410 students in the 8th grade showed that 16% had been subjected to corporal violence and 17% to psychological violence by a parent, stepparent, or foster parent within the past year.<sup>15</sup>

A coalition consisting of child organisations, among others, has, through its recent work, identified the eight most important factors that hinder effective prevention and combating violence and abuse. The network will continue to work on concrete recommendations and actions. However, concrete action points are still needed.

Despite the criminalisation of psychological violence in 2019, both the general population and professionals lack knowledge about how to define psychological violence. They thus lack the knowledge and the tools to combat violence. Very few cases in the judicial system concern psychological violence against children, although this type of violence is just as harmful as physical violence.

Currently, no comprehensive strategy exists for preventing and combating violence against children, and awareness-raising and education programmes, including campaigns, remain very limited. In addition, there are no mandatory school-based programmes on raising awareness of child abuse.

Furthermore, efforts to prevent violent child-rearing are not sufficiently targeted at families where special risk factors, such as poverty, addiction, disability, parental abuse, and cultural background, are present.

Q: How will Denmark ensure a comprehensive strategy for preventing and combating violence against children?

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<sup>14</sup> Physical violence against children was prohibited in 1997 and psychological violence in 2019.

<sup>15</sup> Børns Vilkår, Vold mod børn i Danmark 2025: Omfang af fysisk og psykisk vold mod børn i 8. klasse, 2025.

Q: How will Denmark ensure effective prevention of violence against children based on known risk factors?

Q: How will Denmark further strengthen awareness-raising and education programmes - including campaigns - with the involvement of children?

Q: What will Denmark do to increase awareness about the unlawfulness of violence against children, including corporal punishment, and adequately implement this prohibition?

Q: How will Denmark ensure an increased knowledge and adequate use of the legislation against psychological violence?

## Sexual exploitation, neglect, and abuse

In Denmark, there is no fast-track option in the judicial system for cases concerning sexual abuse of children, which can prolong the suffering of the child and be a hindrance to healing.

The municipalities, including schools, are often the first place where abuse and neglect may be detected. However, in many cases, professionals lack adequate knowledge of the required municipal procedures in such cases and are not properly trained to communicate with children.<sup>16</sup> As a result, incidents of abuse and neglect are not consistently identified or handled professionally.

Data indicates a high incidence of abuse among children and young people in care, including sexual violence. One in four young people placed in residential care (25%) reported having been subjected to rape or attempted rape. The same applies to 14–15% of those receiving other types of child welfare interventions and 6% of young people without any interventions.<sup>17</sup>

Children and young people who are exposed to violence or sexual abuse often do not disclose their experiences, and when they do, it is a long process. This is especially difficult for children and young people living outside their original homes. As a child or young person in care, one is in an even more vulnerable position, already being highly dependent on the system and on the adults assigned responsibility to them - primarily staff at residential institutions or foster parents.

As part of the 2025 financial agreement in social services, funds were allocated for a study aimed at further clarifying the nature and extent of the problem<sup>18</sup>. However, the further process remains unclear.

Q: What will Denmark do to minimise the waiting time for child victims in sexual abuse cases and does Denmark have plans to expedite court proceedings of sexual abuse cases involving child victims?

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<sup>16</sup> Red Barnet. (2024). Hvordan lytter jeg til dig? Kommunal praksis i sager om vold og overgreb mod børn. <https://redbarnet.dk/wp-content/uploads/2024/11/Hvordan-lytter-jeg-til-dig-rapport-2024.pdf>

<sup>17</sup> Lausten, M., Iversen, K., & Andreasen, A. G. (2023). Trivsel blandt børn og unge i udsatte positioner 2023. København: VIVE – Det Nationale Forsknings- og Analysecenter for Velfærd.

<https://www.vive.dk/da/udgivelser/trivsel-blandt-boern-og-unge-i-udsatte-positioner-2023-4v188dox/>

<sup>18</sup> SSA25 Endelig aftaletekst, økonomioversigt og puljekriterier

Q: What will Denmark do to ensure that municipal staff also including e.g. nursery and school teaches possess the relevant capacities to identify cases of child abuse and to promptly and adequately cater to child victims?

Q: How will the state ensure that sufficient help is provided to children and young people who have been subjected to sexual abuse, including ensuring that the adults (professionals and/or foster parents) have the competencies needed to provide the appropriate support and assistance?

## Bullying

In Denmark, bullying is a growing problem among children. There is a growing awareness of the need to tackle bullying. However, large parts of the work to tackle bullying are conducted by non-governmental organisations without state funding. This makes the initiatives fragile. Furthermore, the existing NGO initiatives cannot stand alone when it comes to effective implementation in schools and institutions. In 2017, Denmark established a complaint mechanism for children who experience bullying in cases where schools fail to intervene. However, this mechanism is set to be discontinued in 2027. Furthermore, the current model focuses too heavily on legal obligations and does not offer sufficient pedagogical support to schools. As a result, schools are given orders to act but receive limited guidance on how to do so. Importantly, the current mechanism also excludes kindergartens and upper secondary education.

Q: How will Denmark work on making anti-bullying a mandatory element of the curriculum when educating new teachers and pedagogues?

Q: How will Denmark work to ensure adequate resources and strategies for the actual implementation of the anti-bullying action plan and anti-bullying work in schools and institutions?

Q: How will Denmark ensure, going forward, that there is a sufficient and adequate complaint mechanism for children who have been bullied, and local authorities have failed to intervene?

## **Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20-21, 25 and 27 (4))**

### Children deprived of a family environment

With the political reform, Børnene Først (Children First) in 2021, there is a political commitment to better support vulnerable children. The quality of residential care homes and institutions for children and young people who cannot stay with their families must be improved, including ensuring an appropriate level of quality. Notably, the government, together with Local Government Denmark (KL), has made a financial agreement that includes a cut to the budgets of the social

service checks by Socialtilsynet (The Danish Social Supervisory Authority). This service has consistently raised the general level of quality by closing inadequate facilities and foster families, while also helping the most competent providers improve further. The annual visit with supervision takes place only once every second year for foster families and once every three years for residential care homes. Limiting the funds of the supervisory authority will likely lead to an increase in cases where children and young people are neglected or not supported as they are entitled to.

Q: How will the government and its parliamentary foundation fulfil their commitments under the reform Children First?

Q: How will the government and its parliamentary foundation ensure that a high level of quality is maintained now that supervision made by the Danish Social Supervisory Authority is being cut?

### Stability for children in alternative care institutions

It is crucial to ensure stability in the child's life and to make sure that any relocations are carried out solely when it is in the best interest of the child. The most sensitive relocations are emergency placements, where no space can be found in permanent facilities. In such cases, municipalities often break the law by failing to notify Socialtilsynet (The Danish Social Supervisory Authority) about the placements, and the stays often extend well beyond the legal maximum of six weeks<sup>19</sup>. The consequences of not complying with the law may be that children and young people do not receive the quality of care they are entitled to.

Q: How will Denmark address the systematic violations of the law committed by municipalities in connection with emergency placements in non-approved facilities?

Q: How will Denmark ensure a sustainable solution to the need for emergency placements in order to avoid legal violations and guarantee that the children and youth in alternative care receive the care that they are entitled to?

### Placement in alternative care

The number of notices and commenced Child Advocacy Center (Børnehuse) processes have significantly increased nationwide<sup>20</sup>. Municipalities face challenges with the number of vulnerable children and youth with complex issues, especially due to a lack of resources<sup>21</sup>. A broad range of

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<sup>19</sup> »Det er helt vanvittigt«: 17-årig dreng med autisme og mental retardering anbragt i ikke-godkendt tilbud i 438 dage ; Barnets lov

<sup>20</sup> <https://www.information.dk/debat/2020/05/manglende-underretninger-svigtende-boern-boer-faa-regeringen-taenke-fortvivle> ; <https://boernehuse.dk/wp-content/uploads/2024/07/Ny-Aarsstatistik-om-de-danske-boernehuse-2023-Handicap-tilgaengeliggjort-T2.pdf> ; Årsstatistik om de danske børnehuse

<sup>21</sup> Iversen, K., Thau, M., & Kloppenborg, H. S. (2019). Kommunernes perspektiver på centrale udfordringer på børne- og ungeområdet: Kortlægning af området for udsatte børn og unge samt børn og unge med handicap. VIVE – Det

resources — including financial, human, and social support — is essential to accommodate the rise in child protection referrals, partly due to stricter reporting obligations since 2018. A rapid, qualified response with adequate coverage will ensure that all children for whom concern is shown are identified and given the support they need<sup>22</sup>. Children must receive caring communication and timely help, and that support is not only provided once serious maltreatment has occurred<sup>23</sup>. Enhancing municipalities' capacity for necessary security measures and providing financial support to schools and institutions is vital for teachers to notice and support children in need.

Q: How does Denmark plan to ensure that municipalities can enhance their capacity for necessary security measures, and how will the government ensure child protection referrals are handled by qualified and educated personnel?

### The right to be heard

Barnets Lov (The Child's Act), from 2024, grants children a fundamental right to be consulted and actively considered throughout all aspects of legal proceedings. Only about 56 percent of children and young people in alternative care feel involved in decisions concerning their own cases<sup>24</sup>.

Denmark has recognised that this legal obligation requires adequate resources and competencies.

The model for the Børne- og ungerådgiveruddannelsen (the Child and Youth Advisor Education Program) was initiated to ensure that professionals have the skills to meet their responsibilities.

Unfortunately, the development of the model has stalled, and no resources have been allocated. The consequences are clear: a new survey among members of the Danish Association of Social Workers shows that more than half of child and youth caseworkers feel that, with the current resources, it is difficult to meet the requirements set out in The Child's Act<sup>25</sup>.

Q: How will Denmark ensure successfully establishing the Child and Youth Advisor Education Program, so that caseworkers are properly trained to implement the provisions of The Child's Act and guarantee children and young people's right to be heard?

### Adequate resources for local child protection and alternative care services

In line with the ambitions of Barnets Lov<sup>26</sup> (The Child's Act), high-quality case management is essential to ensure that the right support is provided for vulnerable children and youth<sup>27</sup>. Municipalities are responsible for effective case management, making the right decisions, and

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Nationale Forsknings- og Analysecenter for Velfærd. <https://www.vive.dk/da/udgivelser/kommunernes-perspektiver-paa-centrale-udfordringer-paa-boerne-og-ungeomraadet-4z6025zq/>

<sup>22</sup> <https://sl.dk/fag-og-viden/arkiv/2018/4/saet-fokus-paa-handling-frem-for-straef/>

<sup>23</sup> <https://www.altinget.dk/social/artikel/forsker-stigende-antal-af-underretninger-er-ikke-et-ubetinget-gode>

<sup>24</sup> Lausten, M., Iversen, K., & Andreasen, A. G. (2023). Trivsel blandt børn og unge i udsatte positioner 2023. VIVE – Det Nationale Forsknings- og Analysecenter for Velfærd. [Trivsel blandt børn og unge i udsatte positioner 2023](#)

<sup>25</sup> [Børnene betaler prisen: Børne- og ungerådgivere kan ikke overholde barnets lov | Indland | DR](#)

<sup>26</sup> [Barnets Lov SBST web.pdf](#)

<sup>27</sup> <https://www.sbst.dk/tvaergaende-omrader/sagsbehandling-boern-og-unge/om-sagsbehandling-boern-og-unge>

implementing appropriate interventions<sup>28</sup>. When removal from the home is necessary, it must be to a nurturing environment, and staff must be well-equipped<sup>29</sup>. To support this, a new social pedagogy education will be introduced in 2027<sup>30</sup>. However, municipalities need financial flexibility to improve staff-to-child ratios. There is also a need to ensure that staff at residential institutions are better educated, as there are currently no formal education requirements<sup>31</sup>. Regular visits and close supervision of children in foster care are also vital. Strengthening collaboration between municipalities and civil society organisations is crucial, as stronger partnerships can significantly enhance children's well-being<sup>32</sup>.

Q: What concrete measures will Denmark take to ensure that municipalities have sufficient human, technical, and financial resources to deliver high-quality case management and care for vulnerable children, including in foster care and residential settings?

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<sup>28</sup> Jensen, Tina Møllmann. 2023. Psykosocialt arbejde med udsatte familier: Feedback Informed Treatment (FIT) i krydsfeltet mellem standardiseret og skræddersyet praksis, Scandinavian University Press.

<sup>29</sup> Jensen, Tina Møllmann. 2023. Psykosocialt arbejde med udsatte familier: Feedback Informed Treatment (FIT) i krydsfeltet mellem standardiseret og skræddersyet praksis, Scandinavian University Press.

<sup>30</sup> [Ny uddannelse: Politikerne har givet håndslag – hvad sker der så nu?](#)

<sup>31</sup> <https://www.dr.dk/nyheder/politik/efter-drab-paa-koebmand-flertal-i-folketinget-vil-stille-krav-om-uddannelse-til>

<sup>32</sup> [Tidlig forebyggelse af udsathed i børn og unges hverdagsliv - Børnesagens Fællesråd](#)

## Safeguards against abuse in alternative care facilities

In 2019, 6,000 cases of use of force were reported against 11,500 children in care in Denmark<sup>33</sup>. Yet many incidents go unreported, and staff in alternative care facilities lack knowledge of the legal framework. Unclear boundaries between lawful and unlawful use of force undermine legal certainty for children and staff<sup>34</sup>. A recent revision of the Act on Adult Responsibility, intended to strengthen legal protection, has instead led to the justification of force to enforce rules on mobile phone or alcohol use<sup>35</sup>. Therefore, clear targets must be set to reduce the number of incidents and ensure that use of force is carried out more carefully<sup>36</sup>. Systematic monitoring is needed, and children must be informed of their rights. Since children subjected to force currently have no access to an effective remedy, authorities must assess incidents and intervene when force lacks a legal basis. Denmark must uphold its obligations under Article 3 of the European Convention on Human Rights and establish an accessible and anonymous complaint mechanism for children to report incidents of unlawful use of force in institutions.

Q: How will Denmark ensure coherent monitoring of the use of force, guarantee the child's perspective is heard after such incidents, and ensure correct and uniform registration across the country?

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<sup>33</sup> Sinding, G., & Eiriksson, B. A. (2021). Sikring af anbragtes rettigheder – Magtanvendelse og andre indgreb i selvbestemmelsesretten rettet mod anbragte børn og unge. Justitia. <https://justitia-int.org/analyse-sikring-af-anbragtes-rettigheder-magtanvendelse-og-andre-indgreb-i-selvbestemmelsesretten-rettet-mod-anbragte-boern-og-unge/>

<sup>34</sup> [Det sætter spor resten af livet](#)

<sup>35</sup> <https://www.sm.dk/nyheder/nyhedsarkiv/2024/jun/aendring-af-lov-om-voksenansvar-for-anbragte-boern-og-unge>

<sup>36</sup> [Det sætter spor resten af livet](#)

## Independent monitoring and quality control of alternative care settings

Recently, many horrific cases have surfaced in residential institutions, including unnecessary use of force<sup>37</sup>, hiding children during unannounced inspections,<sup>38</sup> and placing children in unapproved institutions<sup>39</sup>. There is a lack of quality in the inspections carried out in Denmark<sup>40</sup>. It is crucial to increase independent, unannounced inspections of all care facilities, ensure regular follow-ups on out-of-home placements, and monitor care quality. This should include accessible channels for reporting abuse and offering support to children. It is concerning that recent changes to the social oversight system will reduce inspection frequency. The new legislation aims to make it more risk-based and reduce inspections by 30%<sup>41</sup>. This will jeopardise children's well-being<sup>42</sup>. With the new initiatives, children are placed with a responsibility they should not carry<sup>43</sup>.

Q: How will Denmark ensure the systematic involvement of children in care in monitoring the quality of their care, while safeguarding them from the burden of identifying or reporting abuse and neglect?

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<sup>37</sup> <https://nyheder.tv2.dk/2021-03-04-drenge-fra-boernehjem-oplevede-vold-og-trusler-fra-de-ansatte-saa-begyndte-de-at-filme-alt-med-mobiltelefonen>

<sup>38</sup> <https://nyheder.tv2.dk/samfund/2021-03-18-boern-og-unge-blev-laesset-i-bil-og-koert-vaek-naar-tilsyn-kom-paa-besoeg>

<sup>39</sup> [Kommuner angiver forkerte oplysninger om brug af ikke-godkendte tilbud: »Problemets kerne er, at der ikke er noget overblik«](#)

<sup>40</sup> <https://socialmonitor.dk/nyheder/art10252691/%C3%85rligt-tilsyn-p%C3%A5-botilbud-fjernes>

<sup>41</sup> [Tre nye aftaler på plads: Årligt tilsyn på botilbud fjernes](#)

<sup>42</sup> [Skriftlig fremsættelse \(22. april 2025\) - L 200](#)

<sup>43</sup> [Høringssvar til lovforslag om ændring af lov om socialtilsyn mv. - Børnesagens Fællesråd](#)

## Children of detainees

Between five and six percent of children in Denmark experience the incarceration of a parent – the equivalent of one child in every school class<sup>44</sup>. These children are significantly more vulnerable than their peers, including when compared to other vulnerable groups. They are more likely to experience bullying, out-of-home placement, and face an increased risk of future criminal conviction<sup>45</sup>. Despite this, their rights are largely overlooked in Barnets Lov (The Child's Act). Specifically, Danish legislation lacks emphasis on fulfilling Article 9 of the UN Convention on the Rights of the Child, which upholds a child's right to maintain contact with both parents, including when one or both are incarcerated. Children with an incarcerated parent often struggle to maintain regular contact, and many gradually lose connection<sup>46</sup>.

New legislation should secure children's right to continuous contact with their imprisoned parent(s)<sup>47</sup>. Children placed in care must also be guaranteed support in maintaining this contact, if they wish, and have the right and possibility to be accompanied by an adult during prison visits<sup>48</sup>.

Q: How will Denmark ensure that children's rights are upheld when a parent is incarcerated, including the right to maintain contact with both parents, and prioritise efforts to minimise the vulnerability of these children in school?

## Children with disabilities (art. 23)

### A human rights-based approach and inclusion of children with disabilities

In its 2017 Concluding Observations to Denmark (paras. 28–29), the Committee on the Rights of the Child noted that Denmark had not fully implemented a human rights-based approach to children with disabilities. The Committee recommended adopting a comprehensive national action plan

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<sup>44</sup>[https://static1.squarespace.com/static/5e733ac914f3fe3f9d1a3935/t/63ce79f566800112a46844ac/1674476051960/Når+straffen+rammer+skævt\\_pdf.pdf](https://static1.squarespace.com/static/5e733ac914f3fe3f9d1a3935/t/63ce79f566800112a46844ac/1674476051960/Når+straffen+rammer+skævt_pdf.pdf)

<sup>45</sup> Oldrup, H., Frederiksen, S., Henze-Pedersen, S., & Fuglsang Olsen, R. (2016). Indsat far, udsat barn? Hverdagsliv og trivsel blandt børn af fængslede. SFI – Det Nationale Forskningscenter for Velfærd [https://pure.vive.dk/ws/files/473564/1617\\_Indsat\\_far\\_udsat\\_barn.pdf](https://pure.vive.dk/ws/files/473564/1617_Indsat_far_udsat_barn.pdf)

<sup>46</sup> In a survey of children whose fathers were incarcerated, 62 % of 11-year-olds reported having contact with their father when not living with him. This number was 57 % among 13-year-olds, 63 % among 15-year-olds, and just 49 % among 17-year-olds—indicating that many older children may gradually lose contact with their imprisoned father over time (ibid., p. 73).

<sup>47</sup> As part of the new political agreement on reform of the criminal justice system (the “Ny Strafreform” agreement, 2026–2030), it will be examined whether children should have a right to visit incarcerated parents at least once a week, and whether visits can be made more child-friendly, for example by involving pedagogical staff and improving the physical environment of visiting rooms facilities. In addition, children of pre-trial detainees are to be granted access to video calls with their parents. <https://www.justitsministeriet.dk/pressemeddelelse/bredt-flertal-indgaar-aftale-om-en-ny-strafreform/>

<sup>48</sup> Oldrup, H., Frederiksen, S., Henze-Pedersen, S., & Fuglsang Olsen, R. (2016). Indsat far, udsat barn? Hverdagsliv og trivsel blandt børn af fængslede. SFI – Det Nationale Forskningscenter for Velfærd [https://pure.vive.dk/ws/files/473564/1617\\_Indsat\\_far\\_udsat\\_barn.pdf](https://pure.vive.dk/ws/files/473564/1617_Indsat_far_udsat_barn.pdf)

addressing, among other issues, violence, the use of coercion, and the lack of inclusion in mainstream education<sup>49</sup>. To date, Denmark has not presented such an action plan.

In its latest Concluding Observations of 5 September 2024, the Committee on the Rights of Persons with Disabilities noted that Denmark has not incorporated the CRPD into national legislation, despite its relevance to children with disabilities<sup>50</sup>.

Q: What steps has Denmark taken to develop and adopt a national action plan for the inclusion of children with disabilities?

## Institutionalisation and use of restraint on children with disabilities

In Denmark, children with disabilities, including those with psychosocial and intellectual disabilities, remain at risk of involuntary hospitalisation or placement in residential institutions. Although the use of coercion in child and adolescent psychiatry is regulated, documented cases show that children are still subjected to involuntary admission, physical restraint, and prolonged isolation<sup>51</sup>. Children in residential care have also reported coercive practices<sup>52</sup>.

Efforts have been made to reduce coercion, but there is no national action plan focused on preventing involuntary hospitalisation or institutional placement through the development of community-based alternatives. Nor is there a comprehensive strategy to expand inclusive, locally anchored support and treatment services that can help avoid institutionalisation and ensure children's rights to participation and inclusion.

Children currently placed in psychiatric hospitals or residential institutions are not always guaranteed sufficient safeguards against excessive restraint. Oversight mechanisms also vary in quality and independence<sup>53</sup>.

Q: What steps will Denmark take to prevent involuntary hospitalisation and institutional placement of children with psychosocial and/or intellectual disabilities, and to strengthen inclusive, community-based care services?

Q: What measures are in place to ensure that children currently placed in psychiatric hospitals or residential institutions are protected from excessive restraint and other coercive practices?

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<sup>49</sup> <https://docs.un.org/en/CRC/C/DNK/CO/5>

<sup>50</sup> <https://documents.un.org/doc/undoc/gen/g24/175/13/pdf/g2417513.pdf>

<sup>51</sup> Folketingets Ombudsmand, Temarapport 2023 – Børn og unge i psykiatrien <https://www.ombudsmanden.dk/Media/638551582836220687/2023%20Temarapport%20-%20B%C3%B8rn%20og%20unge%20i%20psykiatrien.pdf>

<sup>52</sup> As documented multiple times in the Danish media, children and young people placed in residential institutions also experience inappropriate use of coercion.

<sup>53</sup> Socialtilsynet, Årsrapport 2022 <https://www.sbst.dk/udgivelser/2023/socialtilsynenes-virksomhed-2022>

## Budgetary measures affecting the rights of children with disabilities

In Denmark, children with disabilities and their families often face significant difficulties in accessing disability-related support and services provided by public authorities. Many persons with disabilities perceive that their support needs are considered too costly and are therefore subject to cuts or reductions in service quality.

For example, the Disability Barometer published by the Danish Social Appeals Board (Ankestyrelsen) in 2022 found that in 50% of reviewed cases concerning reimbursement of additional expenses for children with disabilities, the municipal decisions contained errors<sup>54</sup>. Municipalities are reportedly seeking various ways to reduce expenditures, often at the expense of children's rights and well-being<sup>55</sup>.

Q: What steps will Denmark take to ensure that children with disabilities have access to adequate disability-related services and support, and that existing entitlements are not reduced or restricted?

## Inclusive education and the use of specialised institutions and classes

Children and young people with disabilities have the right to be included in mainstream education and to thrive, learn, and develop both academically and socially.

However, many children and young people report that schools do not sufficiently provide inclusive learning environments, nor do they receive the support they need.

Since the 2019/2020 school year, the inclusion rate - i.e., the proportion of children enrolled in mainstream education—has declined from 94.2% to 93.1% in the 2023/2024 school year<sup>56</sup>.

While 87% of students without a diagnosis complete the final exams of compulsory schooling, only 48% of students with a psychiatric diagnosis do so. Among students with a diagnosis who complete the final exams, the average grade point is 6.8, compared to 7.5 for students without a diagnosis<sup>57</sup>. Students with autism spectrum disorder tend to achieve higher average grades than those with other psychiatric diagnoses, yet only one-third of students with autism sit for the final exams<sup>58</sup>.

These figures indicate that children and young people with disabilities are not reaching their full potential in primary and lower secondary education.

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<sup>54</sup> Ankestyrelsens handicapbarometer <https://ast.dk/publikationer/handicapsagsbarometret-2024-om-merudgifter-til-born>

<sup>55</sup> Tilfredsheden med den kommunale støtte, Danske Handicaporganisationer, 2022  
[https://handicap.dk/files/media/document/Analysenotat\\_Tilfredsheden%20med%20den%20kommunale%20st%C3%B8tte.pdf](https://handicap.dk/files/media/document/Analysenotat_Tilfredsheden%20med%20den%20kommunale%20st%C3%B8tte.pdf)

<sup>56</sup> <https://www.uvm.dk/aktuelt/nyheder/uvm/2024/sep/240917-nye-tal-faerre-elever-med-saerlige-behov-inkluderes-i-folkeskolen>

<sup>57</sup> Denmark uses a 7-point grading scale ranging from -3 to 12. The scale includes the following grades: -3 (unacceptable), 00 (inadequate), 02 (adequate – minimum passing grade), 4 (fair), 7 (good), 10 (very good), and 12 (excellent).

<sup>58</sup> <https://www.kl.dk/media/x0idypna/elever-med-psykiatriske-diagnoser-og-deres-afgangsproeve-i-9-klasse.pdf>

Inadequate inclusion also leads to involuntary school absenteeism for many children with disabilities. A 2023 survey conducted by the Danish Autism Association found that 45% of respondents reported their child was currently experiencing involuntary school absence, and 16% of the children had been out of school for over a year<sup>59</sup>.

Q: What measures will Denmark take to ensure that children with disabilities are given real opportunities to be included in mainstream public schools?

Q: What steps will Denmark take to ensure that children experiencing involuntary school absenteeism are promptly reintegrated into education?

## Accessibility of public facilities, including schools

Children and young people with disabilities have the right to be included in mainstream education and to participate in local extracurricular and recreational communities. However, since the 2015/2016 school year, the proportion of students segregated from mainstream education in primary and lower secondary schools has increased significantly. Today, 7% of students in municipal schools are placed in special education settings.

This development is partly due to inadequate physical accessibility in mainstream schools. National student well-being surveys also indicate that many pupils experience environmental challenges such as noise, which hampers their ability to participate in and benefit from lessons. The lack of focus on accessibility excludes children with disabilities from their local school communities and participation in local after-school and leisure activities.

Q: What measures is Denmark taking to ensure that the physical environment of public schools supports inclusion and makes local schools accessible to all children, including those with disabilities?

## Access to sign language for deaf children

Denmark recognises the right of all deaf children to learn and communicate in Danish Sign Language (DSL), regardless of medical treatments such as cochlear implants. However, in practice, access to DSL is often limited and subject to local municipal decisions, which may prioritize spoken language acquisition. This could undermine children's linguistic and social development, as well as their right to identity and inclusion in the Deaf community.

There is a need for national guidelines ensuring that all deaf children and their families receive early exposure to DSL through bilingual approaches in both daycare and school settings. This includes access to qualified DSL interpreters and educators.

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<sup>59</sup> <https://www.autismeforeningen.dk/media/e2nc34fm/inklusionsundersogelsen-rapport-2023.pdf>

Similarly, children with visual impairments often face delays in access to Braille instruction and accessible learning materials due to a lack of specialised staff and resources.

Q: What steps will Denmark take to ensure that all deaf children can have the opportunity to learn and communicate in Danish Sign Language, regardless of medical treatment?

Q: What measures will Denmark take to ensure that children with visual impairments receive timely access to Braille instruction and other accessible learning formats?

## **Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)**

In Denmark, approximately 49,500 children live in poverty<sup>60</sup>. Many lack access to the basic conditions necessary for a safe and decent childhood. Despite the social security reform of July 2025, many families will continue to receive very low benefits, and some may even experience further reductions. According to the Ministry of Employment, the reform is expected to lift 2,000 children out of poverty in the short term and 4,000 in the long term, but the government has not taken adequate steps to ensure that children in families on the lowest benefit levels enjoy an adequate standard of living. Nor has it introduced an official poverty threshold to guide policy.

The reform is particularly problematic for refugees and other vulnerable groups. One of the most serious consequences is that thousands of individuals will see their benefits significantly reduced to levels below the subsistence threshold. The system maintains strict employment and residency requirements: individuals who have not resided in Denmark for at least nine of the past ten years and who have not worked full-time for two and a half years will only qualify for the lowest benefit rate – even if they have lived in Denmark for decades or hold Danish citizenship.

These minimum benefits are often insufficient to cover basic needs such as rent and food. Simultaneously, housing support for high rental costs is being eliminated. The reform also introduces an open-ended work obligation, whereby individuals receiving the minimum social benefits can be placed in mandatory work programmes for extended periods without pay. This raises serious legal concerns regarding forced labour and discrimination. Civil society organisations have warned that the reform will deepen poverty, harm children's wellbeing, and exacerbate mental health issues among affected families. Moreover, they emphasise that the anticipated employment gains are minimal, while the social consequences are severe and long-lasting. Evidence from Danish research also highlights that childhood poverty has lasting negative consequences on

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<sup>60</sup> Arbejderbevægelsens Erhvervsråd – AE. (2024). Flere børn vokser op i fattigdom. <https://www.ae.dk/analyse/2024-11-flere-boern-vokser-op-i-fattigdom>

income, education and social mobility later in life.<sup>61</sup> The reform disproportionately affects ethnic minorities and threatens to undermine the fundamental principles of Denmark's welfare system – namely, support for those most in need.

Q: What steps will Denmark take to guarantee all children growing up in Denmark their right to a childhood without poverty in line with the principles of Article 26 of the UN Convention on the Rights of the Child?

Q: Will Denmark initiate a national action plan to combat child poverty and its consequences?

Q: Will Denmark introduce an official poverty line?

## **Children's rights and the environment (arts. 2, 3, 6, 12, 13, 15, 17, 19, 24 and 26–31)**

Climate change and environmental degradation pose an increasing threat to children's health, life, and development. For example, children face heightened risks from air pollution<sup>62</sup> and heat waves.<sup>63</sup> A national study from 2023 shows that 37 percent of children in 6th to 10th grade have concerns about climate and climate change that affect their daily lives.

The climate crisis increases the risk of rising social and economic inequalities.<sup>64</sup> Furthermore, it is plausible that measures intended to mitigate the consequences of the climate crisis (such as climate adaptation or carbon taxes) will affect children in low-income families disproportionately.

When it comes to child participation in climate policy, Danish youth activists and civil society organisations, among others, have repeatedly raised concerns about a lack of genuine participatory opportunities. There are currently no structures for participation of children under the age of 18 – on either local or national level, although children are more vulnerable to different environmental hazards and although children do not have the opportunity to influence climate policy through voting.

Danish fjords and coastal areas, including Mariager Fjord, Limfjorden, and parts of the Baltic Sea<sup>65</sup>, have suffered from widespread eutrophication and oxygen depletion. This affects biodiversity, food

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<sup>61</sup> Lesner, R.V. (2016). *The Long-Term Effect of Childhood Poverty*. Aarhus University Economics Working Paper 2016-8).

<sup>62</sup> [Air pollution and children's health — European Environment Agency](#) ; [7\\_Deadly\\_Air Pollution for Children Policy Brief.pdf.pdf](#)

<sup>63</sup> [Hedebølge smelter Danmark | DMI](#)

<sup>64</sup> [Nordisk Ministerråd - TemaNord2020-533](#)

<sup>65</sup> [Ny undersøgelse: Ingen danske fjorde i god økologisk tilstand - Danmarks Naturfredningsforening](#)

systems, and opportunities for children to engage with and enjoy nature which is an important part of their development and psychological well-being.<sup>66</sup>

States bear the responsibility for foreseeable environment-related threats arising because of their acts or omissions now, the full implications of which may not manifest for years or even decades.<sup>67</sup>

Q: How will Denmark ensure that national climate policy protects children's right to life, survival and development, particularly in relation to growing health risks such as heatwaves, air pollution, increased allergens, and mental well-being?

Q: How will Denmark ensure that children in vulnerable situations — for example, children in low-income families – are protected from the disproportionate effects of climate change and climate policies?

Q: How will Denmark ensure children's (under the age of 18) meaningful and systematic participation in climate-related decision-making at local and national levels, including during drafting and implementation of laws, policies, action plans and budgets?

Q: How will Denmark ensure restoration and protection of marine ecosystems such as fjords and coastal waters, including "dead zones" (areas of oxygen depletion)?

Q: How will Denmark ensure that emissions will be reduced sufficiently to meet the commitments in the Paris-agreement?

## Education, leisure and cultural activities (arts. 28-31)

### Respect for the rights of the child in Danish Schools

In recent years, a series of political initiatives and public debate have affected the legal safeguards of children in Danish schools<sup>68</sup>. This includes, among other things, widening the 'regulation on school order', allowing teachers to take more disciplinary actions such as suspension after conflicts or violent incidents<sup>69</sup>, despite research showing the opposite effect<sup>70</sup>. Furthermore, there is significant political interest in expanding the rules about teachers' use of physical interventions or guidance, for example, if pupils disrupt the teaching<sup>71</sup>. In June 2025, the first "emergency school" in a Danish Municipality was opened with the approval of the Danish Minister for Children and

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<sup>66</sup> [The effect of exposure to nature on children's psychological well-being: A systematic review of the literature - ScienceDirect](#)

<sup>67</sup> General Comment 26 to the Convention on the Rights of the Child.

<sup>68</sup> See excerpt from forthcoming study on this topic from UNICEF Denmark [retssikkerhedanalyse.pdf](#)

<sup>69</sup> Børne- og Undervisningsministeriet "[Nu skærpes reglerne for at sikre ro og orden i folkeskolen](#) | Børne- og Undervisningsministeriet (27 september 2024)

<sup>70</sup> Waleng, S. (2024). *Beyond 'Disruptions': A Critical Exploration of the Necessity of School Exclusions*. Roskilde Universitet. See also Kjer, M. G., & Sievertsen, H. H. (2024), [Opdragelsesskolen: Fører afskrabning af tyggegummi til artige elever? - vive.dk](#)

<sup>71</sup> [Minister: Lærere skal kunne gribe fysisk ind over for elever, der saboterer undervisningen | Indland | DR](#)

Education<sup>72</sup> - and more schools are on their way. It is a school facility where children can be placed for a limited period if, for instance, they have behaved violently.

This reflects a cultural shift in how children are viewed - from rights-holders to risk factors. Children who act out are seen as perpetrators of violence instead of children in distress. It is concerning that children who react to neglect, marginalisation, and lack of support are punished. This shift in the view of the child undermines pupils' rights and risks establishing a new norm where children are punished for struggling.

Q: How will Denmark ensure that the rights of all children are respected in Danish schools?

Q: How will Denmark ensure that there are adequate protections and redress for children in Danish schools when their rights are violated?

Q: How do the amendments to the school law harmonise with the purpose clause<sup>73</sup> of the public-school law, Section 1(3), about preparing students for participation, shared responsibility, rights, and duties in a society with freedom and democratic rule?

## Child Rights Education

Despite the obligations on both art. 29 on the aim of education and art. 42 to make the principles and provisions in the Convention widely known, by appropriate and active means, to children (and adults), a survey conducted by UNICEF Denmark and The Danish Institute for Human Rights indicates that only 19% of children in grades 6 through 10 are familiar with the Convention on the Rights of the Child. Further, 37% of children are unable to name a single human right, and the proportion of children who state that they are taught in school to respect the rights of others has declined from 70% in 2019 to 45% in 2023<sup>74</sup>.

## Human rights education and teacher training across all levels of the education system

Human Rights and Child Rights Education is largely absent from the Danish school system and teacher education programmes. Until recently, there were only a few learning goals related to rights awareness in the mandatory subject Health, Sexuality and Family Education (SSF). However, under the 2024 school reform, SSF will be removed from the school curriculum from the 2027/28 school year. Therefore, it is unclear whether Human Rights and Child Rights Education will be incorporated into the new curricula. This raises concerns about whether the public school system

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<sup>72</sup> [Minister bakker op om akutskole-planer i Odense | Regionalt | DR](#)

<sup>73</sup> [Folkeskolens formål | Børne- og Undervisningsministeriet](#)

<sup>74</sup> UNICEF Danmark og Institut for Menneskerettigheder, 2023: Børn har begrænset kendskab til deres rettigheder. <https://www.unicef.dk/wp-content/uploads/2024/01/boern-har-begraenset-kendskab-til-deres-rettigheder.pdf>

will fulfil its purpose – as set out in Section 1(3) of the Danish Folkeskole Act, which contains the purpose clause of the public school system.

Q: How will Denmark ensure that more children understand their rights, including the Convention on the Rights of the Child?

## Access to education for children in alternative care

Even though all children and young people in Denmark have access to free and high-quality education, those in alternative care stand out from their peers who are not. Seven out of ten children and young people in alternative care do not graduate from primary school, and those who do graduate achieve lower grades than their peers who are not in alternative care. Moreover, 78% of children and young people aged 11–17 in alternative care experience at least one change of primary school, which is much higher than among their peers in the same age group, who are not in alternative care, where the rate is only 9%<sup>75</sup>. A recently adopted amendment to the Social Supervision Act means that it is no longer a priority to support foster homes in creating conditions that help children and young people succeed in school.

Q: How will Denmark ensure, through legislation, that children and young people placed in alternative care receive the necessary support to complete primary school and other education?

## Leisure time and play

Children place high value on their right to play and to enjoy leisure time. They appreciate sports and recreational activities that are fun, social, and provide opportunities to develop new skills.

Furthermore, research shows that children who participate in leisure-time activities experience less stress, report higher life satisfaction, and feel less lonely.

However, access to leisure-time activities and time for play is under pressure. Children's participation in children- and youth clubs and leisure-time activities decline with age. Two out of three children in 4th grade attend both a club and organised leisure-time activities. By 7th grade, this number drops to only one in three.” This decline is partly due to demanding training schedules, and an increased focus on performance and results. In terms of children's play, only half of teenagers engage in regular play, and among those who do, digital play is the dominant form. Additionally, there are significant social inequalities in access to play and leisure-time activities. Studies show that children placed in care, children receiving social support services, children with disabilities, children of ethnic minority backgrounds, and children living in poverty face greater barriers to participating in leisure-time activities. For children living in poverty, this is often due to the family's financial ability to pay for club membership or activities, which frequently involve out-

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<sup>75</sup> [Svigt af børn i Danmark | Svigtrapport 2024](#)

of-pocket payments. The financial capacity of the local municipality and its ability to offer relevant leisure-time activities also play a role, yet there are considerable disparities between municipalities.

Q: How will Denmark ensure that more teenagers can enjoy a rich and fulfilling leisure time, with opportunities for play and meaningful activities?

Q: How will Denmark guarantee that all children have an equal right and access to leisure-time activities?

## **Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d) and 38-40)**

### **Asylum-seeking and refugee children**

#### Loss of family reunification rights due to age at decision time

Children applying for family reunification with parents in Denmark face losing their right if the administrative process extends beyond their 18th birthday. This results in unjust exclusion based solely on processing time, not on the child's circumstances at the time of application.

Q: How will Denmark ensure that children's right to family reunification is preserved when applications are submitted before the age of 18?

#### Children separated from parents at Return Center Kærshovedgaard

There are no facilities in place to enable contact between children with a residence permit and their parents staying at Return Center Kærshovedgaard. The lack of a safe space to spend time with the parent compromises their right to family life.

Q: Which measures will Denmark take to ensure an effective right to family life for children with a parent placed at Kærshovedgaard?

#### Problematic deportation procedure for children in families

When an asylum application is rejected, the family is often swiftly moved from its home (an accommodation center) to a return center – where years can pass before they can return to their country of origin. The relocation to the deportation center and the long period spent there often have severe consequences for the children, compromising, i.e., their mental health.

Q: How will Denmark ensure that families subject to deportation are able to live in conditions that support a normal and stable childhood, until return is effected?

Q: When a forced deportation takes place, how will the authorities ensure that the deportation is conducted safely for the children involved?

### Separation of underage spouses and partners during the asylum procedure

Young couples who seek asylum will, if one of the parties is a child, be separated at arrival until the authorities have conducted hearings of both parties. The hearings will often take several weeks, and the couple is not allowed to live together during the hearings. In many cases, the authorities decide to maintain a separation of the couples during the whole asylum procedure. The separation of couples appears disproportionate in cases where there are no indications of a problematic relationship between the parties. When a separated couple where one of the parties is a minor has one or more children, the child will accordingly be separated from one of its parents.

Q: How will Denmark ensure that the best interest of the child is considered as a primary factor in all cases concerning the separation of couples where one is a minor?

Q: How will Denmark ensure that children in families separated (in cases where one of the parents is a minor) have the right to family life?

### Legislation on and assessments in cases regarding special permits for unaccompanied minors

According to section 9c, subsection 2 of the Danish Aliens Act, unaccompanied minors can be granted a special temporary residence permit if they are too young to have their asylum claim processed or if they are rejected in the asylum procedure. In such cases, the Danish authorities must make an assessment on whether the child has a support network in the country of origin or if the child will be put in a real emergency if returned. It is stated in the preparatory comments to the legislation that it is not relevant to assess whether the network in the country of origin is willing to support the child, but only if the network is objectively able to. The legislation is administered very narrowly, and the mere existence of a distant relative or similar is considered a relevant support network in the country of origin, even in situations where the child has no relation to the relative beyond a biological relation, e.g., the child has never met the relative.

Q: How will Denmark ensure that legislation and practice comply with the rights of the child when no material assessment is made of whether the alleged support network is both willing and able to take care of the child beyond objective factors?

### Age assessments of unaccompanied minors

The Danish authorities can initiate a medical age assessment examination if there are doubts on whether an unaccompanied minor is the same age as claimed. The examination is performed at the Department of Forensic Medicine and is largely performed using the Greulich and Pyle method and

the Demirjian method. Based on the findings, the Department of Forensic Medicine draws a report containing a conclusion on the most likely and less likely age. With reference to the conclusion in the report, the Danish Immigration Service will decide on the age, which will be the most likely age range. During the medical examination, the child's genitalia is observed, and it is, among other things, noted if a boy has been circumcised. The findings on the child's genitalia are not included in the later analysis of the child's age. The applicant can submit documents to support the claimed age, but in practice, most documents are rejected as they cannot be verified. The Danish authorities are not collecting other information during the process, e.g., statements from social and pedagogical staff, who have observed the child. When such statements are presented by the child, they are not given much weight in the final assessment.

Q: How will Denmark ensure that all relevant information is collected and included in the individual cases, taking into consideration the proven uncertainties in the medical age assessment examinations?

Q: How will Denmark ensure that medical age assessment examinations are carried out using the least intrusive method?

## Administration of juvenile justice

The Juvenile Delinquency Board (UKN) was established in 2019 as part of a reform with the stated purpose of preventing and combating juvenile delinquency. The Board handles cases involving children as young as 10 years old and is characterised by involving very young children in a system that closely resembles the judicial system.

10–14-year-olds can be referred based on suspicion alone, without the same guarantees as in an actual criminal case, and the right to appeal is very limited. It is only possible to appeal placement decisions, and these appeals do not have a suspensive effect.

Many children and parents feel that the processes are characterised by control, monitoring, and impositions, and that there is a one-sided focus on mistakes. This goes against the intention of a child-friendly and rehabilitative approach. In 2025, VIVE - The Danish Centre for Social Science Research and Analysis published an extensive evaluation of the UKN, reiterating earlier concerns.<sup>76</sup> The study also shows that children and young people who are exposed to legal or court-like systems at an early age have an increased risk of recidivism and developing a negative self-image. In other words, children risk being stigmatised and pushed further away from positive communities.

Q: How will Denmark ensure that children aged 10-14 years are not subjected to intrusive control measures without sufficient legal safeguards, including the right to be presumed innocent until proven guilty?

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<sup>76</sup> Larsen, B. Ø., Henriksen, A.-K. E., Henriksen, T. D., Bengtsson, T. T., & Hermansen, R. K. (2025). Børn og unges møde med Ungdomskriminalitetsnævn og Ungekriminalforsorg. VIVE – Det Nationale Forsknings- og Analysecenter for Velfærd. <https://www.vive.dk/da/udgivelser/boern-og-unges-moede-med-ungdomskriminalitetsnaevn-og-ungekriminalforsorg-dv4n75lz/>

Q: What measures will Denmark take to ensure meaningful child participation in the decision-making processes, and how will it ensure that these processes are understandable and adapted to the child's level of development?

Q: How will Denmark ensure that decisions in the UKN are based on a holistic, social and individual knowledge of the child and their situation?

Q: What considerations has Denmark made in relation to the labelling and risk of recidivism that is associated with early exposure to legal and control-based systems?

Q: How will Denmark ensure that children do not experience the process in the UKN as punitive or resembling a criminal justice procedure?

## Maximum prison sentences for children

Following the tightening of the Danish Penal Code in 2010, the maximum penalty for offenders who were children at the time of the offense is now formulated as a prohibition against imposing life imprisonment on such perpetrators.<sup>77</sup> They may now be sentenced to the most severe fixed-term punishment under the law, i.e., under section 33(1), imprisonment for 16 years, or under subsection (2), imprisonment for 20 years if the sentence is increased.

This raises concerns about compliance with the principle of proportionality and the CRC requirement that the primary aim of juvenile justice must be rehabilitation. Long prison terms may undermine reintegration prospects and are inconsistent with emerging international norms that discourage lengthy incarceration of minors.

Q: What measures has Denmark taken to ensure that sentences imposed on children are proportionate, non-discriminatory, and aimed at their rehabilitation and reintegration?

Q: Is Denmark considering legislative reforms to reduce the maximum sentence applicable to persons under the age of 18?

## Placement of children in adult prisons

According to Section 78(2) of the Danish Sentence Enforcement Act, children under 18 may be placed in adult prisons when “decisive considerations of law enforcement” justify such placement. This broad exception allows for situations where children are detained in facilities not designed for their needs and without adequate separation from adults, raising concerns under Article 37(c) of the CRC.

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<sup>77</sup> Act No. 711 of 25 June 2010 “Amending the Criminal Code, the Administration of Justice Act, and the Act on Compensation from the State to Victims of Crime” Section 1, subsection 2

Q: Please provide data on how often and under what circumstances children are placed in adult prisons under Section 78(2).

Q: What measures are in place to ensure that children are always detained separately from adults and in child-appropriate facilities?

Q: Will Denmark consider amending Section 78(2) to remove or significantly narrow the exception allowing for children's placement in adult prisons?

## Excessive length of pre-trial detention for children

Under current Danish law, children aged 15–17 may be held in pre-trial detention for up to eight months, with the possibility of extensions in “exceptional” cases.<sup>78</sup> It happens often that annually, around 250 children are placed in pretrial detention for a period of up to 9 months.<sup>79</sup> This exceeds the maximum periods recommended by international child rights standards, which emphasise that pre-trial detention must be used only as a measure of last resort and for the shortest appropriate period. Extended detention risks violating the child’s right to personal liberty and undermining the principle of rehabilitation.

Q: What criteria are used to justify pre-trial detention of children, and how often is it reviewed by a court?

Q: Does Denmark intend to amend legislation to limit the use and duration of pre-trial detention for children in line with CRC Article 37(b)?

## Conditions for children in secured institutions (both convicted and in care)

Yearly, approximately 500 juveniles between the ages of 12-17 are placed in a secured residential institution,<sup>80</sup> primarily as an alternative to a prison sentence for criminal youth under 18 years.<sup>81</sup> But juveniles can also be placed on a social basis (the danger criterion, pedagogical observation, or prolonged treatment) and not just on a legal basis (custodial surrogate, sentence, and punishment).<sup>82</sup> The restrictions and freedom rights interventions are the same and entail a large degree of control and security.<sup>83</sup> The placement can have heavy consequences for the life of the individual, such as a lack of access to family networks, stigmatisation and negative socialisation, interrupted schooling, and difficulties in accessing specialist treatment.<sup>84</sup> Especially, the lack of access to family and

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<sup>78</sup> The Administration of Justice Act Section 768a, subsections 2 and 3

<sup>79</sup> See VIVE, Every year we place 250 children in pretrial detention under conditions that have major consequences for them, 2023, available at: <https://www.vive.dk/da/nyheder-og-debat/hvert-aar-varetaegtsfaengsler-vi-250-boern-under-forhold-som-har-store-konsekvenser-for-dem-qz553d1z/>

<sup>80</sup> <https://www.vive.dk/da/undersogelser-i-gang/frivillige-sociale-indsatser-til-frihedsberoevede-unge-bl0rx2lx/>

<sup>81</sup> <https://www.regioner.dk/media/3338/benchmarkanalyse-af-sikrede-institutioner-for-boern-og-unge.pdf>

<sup>82</sup> <https://www.regioner.dk/media/3338/benchmarkanalyse-af-sikrede-institutioner-for-boern-og-unge.pdf>

<sup>83</sup> [https://menneskeret.dk/files/media/document/Rapport\\_SocialeAnbringelser\\_tilg%C3%A6ngelig.pdf](https://menneskeret.dk/files/media/document/Rapport_SocialeAnbringelser_tilg%C3%A6ngelig.pdf)

<sup>84</sup> <https://www.vive.dk/da/undersogelser-i-gang/frivillige-sociale-indsatser-til-frihedsberoevede-unge-bl0rx2lx/>

friends is mentioned by the juveniles, as well as not having well-educated personnel to handle conflicts<sup>85</sup>.

Q: How does the government plan to support children placed in secured institutions—during and after their placement—to ensure a normal childhood and youth with proper access to see their family, and how will the government address the risks of placing vulnerable youth alongside criminally charged juveniles?

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<sup>85</sup> <https://viden.sl.dk/artikler/boern-og-unge/anbragte-hverdag-fritid-skole-trivsel-og-sundhed/unge-og-foraeldre-om-de-sikrede-institutioner/>