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Excellency,

In my capacity as Rapporteur for Follow-up on Conclusions and Recommendations of the United Nations Committee against Torture, I refer to the examination of the fifth periodic report of Denmark, including Greenland, (CAT/C/81/Add.1 (Part I) and CAT/C/81/Add.2, Part II) at its 38th session, held on 2 and 3 May 2007 (CAT/C/SR.757 and CAT/C/SR.760). The Committee adopted Conclusions and Recommendations (CAT/C/DNK/CO/5) in which further comments by the Government of Denmark were requested in relation to the specific issues of concern identified in paragraphs 15, 16 and 19.

On behalf of the Committee, allow me to thank you for your response of 7 July 2008 (CAT/C/DNK/CO/5/Add.1) which included a copy of the letter your Government sent to the Special Rapporteur on Torture, Professor Manfred Nowak, dated 8 May 2008, providing comments by the Danish Government on some paragraphs identified in the follow up. The additional comments have assisted the Committee's ongoing analysis of specific issues of concern. The Committee would be grateful for clarification as to the following points, where sufficient information has not yet been provided to enable it to complete its analysis of the progress made regarding implementation of recommendations by the Committee.

With regard to the Committee's concerns on prompt and impartial investigations mentioned in paragraph 15 of the Conclusions and Recommendations, the Committee notes with appreciation that the State party set up a broad-based committee to review and evaluate the current system for handling complaints against the police and processing criminal cases against police officers. We would be grateful for information on the conclusion of the report of the committee mentioned in your reply. With regard to the measures the State party has taken, to ensure that allegations of violations committed by law enforcement officials are promptly investigated by an independently and impartial body, please clarify if there is an effective oversight body provided with all necessary authority to conduct impartial and independent investigations against the police, including the power to summon witness and subpoena evidence and documents.

H.E. Mme Marie-Louise Overvad
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As regards paragraph 16 of the Conclusions and Recommendations, in which the Committee expressed concern at allegations of excessive use of force by law enforcement officials, the Committee notes with interest that the National Commissioner of police set up a multidisciplinary analysis group to review the police officers' use of firearms. Please provide the Committee with information on the analysis group's conclusions and recommendations. The Committee would also welcome receiving the State party's clarification on how the analysis group's recommendations have been implemented. Has the number of the complaints filed against the police for excessive use of force decreased as a result?

Finally, regarding paragraph 19 regarding complaints, the Committee appreciates the information received on the number of complaints filed against police. We would appreciate receiving any updated information on number of complaints of ill-treatment made against police or other law enforcement officers, the number of criminal and disciplinary proceedings taken as a result of these complaints, the sanctions imposed, and the remedies and reparations granted to the victims, if such data exists.

The Committee looks forward to pursuing the constructive dialogue it has started with the authorities of Denmark on the implementation of the Convention, and in this context, to receiving clarification to our follow-up questions.

Accept, Excellency, the assurances of my highest considerations.



Felice D. Gaer

Rapporteur for Follow-up on Concluding Observations
Committee against Torture