

# DENMARK 2019 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The Kingdom of Denmark is a constitutional monarchy with democratic, parliamentary rule. Queen Margrethe II is head of state. A prime minister, usually the leader of the largest party of a multiparty coalition, is head of government and presides over the cabinet, which is accountable to a unicameral parliament (Folketing). The kingdom includes Greenland and the Faroe Islands, which are autonomous with similar political structures and legal rights. They manage most of their domestic affairs, while the central Danish government is responsible for constitutional matters, citizenship, monetary and currency matters, foreign relations, and defense and security policy. Observers deemed national elections on June 5 free and fair. On June 27, the center-left Social Democratic Party formed a single-party minority government headed by Prime Minister Mette Frederiksen.

The National Police maintain internal security and, jointly with the Danish Immigration Service, is responsible for border enforcement at the country's ports of entry. The Ministry of Justice oversees both services. The Armed Forces report to the Ministry of Defense and have responsibility for external security in addition to some domestic security responsibilities, such as disaster response and maritime sovereignty enforcement. The Home Guard, a volunteer militia under the Ministry of Defense but without constabulary powers, assists the National Police in conducting border checks. Civilian authorities maintained effective control over the National Police, the Danish Immigration Service, and the Armed Forces, and the government has effective mechanisms to investigate and punish abuse.

There were no reports of significant human rights abuses.

The government took steps to identify, investigate, prosecute, and punish officials who committed human rights abuses.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports the government or its agents committed arbitrary or unlawful killings.

## **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

## **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and law prohibit such practices, and there were some reports government officials employed them.

The Danish Institute for Human Rights (DIHR) reported an increased use of force in prisons, particularly pepper spray and batons. The DIHR also noted an exponential increase in the use of prolonged solitary confinement as a disciplinary measure against convicted prisoners over the past four years--674 instances of more than 14 days in 2018, compared with seven in 2015.

In September a court in Naestved ruled in favor of a male patient protesting a case of forced physical restraint with belts in a high-security psychiatric institution in Slagelse. Doctors at Slagelse tied the 24-year-old patient for four days after he was transferred from the Forensic Psychiatric Department in Aalborg, where doctors had restrained him for 13 months. The patient sued the local government (Region Zealand) for violating his human rights. The court awarded him 10,000 kroner (\$1,499) to be paid by Region Zealand.

## **Prison and Detention Center Conditions**

Prison and detention center conditions generally met established domestic and international standards.

Physical Conditions: Authorities continued to hold convicted prisoners together with pretrial detainees in remand institutions. In December 2018 the government passed legislation to prohibit authorities from holding minors in solitary confinement for more than seven days; to restrict authorities' ability to detain adults with youths between the ages of 15 and 17; and to allow minors to receive education while detained. The law became effective in February.

Ellebaek Prison and Probation Establishment for Asylum-seekers and Others Deprived of their Liberty, run by the Prison and Probation Service, held 109 rejected asylum seekers who were considered flight risks. A visit on February 7 to Ellebaek by the ombudsman uncovered overcrowding, unsanitary conditions, no

staff in the women's ward, minimal staff in the remainder of the center, low levels of activities for prisoners, and high rates of attempted suicide. On June 4, a man at Ellebaek hanged himself from the window in his cell after three months at the center.

Independent Monitoring: The parliamentary ombudsman also functioned as a prison ombudsman. The government additionally permitted monitoring visits by independent human rights observers and the media. The Council of Europe's Committee for the Prevention of Torture (CPT), the International Committee of the Red Cross, and other independent nongovernmental organization (NGO) observers, regularly received access to police headquarters, prisons, establishments for the detention of minors, asylum centers, and other detention facilities. On April 3 to 12, a delegation from the CPT visited 10 locations, including the Ellebaek facility; however, the report on the visit was not yet published.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements.

On July 9, the European Court of Human Rights (ECHR) ruled the government infringed the human rights of Tim Henrik Bruun Hansen, a convicted criminal imprisoned at Herstedvester prison. The man was initially convicted of the kidnap and attempted rape of a child in 1988 and was sentenced to two years in prison. When the man was released in 1991, he kidnapped and attempted to rape another child and was sentenced to 3.5 years' confinement. A few months after probation, the man abducted a 10-year-old girl. In 1996 a court sentenced him to safe custody--a sentence which keeps prisoners jailed indefinitely for as long as they are deemed dangerous to society--due to probation violations and the repeated criminal activity. The man requested probation again in 2015. The Supreme Court required the man to be chemically castrated in order to grant his request. The man rejected chemical castration due to his health, and demanded an external medical assessment, which the Supreme Court rejected. The ECHR's ruling obligated the government to allow an independent assessment of the man.

#### **Arrest Procedures and Treatment of Detainees**

The law allows police both to begin investigations and to make arrests on their own initiative based upon observed evidence or to enforce a court order following an indictment filed with the courts by public prosecutors.

The law mandates that citizens and legal migrants taken into custody appear before a judge within 24 hours. The law requires police to make every effort to limit postarrest detention time to fewer than 12 hours. Authorities may hold irregular migrants up to 72 hours before bringing them before a judge or releasing them. A migrant is generally classified as irregular when the individual does not have the required authorization or documents for legal immigration. During the 72-hour holding period, the National Police, the Danish Center against Human Trafficking, and antitrafficking NGOs, if needed, can review an irregular migrant's case to determine whether the migrant is a victim of human trafficking. In addition, the Ministry of Immigration and Integration can suspend the requirement for a 72-hour case review if the volume of asylum requests exceeds the ability of the government to complete reviews within 72 hours. Authorities can extend detention beyond 72 hours to conduct additional research in cases where the migrant's country of origin or identity cannot be positively verified.

Authorities generally respected the right of detainees to a prompt judicial determination and informed them promptly of charges against them. There is no bail system; judges decide either to release detainees on their own recognizance or to keep them in detention until trial. A judge may authorize detention prior to trial only when authorities charge the detainee with a violation that could result in a prison sentence of more than 18 months or when the judge determines the detainee would seek to impede the investigation of the case, be a flight risk, or be likely to commit a new offense. The standard period of pretrial custody is up to four weeks, but a court order may further extend custody in four-week increments.

Arrested persons have the right to unsupervised visits with an attorney from the time police bring them to a police station. Police frequently delayed such access until the accused appeared in court for a remand hearing. The government provides counsel for those who cannot afford legal representation. Detainees have the right to inform their next of kin of their arrest, although authorities may deny this right if information about the detention could compromise the police investigation. Detainees have the right to obtain medical treatment, and authorities generally respected this right. Police may deny other forms of visitation, subject to a court appeal, but generally did not do so. Fewer detainees were sent to isolation than in previous years, but the practice was still used as a method of punishment.

### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence and impartiality.

#### **Trial Procedures**

The constitution provides for the right to a fair and public trial, and an independent judiciary generally enforced this right.

Defendants enjoy the right to a presumption of innocence; a prompt and detailed notification of the charges against them; a fair, timely, and public trial; be present at their trial; communicate with an attorney of their choice (or have one provided at public expense if unable to pay); have adequate time and facilities to prepare a defense; have free interpretation as necessary from the moment charged through all appeals; confront prosecution or plaintiff witnesses and present their own witnesses and evidence; not to be compelled to testify or confess guilt; and appeal their case.

#### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

#### **Civil Judicial Procedures and Remedies**

Individuals or organizations may bring civil lawsuits seeking damages for a human rights violation. The complainant may also pursue an administrative resolution. The law provides that persons with “reasonable grounds” may appeal court decisions to the ECHR if they involve alleged violations of the European Convention on Human Rights, but only after they exhaust all avenues of appeal in national courts.

#### **Property Restitution**

The government reports, and the Jewish Community confirms, that Holocaust-era restitution has not been an issue and that no litigation or restitution claims regarding real or immovable property covered by the Terezin Declaration, to which the government is signatory, were pending before authorities.

## **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution and law prohibit such actions, and there were isolated reports that the government failed to respect these prohibitions.

On January 1, the country adopted a passenger name record (PNR) law which allows the government to gather airplane passengers' personal data. The DIHR asserted the Ministry of Justice failed to demonstrate the law complies with the European Court of Justice's conditions for collecting PNR information. For example, access to oversight mechanisms on the use of personal data is limited to Danish citizens.

On February 13, the High Court of Eastern Denmark upheld a ruling allowing Funen's Public Benefit Housing Company to evict a single mother from her apartment in Vollsmose for crimes committed by her adult son, who was not living with her at the time. Reports indicated the man threw stones and firebombs at a patrol car near the public housing development.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Expression, Including for the Press**

The constitution and law provide for freedom of expression, including for the press, and the government generally respected this right. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for the press.

Freedom of Expression: The law prohibits any public speech or the dissemination of statements or other pronouncements that threaten, deride, or degrade a group because of gender, race, skin color, national or ethnic background, religion, or sexual orientation. Authorities may fine offenders or imprison them for up to two years.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored online communications without appropriate legal authority.

## **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

## **b. Freedoms of Peaceful Assembly and Association**

The constitution provides for the freedoms of peaceful assembly and association, and the government respected these rights.

### **Freedom of Peaceful Assembly**

Police banned anti-Islam political party leader Rasmus Paludan from demonstrating for 24 hours in April, after violence erupted during a previous demonstration in Noerrebro, Copenhagen, where 23 persons were arrested. In another instance in May, the East Jutland Police prohibited Paludan from holding electoral events in Vollsmose, an area near Odense with a large number of residents of foreign descent. Paludan attempted to go to Vollsmose for three days, but police denied him access based on safety and security concerns.

## **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

## **d. Freedom of Movement**

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

## **e. Internally Displaced Persons**

Not applicable.

## **f. Protection of Refugees**

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The government limits the rights of persons with subsidiary or temporary protection to family reunification, restrictions not applied to persons recognized as refugees.

In September the government stated it would close Sjaelsmark, a departure center run by the Danish Prison and Probation Service for rejected asylum seekers who cannot be returned to their country of origin. The editor of an NGO's informational website, Refugees.dk, wrote that conditions at Sjaelsmark were "deliberately as unpleasant as possible." Residents were not allowed to work, cook, or claim benefits. An April report by the Danish Red Cross found a significant proportion of children living at the center suffered from difficulty sleeping and decreased appetite. On November 21, the government and its supporting parties signed a deal which committed the government to remove 220 children and their parents from the Sjaelsmark Departure Center before April 2020.

Freedom of Movement: On July 19, the Supreme Court ruled illegal the extended detention of a rejected Iraqi asylum seeker. The law limits the initial period of immigration detention to six months, which can be extended to 18 months if special circumstances exist. Authorities allegedly extended the Iraqi's detention past six months to influence cooperation with deportation proceedings.

Safe Country of Origin/Transit: The country employs the EU's Dublin III regulation, which permits authorities to turn back or deport individuals who attempt to enter the country through a "safe country of transit" or are registered in another Dublin regulation state.

Access to Basic Services: A law adopted on February 21 (see next paragraph) allows municipalities to accommodate refugees only in temporary housing, and cuts cash benefits for caregivers by approximately 20 percent.

Durable Solutions: On February 21, parliament enacted a "paradigm shift" in policy to encourage repatriation of refugees rather than their integration into the country's society. The new law eliminated the possibility of long-term residency permits for refugees. The government did not participate with the Office of the UN High Commissioner for Refugees (UNHCR) in its program to resettle refugees.

Temporary Protection: Through the end of October, the government provided temporary protection to 254 persons who may not qualify as refugees. The figure in 2018 was 406 persons.

## **g. Stateless Persons**



According to UNHCR 8,236 stateless persons lived in the country at the end of 2018. Stateless persons can apply for citizenship if they have lived in Denmark for at least eight years.

### **Section 3. Freedom to Participate in the Political Process**

The constitution and laws provide citizens, including those of Greenland and the Faroe Islands, the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

#### **Elections and Political Participation**

Recent Elections: Free and fair parliamentary elections on June 5 led to the formation of a single-party minority government headed by Social Democratic Party leader Mette Frederiksen.

On August 31, the Faroe Islands held free and fair parliamentary elections. The Union Party, the People's Party, and the Center Party comprise the new government headed by Premier Bardur a Steig Nielsen. Greenland held elections in April 2018 that were considered to be free and fair.

Participation of Women and Minorities: No laws limit the participation of women and members of minorities in the political process, and they did participate.

### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated reports of government corruption during the year.

Corruption: On December 6, police announced two former civilian employees of the Ministry of Defense Estate Agency were charged with receiving bribes. One of the charged allegedly received bribes in services valued at 174 million kroner (\$26.1 million), while the other allegedly received bribes in goods worth 35,250 kroner (\$5,286). The case involves more than 450 alleged specific instances of wrongdoing. Three private sector employees were charged with paying bribes, complicity in paying bribes, aggravated breach of trust, and breach of trust.

Financial Disclosure: Reporting of personal finances, including from positions with private and public companies, personal businesses, donors, foreign gifts, and

past/future salaries is mandatory but not enforced. Government officials may not work on specific matters in which they, persons they represent, or persons with whom they have close relations have a personal or economic interest. Officials must inform their superiors of any possible conflicts of interest that might disqualify them.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

Government Human Rights Bodies: The parliamentary ombudsman investigated complaints regarding national and local public authorities and any decisions authorities made regarding the treatment of citizens and their cases. The parliamentary ombudsman can independently inspect prisons, detention centers, and psychiatric hospitals. A European ombudsman ensured Danish compliance with EU basic rights, a consumers' ombudsman investigated complaints related to discriminatory marketing, and two royal ombudsmen liaised between the Danish government and the governments in the Faroe Islands and Greenland. These ombudsmen enjoyed the government's cooperation, operated without government or political interference, and were considered effective.

### **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

#### **Women**

Rape and Domestic Violence: The law criminalizes rape against women or men (the statute is gender neutral), including spousal rape and domestic violence. Rape is not defined by a lack of consent, but rather by whether physical violence, threat, or coercion is involved or if the victim is found to have been unable to resist. Penalties for rape include imprisonment for up to 12 years for aggravated circumstances and up to six years for domestic violence. The government effectively prosecuted persons accused of rape. In 2018 the government developed a four-year national action plan to combat psychological and physical violence in close relationships and allocated 101 million kroner (\$15.1 million) to implement the plan.

A 2018 report by the National Institute of Public Health stated that approximately 1.6 percent of Danish women above the age of 16 reported being victims of physical violence by their partner within the previous year. Figures from the Crime Prevention Council showed that an estimated 5,400 rapes and attempted rapes occur annually. According to the Crime Prevention Council, in 2018 police made 1,079 official reports of rape or attempted rape, and 234 indictments for rape followed. In March Amnesty International published a report declaring that the country has a pervasive rape culture and was “failing to live up to its human rights obligations to protect women against rape, investigate rape crimes, prosecute those responsible, and provide compensation to victims.” In response to Amnesty’s report, then minister of justice Soren Pape Poulsen responded on Twitter, “Thanks so much for putting this on the agenda. It is utterly important to bring justice to sexual assault victims.”

Faroese law criminalizes rape with penalties up to 12 years’ imprisonment. The law considers nonconsensual sex with a victim in a “helpless state” to be sexual abuse rather than rape. In certain instances, it also reduces the penalty for rape and sexual violence within marriage.

Greenlandic law criminalizes rape but reduces the penalty for rape and sexual violence within marriage. Persons convicted of rape in Greenland typically receive a prison sentence of 18 months.

The government and NGOs operated 24-hour hotlines, counseling centers, and shelters for female survivors of violence. The royal family supported a variety of NGOs that worked to improve conditions and services at shelters and to assist families afflicted with domestic violence.

Sexual Harassment: The law prohibits sexual harassment and provides that authorities may order a perpetrator or an employer who allowed or failed to prevent an incident of harassment to pay monetary compensation to victims. The law considers sexual harassment an unsafe working condition and gives labor unions or the Equal Treatment Board the responsibility to resolve it (see also section 7.e.). The government enforced the law effectively.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: Women have the same legal status and rights as men, including under family, labor, property, nationality, and inheritance laws. The government

enforced the law effectively. Little discrimination was reported in employment, ownership, and management of businesses, or access to credit, education, or housing.

## **Children**

Birth Registration: Most children acquire citizenship from their parents. Stateless persons and certain persons born in the country to noncitizens may acquire citizenship by naturalization, provided, in most cases, that they apply for citizenship before their 21st birthday. The law requires medical practitioners to register promptly the births of children they deliver, and they generally did so.

Child Abuse: Child abuse is illegal and punishable by up to two years in prison. The National Police and Public Prosecutor's Office actively investigated child abuse cases. According to police statistics, approximately 17 percent of total sexual offenses in Greenland were crimes of "sexual relations with individuals below the age of 15."

In 2018, 27 percent of all reports of sexual crimes made against minors in Greenland came from the town of Tasiilaq, even though Tasiilaq (population approximately 2,800) comprised only 5 percent of the total Greenlandic population. In a report conducted by the Greenlandic Police, the Municipality of Sermesooq, and the Greenlandic Self-Rule, authorities reported 191 sexual crimes in Tasiilaq from 2014 to 2018. In 2018 alone, there were 20 reports of child abuse. As of June 13, 15 cases of sexual assaults against children continued. On September 26, the government allocated 5.3 million kroner (\$790,000) to aid vulnerable children in Tasiilaq.

The government's Children's Council monitors children's rights and promotes children's interests in legislative matters.

Early and Forced Marriage: The legal minimum age for marriage is 18.

Sexual Exploitation of Children: The law prohibits the commercial sexual exploitation of children and child pornography. Penalties for the distribution of child pornography include up to a six-year prison sentence. The government generally enforced these laws. The minimum age for consensual sexual activity is 15. The purchase of sexual services from a person younger than 18 is illegal.

The law in Greenland prohibits sexual relations with children younger than 15; Greenlandic Police determine the penalties for perpetrators.

Displaced Children: The government considered unaccompanied minor refugees and migrants to be vulnerable, and the law includes special rules regarding them. A personal representative was appointed for all unaccompanied children who sought asylum or who stayed in the country without permission.

Institutionalized Children: An April study by the Danish Red Cross concluded that 61 percent of the children living at the deportation camp Sjaelsmark were likely to be diagnosed with a psychiatric disorder. The Danish Red Cross also found that twice as many children at the facility were at high risk for mental illness when compared to newly arrived children. The municipality of Hoersholm disclosed that 141 children were living at Sjaelsmark on May 27. From April 2016 to September 2018 there were 103 reports of violence, threats, and suspected radicalization among residents. From February 2015 to March 2018, there were four documented suicide attempts. The camp's facilities were widely criticized in media for a lack of kitchen facilities for families and insufficient school offerings. The camp had a fence around its outer perimeter, and visitors were only allowed at certain times. The Red Cross report concluded that half of 11- to 17-year-old children had symptoms of posttraumatic stress syndrome, and many of them suffered from loss of appetite, nightmares, and problems sleeping. The ombudsman noted in a December 2018 report that the conditions for children at Sjaelsmark were likely "to make their childhood substantially more difficult and to restrict their natural development."

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

### **Anti-Semitism**

The Jewish Community in Denmark (Det Jødiske Samfund i Danmark) estimated between 6,000 and 8,000 Jews lived in the country, most in the Copenhagen area.

Representatives of the Jewish community reported 45 anti-Semitic acts against the Jewish community in 2018, 50 percent more than in the previous year. The acts included assault, physical harassment, threats, vandalism, and hate speech. During

the year the government cooperated with the Jewish community to provide police protection for the Great Synagogue of Copenhagen as well as other locations of importance to the Jewish community. Jewish community leaders reported continued good relations with police and the ability to communicate their concerns to authorities, including the minister of justice.

On November 9, the 81st anniversary of the Kristallnacht (the Night of Broken Glass) pogrom against Jews in Germany, police reported incidents of harassment and vandalism against Jews in five cities in the country. At a Jewish graveyard in Randers, Ostre Kirkegard, vandals covered more than 80 tombstones in green paint. Police arrested two persons and charged them with vandalism and, preliminarily, a hate crime.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **Persons with Disabilities**

The law prohibits discrimination against and harassment of persons with physical, sensory, intellectual, or mental disabilities. It also mandates access by persons with disabilities to government buildings, education, employment, information, and communications. The government enforced these provisions.

The right of persons with disabilities to vote or participate in civic affairs was generally not restricted, but some persons with disabilities reported problems in connection with elections, including ballots that were not accessible to blind persons or persons with mental disabilities. The country maintained a system of guardianship for persons considered incapable of managing their own affairs due to psychosocial or mental disabilities. Persons under guardianship who do not possess legal capacity have the right to vote in local and regional elections as well as in elections to the European Parliament, but not in national elections.

Greenland employed a spokesperson to promote the rights and interests of persons with disabilities. According to media reports, persons with disabilities in Greenland continued to lack adequate access to physical aids, counselling, educated professionals, and appropriate housing. Many Greenlanders with disabilities had to be relocated to Denmark because of lack of support resources in Greenland.

## **National/Racial/Ethnic Minorities**

A government action plan, targeting neighborhoods of majority non-Western immigrants, seeks to eliminate “ghettos” by 2030. In October the Committee on Economic, Social and Cultural Rights of the UN Human Rights Council urged the country not to define a “ghetto” using the proportion of residents from “non-Western” countries, considering it discriminatory. Legislation went into force in July requiring “ghetto” parents to send toddlers older than the age of one to government-funded daycare to be taught “Danish values,” including Christmas and Easter traditions. Authorities withheld quarterly benefits of up to 4,557 kroner (\$683) from noncompliant parents.

## **Indigenous People**

The law protects the rights of the indigenous Inuit inhabitants of Greenland, who are Danish citizens and whose legal system seeks to accommodate their traditions. Through their elected internally autonomous government, they participated in decisions affecting their lands, culture, traditions, and the exploitation of energy, minerals, and other natural resources.

## **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law prohibits hate speech based on sexual orientation and gender identity as well as discrimination against persons based on sexual orientation. The victim’s sexual orientation can be an aggravating circumstance in crimes.

The law affords individuals legal gender recognition, but government guidelines since 2012 require that individuals undergoing transition receive hormone treatment at one of two designated government-run clinics; private physicians are not permitted to establish this course of treatment.

## **Other Societal Violence or Discrimination**

During the year representatives from the Muslim community reported discrimination against Muslims. Statistics from the Muslim community on anti-Islamic incidents were not available, but according to police figures 63 religiously motivated hate crimes against Muslims occurred in 2018. Representatives from the Muslim community reported that Muslims in the country lived with a sense of

increased scrutiny from the government and society. The chairman of Grimhoj Mosque, Omar al-Saadi, noted that Muslims in the country came from war-torn countries and just wanted to live in peace, but the government “keeps sending messages that we just don’t like you,” citing deliberate provocations such as the “burqa ban” and burnings of the Quran by anti-Islam party leader Rasmus Paludan.

During the year authorities fined 23 persons under the law banning masks and face coverings, including burqas and niqabs. Fines imposed for first offenders included 1,000 kroner (\$150) upon any violation of the ban and, if repeated, up to 10,000 kroner (\$1,500). During the year Paludan held Quran-burning “demonstrations” in typically immigrant neighborhoods across the country, citing freedom of speech rights. Paludan’s Quran-burning demonstration on Palm Sunday, in which he received heavy police protection, led to riots, burned cars, and rock throwing. Then prime minister Lars Loekke Rasmussen called Paludan’s demonstration “a meaningless provocation.”

In August unknown vandals defaced the Muslim World League’s (MWL) building by graffitiing the word “terrorists” on it. MWL director Basri Kurtis reported the incident to police.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law states all workers may form or join independent unions. The law provides for the right to collective bargaining and to legal strikes but does not provide nonresident foreign workers on Danish ships the right to participate in the country’s collective bargaining agreements. It allows unions to conduct their activities without interference and prohibits antiunion discrimination.

These laws were effectively enforced. Resources, inspections, and remediation including supporting regulations were adequate. Penalties were sufficient to deter violations. Breaches of collective agreement are typically referred to industrial arbitration tribunals to decide whether there was a breach. If the parties agree, the Labor Court may deal with cases that would otherwise be subject to industrial arbitration. Penalties for violation are determined on the facts of the case and with due regard to the degree that the breach of agreement was excusable. Penalties were sufficient to deter violations.



Employers and the government generally respected freedom of association and the right to collective bargaining. Annual collective bargaining agreements covered members of the workforce associated with unions and indirectly affected the wages and working conditions of nonunion employees.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor, including by children, and the government effectively enforced this prohibition. The law prescribes penalties that were generally sufficient to deter violations. The number of victims of forced labor identified in 2018 increased significantly, with 47 percent of the total number of identified trafficking victims (97) engaged in forced labor compared with 1 percent in 2017. Men and women working in agriculture, cleaning, construction, factories, hospitality, restaurant, and trucking were most likely to face conditions of forced labor.

In November 2018 the trade magazine *3F* reported that hundreds of Filipino truck drivers employed by Kurt Beier Transport lived in “slum-like conditions” in Padborg. The transport company provided containers behind barbed wire as accommodation and paid the drivers as little as 15 kroner (\$2.25) per hour. Twenty-six drivers cooperated with authorities.

Also see the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits all of the worst forms of child labor. The minimum legal age for full-time employment is 15. The law sets a minimum age of 13 for part-time employment and limits school-age children to less strenuous tasks. The law limits work hours and sets occupational health and safety restrictions for children, and the government effectively enforced these laws. Minors may not operate heavy machinery or handle toxic substances, including harsh detergents. Minors may only carry out “light work” that is the equivalent of lifting no more than 26.4 pounds from the ground and 52.8 pounds from waist height. For minors working in jobs where there is a higher risk of robbery, such as a snack bar, kiosk, bakery, or gas station, a coworker above the age of 18 must always be present between the hours of 6:00 p.m. and 6:00 a.m. on weekdays and 2:00 p.m. and 6:00 a.m. on weekends.

#### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits employment discrimination, and the government generally enforced these laws effectively. Penalties for violations include fines and imprisonment and are generally sufficient to deter violations.

Danish gender equality law does not apply to Greenland, but Greenland's own law prohibits gender discrimination. Greenland has no antidiscrimination laws in employment and Danish antidiscrimination laws do not apply to Greenland.

#### **e. Acceptable Conditions of Work**

The law does not mandate a national minimum wage, and unions and employer associations negotiated minimum wages in collective bargaining agreements. These wages were more than the estimate for the poverty income level. The law requires equal pay for equal work; migrant workers are entitled to the same minimum wages and working conditions as other workers.

Workers generally worked a 37.5-hour week established by contract rather than law. Workers received premium pay for overtime, and there was no compulsory overtime. Working hours are set by collective bargaining agreements and adhere to the EU directive that average workweeks not exceed 48 hours.

The law prescribes conditions of work, including safety and health standards, and authorities enforced compliance with labor regulations. Minimum wage, hours of work, and occupational safety and health standards were enforced effectively in all sectors, including the informal economy. Penalties for safety and health violations, for both employees and employers, include penalties that are sufficient to deter violations. The Danish Working Environment Authority (DWEA) under the Ministry of Employment may settle cases subject only to fines without trial.

The Ministry of Employment is responsible for the framework and rules regarding working conditions, health and safety, industrial injuries, financial support, and disability allowances. DWEA is responsible for enforcing health and safety rules and regulations. This is carried out through inspection visits as well as guidance to companies and their internal safety organizations. DWEA's scope applies to all industrial sectors except for work carried out in the employer's private household, exclusively by members of the employer's family, and by military personnel. The Danish Energy Agency is responsible for supervision of offshore energy installations, the Maritime Authority is responsible for supervision of shipping, and

the Civil Aviation Administration is responsible for supervision in the aviation sector.

DWEA has authority to report violations to the police or the courts if an employer fails to make required improvements by the deadline set by DWEA. Court decisions regarding violations were released to the public and show past fines imposed against noncompliant companies or court-ordered reinstatement of employment. Greenland and the Faroe Islands have similar work conditions, except in both cases collective bargaining agreements set the standard workweek at 40 hours.

Workers can remove themselves from situations they believe endanger their health or safety without jeopardy to their employment, and authorities effectively protected employees in these situations. The same laws protect legal immigrants and foreign workers and apply equally to both categories of workers.

The number of labor inspectors is sufficient to enforce compliance. DWEA effectively enforced labor health and safety standards in all sectors, including enforcement of limiting the hours worked per week. Vulnerable groups generally include migrant and seasonal laborers, as well as young workers. DWEA registered 15 individual workplace fatalities. The most recent report was from May 23, in which a 59-year-old self-employed man fell from a staircase.