

# DENMARK 2015 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 majority party of a multiparty coalition, is head of government and presides over the cabinet, which is accountable to a unicameral parliament (Folketing). Greenland and the Faroe Islands are autonomous parts of the kingdom with similar political structures and legal rights. They manage most of their domestic affairs, while the central Danish government is responsible for foreign relations, financial affairs, internal security, and defense. National elections in June, which observers deemed free and fair, resulted in a single-party minority government led by the center-right Liberal (“Venstre”) Party. Civilian authorities maintained effective control over the security forces.

The country’s most significant human rights problems included instances of religious-focused vandalism and hate crimes, and rape and domestic violence against women. On February 14 and 15, a gunman shot five persons at a free-speech forum, killing one, and later shot and killed a volunteer guard at the Copenhagen Synagogue.

Other human rights problems included insufficient health screenings and resources, especially for children, at the Ellebaek Detention Center for rejected asylum seekers and those pending decision; the fact that most police did not yet wear badges with identification numbers; and a new law that prohibits travel to certain vaguely defined “conflict zones” and permits the government to revoke the Danish nationality of dual nationals. There were also some limitations on asylum seekers’ ability to work or start a business. Women were disadvantaged at times in wages, salaries, and employment opportunities. There was some discrimination against lesbian, gay, transgender, and intersex (LGBTI) persons.

The government took steps to prosecute officials, whether in the military or elsewhere in government, accused of committing abuses.

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

#### **a. Arbitrary or Unlawful Deprivation of Life**

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

### **b. Disappearance**

There were no reports of politically motivated disappearances.

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

The constitution and law prohibits such practices, and there were no reports government officials employed them.

### **Prison and Detention Center Conditions**

Prison and detention center conditions generally met international standards.

Physical Conditions: Women and men were held in the same institutions, but not in mixed-sex cells. According to human rights observers, authorities continued occasionally to hold pretrial detainees with convicted criminals and to detain children with adults. Human rights groups continued to criticize what they deemed authorities' excessive use of solitary confinement. Certain human rights groups also expressed concern about overcrowding, stating that periodically exceeding maximum capacity could lead to conditions amounting to inhuman and demeaning treatment.

The nongovernmental organization (NGO) Danish Institute of Human Rights (DIHR) criticized the detention center conditions for foreigners at Ellebaek Detention Center, including the detention of children, and called the health screening and language interpretation services there insufficient.

In 2014, the most recent period for which data was available, two prisoners committed suicide and three died of natural causes in prisons and detention centers.

Administration: Authorities investigated credible allegations of inhuman conditions and recorded their investigations in a public register.

Independent Monitoring: The government permitted monitoring visits by independent human rights observers, including the media. Independent observers, such as the Council of Europe's Committee for the Prevention of Torture (CPT),

the International Committee of the Red Cross, and other independent observer NGOs, also regularly received access to police headquarters, prisons, establishments for the detention of minors, the Sandholm and Ellebaek Institutions for Asylum Seekers, and other facilities.

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

The constitution and law prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

#### **Role of the Police and Security Apparatus**

The national police maintain internal security, and the Danish Immigration Service manages immigration. The armed forces are responsible for external security and have some internal responsibilities during natural disasters. The national police and the Danish Immigration Service report to the Ministry for Justice, while military services report to the Ministry of Defense.

Civilian authorities maintained effective control over the national police and the Danish Immigration Service, and the government has effective mechanisms to investigate and punish abuse and corruption. The Independent Police Complaints Authority received 651 complaints about police conduct in 2014.

Human rights observers expressed concern that authorities could not investigate a number of complaints against police because they could not identify the officers involved. Most police officers did not yet wear badges with identification numbers.

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

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

The law mandates that Danish citizens and legal migrants taken into custody appear before a judge within 24 hours. The law requires police to make every effort to limit post-arrest detention time to less than 12 hours; statistics on the actual time between the detention of a person and the detainee's first appearance before a judge were not available. A law passed in November extended the

amount of time authorities could detain an irregular migrant from 72 hours to two weeks. There are generally no limitations to prompt access to counsel.

Authorities generally respected the right of detainees to a prompt judicial determination and informed them promptly of charges against them. While 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 are charging the detainee with a violation that could result in a sentence in jail of more than 18 months or when the judge determines the detainee would seek to impede the investigation of the case, would be a flight risk, or might 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. There were no known instances of authorities' holding suspects incommunicado or under house arrest.

Arrested persons have the right to unsupervised visits with an attorney from the time police bring them to a police station. The government provides counsel for those who could not afford legal representation. Detainees have the right to inform their next of kin of their arrest and to obtain medical treatment, and authorities generally respected these rights. Police may deny other forms of visitation, subject to a court appeal, but generally did not do so. Human rights observers expressed concern about the administrative use of solitary confinement in some cases, as well as a need to reduce the use and duration of remand custody.

Protracted Detention of Rejected Asylum Seekers or Stateless Persons: Authorities detained some unsuccessful applicants for asylum pending deportation. Human rights observers continued to express concern that authorities could imprison vulnerable persons, including victims of torture, mentally ill individuals, and minors pending the finalization of their cases. These observers stated that unaccompanied minors from Afghanistan whose asylum applications had been rejected were held in detention together with criminals. The DIHR further alleged that health-screenings and resources for detained children at the Ellebaek Detention Center were insufficient.

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

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

#### **Trial Procedures**

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

Defendants enjoy the right to a presumption of innocence, prompt and detailed notification of the charges against them (with free interpretation as necessary), a fair and public trial without undue delay, a trial by jury, communication with an attorney of choice (or with one provided at public expense), adequate time and facilities to prepare their defense, access to government-held evidence, the opportunity to confront witnesses against them and present witnesses and evidence, protection against being compelled to testify or confess guilt, and appeal against adverse judgments. The constitution and law extend these rights to all defendants.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

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

Individuals and organizations may seek civil remedies in domestic courts for alleged human rights violations.

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

The constitution and law prohibit such actions, and there were no reports the government failed to respect these prohibitions.

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

#### **a. Freedom of Speech and Press**

The constitution and law provide for freedom of speech and press with some limitations on libel, blasphemy, hate speech, and expressions of racism. The government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of speech and press.

Freedom of Speech and Expression: The law prohibits any public speech or the dissemination of statements or other pronouncements that deride or degrade a group because of race, skin color, national or ethnic background, religion, or

sexual orientation. Authorities may fine or imprison offenders for up to two years. There were no trials or convictions on these grounds during the year. The law also prohibits blasphemy and provides that a person who publicly mocks or insults a legally existing religious community's tenets of faith or worship may be fined or imprisoned for up to four months. The government has not prosecuted any blasphemy cases since 1938.

Press and Media Freedoms: Independent media were active and expressed a wide variety of views without restriction.

In February 2014 the Supreme Court revoked Roj TV's broadcasting license for promoting the activities of the terrorist Kurdistan Workers Party (PKK) and for receiving support from the PKK. The court fined the station 10 million kronor (\$1.4 million), after which it went into bankruptcy. During the year the station appealed the ruling.

Nongovernmental Impact: In February a gunman allegedly associated with terrorist groups attacked a free-speech event in Copenhagen, killing a civilian and injuring four police officers who were protecting the event (see section 6, Anti-Semitism).

### **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 private online communications without appropriate legal authority. Authorities continued to employ an internet filter designed to block child pornography. There were no reports of the filter's affecting legitimate websites.

According to European Commission estimates, fixed broadband was available to 99 percent of homes in the country at the end of 2014; in rural areas, it was available to 97 percent of homes. The European Commission estimated that 92 percent of the population used the internet during the year.

### **Academic Freedom and Cultural Events**

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

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

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

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

Foreign Travel: On March 1, parliament passed a counterterrorism law that prohibited travel to certain active conflict zones. Observers criticized the law for being vague as to which areas travel is prohibited and the sides of a conflict to which the prohibition applies. During the year authorities charged several individuals traveling to Syria, both those seeking to join the Islamic State in Syria and the Levant terrorist group and those joining other groups, under this new law.

Citizenship: On March 1, parliament passed a new counterterrorism law that allows authorities to revoke the citizenship of persons who are convicted for terrorist activities. The law applies only in cases of dual citizens and prohibits the creation of stateless persons. As of October authorities applied the new law twice to revoke the citizenship of two Danish citizens and twice to revoke the residence permits of two permanent residents as a result of the law. The Immigration Service found no reason to revoke the residence permits in 11 cases, and there were nine pending cases.

### **Protection of Refugees**

During the year many countries in the EU and Southeast Europe experienced an unprecedented wave of migration from the Middle East, Africa, and Asia, consisting of a mix of asylum seekers/potential refugees, economic migrants, and trafficking victims, among others. For simplicity, this report will refer to these

populations as “migrants and asylum seekers” if more specific information is not available.

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. According to statistics from the Danish Immigrant Service, 7,162 asylum seekers, received residence permits in the country during the first seven months of the year. During the year 8, 024 individuals were granted refugee status. For specific information about problems involving granting asylum to minor refugees, see section 6, Displaced Children.

Safe Country of Origin/Transit: Immigration authorities applied the provisions of the EU’s Dublin III Regulation to determine the safe country of origin and transit of asylum seekers and questioned asylum seekers individually to determine their identity, situation, and route. Authorities did not consider certain countries within the EU to be safe countries for processing, and the Danish Immigration Service processed asylum seekers who had transited those countries coming to Denmark. The government also did not enforce Dublin III in the case of the large volume irregular migrants and allowed them to pass through the country from Germany and on to Sweden.

Refugee Abuse: On August 27, vandals burned a vehicle at the Red Cross’ Lyngbygaard refugee asylum center in Trustrup and painted “First Warning,” a swastika, and “DNSB” (for the National Socialist Movement of Denmark) on the center’s garage door. On March 20 and July 31, the initials of the DNSB were also spray painted on the center’s walls. As of December authorities had not apprehended the perpetrators.

Employment: While asylum seekers may accept private-sector employment with the approval of the immigration service, they may not own or operate their own business.

Access to Basic Services: If an asylum seeker is married to a legal resident in the country, the resident spouse is required to support the partner seeking asylum.

Temporary Protection: The government also provided temporary protection to individuals who may not qualify as refugees. In the first nine months of the year, the government provided 41 persons with humanitarian protection, 621 with temporary protection, and 1,181 with subsidiary protection. An amendment to the Aliens Act adopted by parliament in February restricts the opportunities for



persons granted temporary protection status to have their families join them. Family members of persons granted temporary protection are usually only allowed to join them in the country after one year, and then only if their temporary protection status is extended. In some cases authorities allowed family members to join persons granted temporary protection in less than a year. Such exceptions were generally only made for the family members under the age of 15.

### **Stateless Persons**

According to UNHCR statistics, 4,725 stateless persons lived in the country as of December 2014, the latest date for which statistics were available. According to Statistics Denmark, 606 stateless persons sought asylum in the country during the first two quarters of the year. Citizenship is based primarily on the nationality of one's parents. Stateless persons born outside the country to noncitizens, including refugees, are not eligible to acquire citizenship but may acquire residency permits. Authorities may grant citizenship to otherwise stateless persons born in the country. This is not an automatic process, and in most cases individuals must apply for citizenship before their 21st birthday.

A counterterrorism law adopted during the year specifically prohibits the revocation of Danish citizenship in cases where an individual would thereby become stateless.

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

The constitution provides citizens, including those of Greenland and the Faroe Islands, the ability to choose their government in free and fair periodic elections based on universal and equal suffrage, and citizens exercised that ability.

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

Recent Elections: Observers considered parliamentary elections on June 18 to be free and fair. The Faroe Islands held parliamentary elections on September 1, and Greenland did so in November 2014; these elections were also considered to be free and fair.

### **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 was one report of government corruption during the year.

Corruption: On June 9, the undercover police (a subdivision of the national police) charged 13 persons from the region of Zealand with bribery. The 13 individuals included employees of the national police, the local government, and of two information technology (IT) companies that were seeking contracts to provide IT services to the local government. As of October the investigation continued.

Financial Disclosure: The law does not require public officials to disclose their personal finances. Government officials may not work on specific matters in which they, or someone they represent or with whom they have close relations, have a personal or economic interest and must inform their superiors of possible conflicts of interest.

Public Access to Information: The law provides for public access to government information, and the government effectively implemented the law and granted access to citizens and noncitizens, including foreign media.

## **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations 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 often were cooperative and responsive to their views.

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

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

The constitution and law prohibit discrimination based on race, sex, religion, political opinion, national origin or citizenship, social origin, disability, sexual orientation, gender identity, age, or social status, and the government effectively enforced these prohibitions.

## **Women**

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, and domestic violence. Penalties for rape include imprisonment for up to 12 years, depending on the seriousness of the offense. The government effectively prosecuted persons accused of rape.

According to the Ministry of Justice, the average penalty for rape was two years of prison, which many observers criticized as far too low.

Violence against women, including spousal abuse, remained a societal problem. The Danish Women's Society estimated that 4 percent of all adult women were subject to violence during the previous year. Two-thirds of these cases involved their current or previous partners.

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 support 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 take action to prevent an incident of harassment to pay monetary compensation to victims. The law provides that most such cases be processed through the labor unions, which function as civil society organizations, or through the Equal Treatment Board. The government enforced the law effectively.

The Danish Institute for Human Rights (DIHR) highlighted that instances of sexual harassment were significantly underreported. According to a 2014 report from the EU's Agency for Fundamental Rights, 37 percent of all Danish women reported experiencing sexual harassment. A 2014 report from the National Research Center for the Working Environment found that 3 percent of working women in the country had been subject to sexual harassment on the job.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of their children, manage their reproductive health, and have access to the information and means to do so, free from discrimination, coercion, and violence.

Discrimination: Women have the same legal status and rights as men, including under family, labor, property, nationality, and inheritance laws. There was little discrimination reported in employment, ownership and management of businesses, or access to credit, education, or housing.

According to a press report, women overall earned 17 percent less than men in 2014. The gender pay gap was 24 percent in white-collar occupations and 22 percent in the financial sector.

## **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, they apply for citizenship before their 21st birthday. The law requires that medical practitioners promptly register the births of children they deliver, and they generally did so.

Child Abuse: The national police and public prosecutors actively investigated child abuse cases. In 2014 authorities prosecuted 74 allegations of rape of children age 12 and under and 114 allegations of sexual intercourse with children who were 15 and under. This was an increase from 2013, when authorities prosecuted 30 allegations of rape of children age 12 and under and 53 allegations of rape of children 15 and under.

In 2014 authorities further prosecuted 62 allegations of other sexual relations with children who were 12 and under and 71 allegations of other sexual relations with children who were age 15 and under, an increase from 2013 where authorities received 55 allegations of other sexual relations with children who were 12 years and under and 33 allegations of children who were 15 years of age and under.

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

Sexual Exploitation of Children: The law prohibits the commercial sexual exploitation of children and child pornography. The government generally enforced these laws. In 2014 authorities prosecuted 71 cases of child pornography,

up from 28 cases in 2013, perhaps due to changes in statistical methods. The minimum age of consensual sexual activity is 15. The purchase of sexual services from a person under the age of 18 is illegal.

Displaced Children: The government regarded refugees and migrants who were unaccompanied minors as vulnerable, and the law therefore includes special rules regarding them. A personal representative is appointed for all unaccompanied children who seek asylum or stay in the country without permission. The powers and obligation of a personal representative equal those of a holder of custody. The representative supported and cared for the minor regarding personal problems, and attended asylum interviews and other meetings with the authorities.

According to the DIHR's human rights report released during the year, displaced children performed less successfully than other children in almost all areas, including schooling, health, and general well-being. According to the DIHR, 838 unaccompanied children sought asylum in the country in 2014, the majority from Syria and Eritrea (see section 2.d.).

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at [travel.state.gov/content/childabduction/en/legal/compliance.html](http://travel.state.gov/content/childabduction/en/legal/compliance.html) and country-specific information at [travel.state.gov/content/childabduction/en/country/denmark.html](http://travel.state.gov/content/childabduction/en/country/denmark.html).

### **Anti-Semitism**

The NGO Jewish Community in Denmark estimated the Jewish population at between 6,000 and 8,000 persons.

The safety of the Jewish community in the country remained a topic of extensive debate following attacks on February 14-15 in which Omar Abdel Hamid El-Hussein, a 22-year-old Dane and with prior criminal convictions and reportedly associated with terrorist groups, allegedly shot and killed a film director and injured four police officers in Copenhagen at a free speech forum, "Art, Blasphemy, and Freedom of Expression." Less than 24 hours later, he shot and killed a volunteer guard at the entrance of the Copenhagen Synagogue during a Bat Mitzvah celebration. Police shot and killed El-Hussein four hours after the second attack. Although authorities increased security in many areas after the attacks in January on the head office of the Charlie Hebdo magazine and a kosher

supermarket in Paris, the government did not provide uniformed police presence at the synagogue until after the initial attack on February 14, despite the Jewish community's earlier requests for additional protection. Prior to the February 14-15 attacks, but after the "Charlie Hebdo" attack, the government identified increased public funding for programming to prevent radicalization and extremism, in addition to previous programming and funding to counter violence extremism.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in a number of areas including employment, education, air travel and other transportation, access to health care, and other government services. It also mandates access by persons with disabilities to government buildings, education, information, and communications. The government generally enforced these provisions. The DIHR reported that discrimination enforcement legislation was well established for the workplace (see also section 7.d.) but less so in other areas, such as access to public transportation and educational facilities. Antidiscrimination laws provide for compensation for persons with disabilities who are excluded from the workplace but do not mandate the total inclusion of such persons elsewhere in society.

In September 2014 the Council of Europe's Committee for the Prevention of Torture criticized the increased use of coercive measures in psychiatric facilities. It expressed serious concern about the immobilization of patients, and in particular immobilization lasting longer than 48 hours. The committee attributed this and other shortcomings that it found in three psychiatric hospitals to low staffing levels.

According to the DIHR's human rights status report for the year, between 37 and 48 percent of persons with major physical or mental disabilities reported instances of discrimination. The parliamentary ombudsman monitored the treatment of persons with disabilities and issued opinions regarding complaints of disability discrimination.

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 learning disabilities. The country maintains a system of guardianship for persons considered incapable of managing their own affairs due to psychosocial or intellectual disabilities; the law automatically deprives persons under guardianship of the right to vote.

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

According to the Security and Intelligence Service, authorities recorded 320 hate crimes in 2013, the most recent data available. The service categorized 63 of these as racially motivated, 70 as politically motivated, 26 as sexually motivated, and 30 as religiously motivated. It categorized the remaining 56 offenses as related to extremism or as unspecified hate crimes. The government effectively investigated hate crimes and prosecuted the perpetrators.

The Board of Equal Treatment handled 36 complaints of ethnic discrimination in 2014, including access to employment, apartment rental, and the services of private businesses as well as bullying in public schools (also see section 7.d.). Complaints included discrimination against minorities and reverse discrimination against ethnic Danes.

### **Indigenous People**

Through their elected autonomous government, the indigenous Inuit inhabitants of Greenland participated in decisions affecting their lands, culture, and traditions and the exploitation of energy, minerals, and other natural resources.

During the year the Human Rights Council of Greenland published a report focusing specifically on problems in the area of equality and nondiscrimination, administration of justice and the rule of law, rights to health care, including for children, and persons with disabilities.

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

The law prohibits discrimination against persons based on sexual orientation. Any person who makes a statement or imparts other information that threatens, scorns, or degrades a group of persons because of their sexual orientation is liable to a fine

or to imprisonment for not more than two years. If a person is found guilty of a crime the motive of which was the sexual orientation of the victim, the judge must consider that motive to be an aggravating factor when determining the sentence.

According to the latest available data reported by the Security and Intelligence Service, 26 of the 245 cases of hate crimes recorded in the country in 2013 were related to sexual identity. Authorities actively investigated and punished those complicit in abuses.

The law allows transgender persons to obtain official documents reflecting their new gender identity without requiring a diagnosis for a mental disorder or undergoing surgery. Implementation guidelines published during the year, however, preclude regular doctors from prescribing hormones for gender-reassignment, and, as a result, all transsexual individuals must now visit a single clinic in Copenhagen instead of their regular doctor. Activists pointed to this policy among other medical treatment options as evidence of continuing discrimination against transgender individuals.

## **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 of their choosing without previous authorization or excessive requirements. 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. Workers fired for union activities can take the employer to court and receive reinstatement or a cash settlement on a case-by-case basis. These laws were effectively enforced. Resources, inspections, and remediation including supporting regulations were adequate. Penalties were sufficient to deter violations. Lengthy judicial delays and appeals did not seriously hamper enforcement.

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 sanctions of up to 10 years' imprisonment for violations and was generally sufficient to deter violations. In 2014 authorities identified 71 victims of trafficking, including six victims of forced labor. The government secured the first convictions for trafficking under a stronger statute in 2014. The government also trained tax inspectors and trade union officials to identify forced labor.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

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

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.

The law prohibits the exploitation of children in the workplace, and the government, through the Danish Working Environment Authority (DWEA), enforced this prohibition effectively. Information regarding resources, investigations, and remediation efforts, was not available because there were no reported instances of unlawful child labor. Penalties for violations are determined based upon the size of the company and the seriousness of the violation and range from fines between 40,000 to 80,000 kronor (\$5,800 to \$11,600) and two years' imprisonment.

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

The law prohibits employment discrimination with respect to race, color, sex, religion, political opinion, national origin or citizenship, social origin, disability, sexual orientation or gender identity, age, or language. The government generally enforced these laws effectively. Penalties for violations include fines of between 5,000 to 10,000 kroner (\$725 to \$1,450) or imprisonment of up to two years and were generally sufficient to deter violations. Discrimination in employment and occupation occurred with respect to ethnicity (see section 6).

### **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. The average minimum wage for all private and public sector collective bargaining agreements was 110 kronor (\$16) per hour, exclusive of pension benefits. 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 were determined by collective bargaining agreements adhering to the EU directive that an average workweek not exceed 48 hours. These agreements also provided workers at least five weeks' paid vacation per year.

The law prescribes conditions of work, including safety and health standards, and authorities enforced compliance with labor legislation.

The DWEA effectively enforced labor health and safety standards in all sectors, including enforcement of limiting the hours worked per week. As of July 2014, the DWEA inspected 17,571 workplaces and issued 15,927 improvement notices. The DWEA has the authority to report violations to the police or the courts if an employer fails to make required improvements by the deadline. Court decisions regarding violations were released to the public and show past fines of 2,500 kronor (\$360) to 40,000 kronor (\$5,800) imposed against noncompliant companies or court-ordered reinstatement of employment. Greenland and the Faroe Islands had 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.