



ngo group for the crc

## STATE PARTY EXAMINATION OF DENMARK'S FOURTH PERIODIC REPORT

56<sup>TH</sup> SESSION OF THE COMMITTEE ON THE RIGHTS OF THE CHILD

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*Denmark ratified the Convention on the Rights of the Child (CRC) on 19 June 1991. On 24 January 2011, the Committee on the Rights of the Child (the Committee) examined the fourth periodic report of Denmark. It was last examined on 26 September 2005. The State party has reservations on article 40 (2) b (v).*

### Opening Comments

The delegation of Denmark was led by Mr. Allan Rohbøl Jacobsen, Head of Human Rights Unit of the Ministry of Foreign Affairs. He was supported by a large, high-level delegation consisting of representatives of the Ministry of Social Affairs, the Ministry of Education, Ministry of Interior and Health, Ministry of Integration, Ministry of Justice, a representative of the Ministry of Social Affairs of the Faroe Islands, the Ministry of Social Affairs of Greenland, and the Permanent Mission in Geneva.

Mr. Jacobsen provided an update of some of the substantial developments in Denmark related to the CRC, as he believed the Committee had already thoroughly studied the fourth periodic report submitted in August 2008. He said a number of concrete commitments in relation to the International Human Rights Cooperation (IHRC) were made through the Strategy for the Danish Government's approach to the IHRC launched in March 2009. One of its key objectives was the promotion and protection of the rights of the child.

Mr. Jacobsen highlighted two commitments of the Danish government: to work towards supporting independent international monitoring of human rights compliance and to enhance cooperation with civil society organizations working for the implementation of international human rights conventions and declarations. The government welcomed, but did not necessarily agree with the content of the alternatives reports elaborated by the Danish Institute for Human Rights (DIHR), the National Council for Children, the Reporting Group, and Save the Children in Greenland.

Mr. Jacobsen underlined five recent projects of the Danish government. The first, “The Child’s Reform”, in force since 1<sup>st</sup> January 2011, aimed to increase the welfare of children at risk as well as the basic enforcement of children’s rights. The reform focused on children’s and young people’s possibility to develop their personal and professional qualifications to enhance their overall quality of life, as well as on children’s safety and foster families’ rights and duties to receive supplementary training and supervision. The reform emphasised children’s right to complain and lowered the age limit for complaints to 12 years. The government made significant investment in the second project on the Day Care System, as 97 per cent of all children between three and five years in Denmark were in this system. The third project concerned unaccompanied minors entering Denmark, particularly those applying for asylum. Almost all unaccompanied minors applied for asylum in Denmark. Their number had grown and their profile significantly changed in recent years, such that a large number were Afghan boys aged 15-17 years. As the best interest of the child was fundamental, Mr. Jacobsen said special arrangements for access to accommodation, health, education and leisure were made for families with children during their stay in Denmark, while unaccompanied minors applying for asylum were accommodated separately from adults. Mr. Jacobsen also noted that the Alien Act was amended in December 2010 and voluntary return and tracing of family members was organised for those children who were not granted a residence permit.

Furthermore, the “New Start” programme presented in October 2009 aimed at dealing with juvenile crime in a comprehensive way through initiatives under the Ministry of Social Affairs and the Ministry of Justice. As such, the Criminal Code was amended in June 2010, changing the minimum age of criminal responsibility from 15 to 14. In this regard Mr. Jacobsen assured that the intention was not to send children to prison, but was aimed at relief measures according to the Act on Social Services or Community Service. In cases of very serious crimes, young offenders could be sentenced to a special sanction in form of a structured, controlled socio-educational treatment programme over a two-year period. The last project was an action plan against drug abuse called “The Fight Against Drugs II”. It was launched in October 2010 by the Danish government building the drug policy on four central pillars: prevention, treatment, harm reduction and control. Mr. Jacobsen gave an example of a very successful three-year prevention project called “Drugs out of the Town” and 19 million Danish Kroner were granted for the implementation of similar projects in municipalities throughout Denmark.

Mr. Torben Weyhe, the representative of Greenland, made a statement and said that the government had taken into consideration the Committee’s 2005 concluding observations. In June 2009, Greenland celebrated the entry into force of the Act on Self-Governance, which gave Greenland the opportunity to gain further responsibility from the Danish State. The implementation of the CRC was under the auspices of the Greenland Home Rule Government and the new government placed children and youth people on the top of its political agenda, allocating 25 million Danish Kroner of the 2010 financial bill to the implementation of the Children’s Council (including a Children’s Spokesman) and Children’s Centre for sexually abused children. Mr. Torben Weyhe informed that the government of Greenland had signed a five-year cooperation agreement with UNICEF Denmark. UNICEF contributed to the revision of the Act on Help to Children and Youth. To ensure long-term planning, the government initiated a Children and Youth Strategy in collaboration with municipalities, local experts and NGOs to be presented to the Parliament in 2011. He added that the reform in the primary and secondary school had been implemented and a reform of the tertiary education system was planned. Mr. Torben Weyhe also said that a future reorganisation of the Health Care System would facilitate access to specialized treatment in Greenland and that

a Commission for Welfare was established in 2009 and was expected to deliver a report with recommendations for socio-economic reforms to level out the social and economic inequality in the society. Finally, he expressed gratitude to the Committee for its contribution to the improvement of conditions for children and youth in Greenland and assured the Committee of Greenland's full commitment.

Ms. Hallbera West, representative of the Faroe Islands, addressed the Committee and explained that the present report was the first substantial contribution of the Faroe Islands on the measures taken to implement the CRC. The government had involved the media and NGOs in the preparation and dissemination of the report. The government of the Faroe Islands considered human rights and democracy to be fundamental for society, as the general welfare system contributed to high standards of living. Ms. Hallbera West described the government's intention to develop and implement an action plan to address violence in the home for women and children, which would be launched in the spring of 2011.

Ms. Mauras Pérez, the Country Co-Rapporteur, expressed her warm welcome to the multi-institutional and multi-territorial delegation, including representatives from Faroe Islands and Greenland. She was pleased that the State Party report considered the input of civil society and research institutions, such as the Danish Institute for Human Rights. She further noted that according to UNICEF, Denmark was among the most advanced countries in the promotion of children's equality.

Among the challenges, however, Ms. Mauras noted that the rights of the child were unequally enjoyed in Denmark versus Faroe Islands and Greenland. As such, she asked for more details about the reform of the administrative structure at municipal level (2007) and its impact on the distribution of resources, the criminal justice reform and the law on social services (2011). Ms. Mauras expressed concern for what appeared to be an excessive punitive reaction to juvenile crime, and that age of criminal responsibility had been lowered. Also, there seemed to be no central authority charged with implementing a comprehensive policy for all the children in the country.

She congratulated Denmark's commitment to overseas development assistance and the draft law of 2008 that obligated 1,100 large companies to respond to the Danish Institute for Human Rights's corporate social responsibility recommendation. Nevertheless, Ms. Mauras was concerned about the increased intolerance towards Roma people in the country, the insufficient number of shelters for women suffering from violence and the withdrawal of the residence permit from women who leave abusive husbands.

Mr. Filali, the Country Co-Rapporteur, welcomed the members of the Danish delegation and expressed concern about the reservation on article 40(2)(b)(v), as the right to appeal was discriminated against in some cases. He asked about its regulation and validity regarding the principle of fair trial. Moreover, he noted that the State Party report and the core documents prepared by Denmark, gave the impression that the CRC was a source of law in Denmark that could be applied by tribunals and public administration; however, the Danish government had refused to incorporate it into the national law and to give it an equal status.

Mr. Filali congratulated the initiative "Give Racism the Red Card", but recommended that wider dissemination of the CRC should be assured in primary and secondary schools. He also raised the issue of the recent amendment to legislation on the repatriation of children, to Afghanistan for instance, which was contrary to the principles of non-discrimination and the best interests of the child. Mr. Filali asked for more precise information on the application of the right of the child to be heard in legal procedures and training of staff with regard to detention. He reiterated the lack of a Child Ombudsperson's office and asked about measures

to fight poverty, particularly in the Faroe Islands and Greenland. Mr. Filali also asked about the State's reaction to the disturbing statistics, which showed that on average more than eight per cent of deaths of children below 15 years are as a result of poor parental treatment.

## **General Measures of Implementation**

### ***Reservations***

Regarding the reservation to article 40(2)(b)(v), the delegation stated that there were still some minor cases where the right to appeal was not possible, except if special permission was granted by the Danish Leave of Appeal Board. The delegation emphasised that these were only a few minor offences concerning simple matters of law where the penalty did not exceed 400 Euros. It was possible to ask for special licence and appeal in special cases. The Committee was concerned that it was a right to be able to appeal and that even for small amounts the person might be willing to avoid precedents (*précédent juridique*). The delegation said that there were several ways of recording, but could not give further details.

### ***Incorporation in national law***

The Committee asked whether Denmark intended to incorporate the CRC into its national law. The delegation said that Denmark had decided not to incorporate the CRC, but considered its national legislation in conformity with its provisions. The delegation stated that the CRC was a valid source of law in Denmark and stressed that the government took the international human rights conventions seriously and authorities had to respect them. The Committee was sceptical about the application of an unwritten law. The delegation explained that the CRC was translated and disseminated and the judges were required to interpret in accordance with it.

### ***Legislation***

The Committee asked why the provisions of the OPSC did not extend to the Faroe Islands and Greenland. The delegation assured that the majority in the Parliament of Greenland was in favour of the adoption and that after the necessary amendments, e.g. complete prohibition of corporal punishment, it would be adopted. The ratification would be considered for the Faroe Islands.

The Committee asked for additional information on the Child's Reform legislation and on the measures to harmonise child rights legislation in Greenland and the Faroe Islands with the CRC. The delegation said that the rights of the child and the overall welfare of children were key priorities for the government and that this was reflected in the child reform, which entailed several amendments to the Act on Social Services to ensure the best interest of the child and to support local communities and children at risk. The law was passed in the Danish Parliament and almost one billion Danish Kroner (approximately 225 million Euros) were allocated to the reform over a four-year period. The amendments had four main goals: First to enhance safety in childhood and adolescence by placing children in foster families rather than in institutions. Second, to strengthen the right to appeal at the age of 12 instead of 15 by providing legal assistance to the hearing of the cases and by giving the national Social Appeals Board the right to initiate cases. A major function of the Danish social system was the comprehensive social appeal system. Third, to enhance early intervention for children at risk, by taking early intervention for children with social problems. As an example, the delegation described the extension of the opportunity for professionals, schoolteachers and health care personnel to discuss concerns about the safety of children at early ages and without the parents' consent. The fourth category of reforms aimed to strengthen the quality of support and intervention programmes and to provide the local authorities with provisions about placement facilities.

The Committee asked about the new legislation's definition of 'children at risk', and whether this act was a reaction to how the State identified children's 'at-risk behaviour'. The delegation agreed that it was difficult to give objective guidelines for defining 'children at risk' and said that the legislation broadly defined them. However, social workers in schools, who handled individual cases, were trained to identify children at risk. The delegation explained that the national appeal system allowed individuals to appeal. The State had not defined the poverty line for children at risk.

The Committee asked whether children under 17 were able to access a complaint process. The delegation clarified that the National Social Appeals Board differed from courts and said that legal representatives were available and upheld the best interest of the child.

In response to the question about the rationale of the reform, the delegation said that it was prepared over a long period and involved the help of experts who determined the central focus areas. Concerning the question about the balance between the penal system and the early intervention prevention program, the delegation stated that the focus was on early intervention. With regard to the questions on the main authority for child policies, the delegation explained that local authorities were responsible for support and that the central authority only assured the follow-up and monitored local authorities' performance.

### **Resources**

The Committee agreed that early intervention was important, but that preparation, prevention and training by municipal programmes needed financial and human resources. The delegation explained that the economy of the local authority was decentralised and that on a central level there was important state funding, almost half a billion kroner, which was designed to support the participation of local case-workers. The delegation said that local authorities decided which areas they wanted to invest in and that the resources had grown significantly during the last 15 years. The delegation recognised that a monitoring system was important to ensure efficient use of financial resources.

### **Jurisdiction**

The Committee asked for information about the territorial organisation and the competences of the different territories. The delegation explained that the Home Rule Acts (1948, 1978), enabled the Faroe Islands and Greenland to take responsibility for almost all parts of society. In the Constitutional Order (1953), these territories were part of the Danish Realm and therefore not sovereign and not competent for external relations, defence policy, monetary policy and the administration of justice. The delegation said the relationship and exchange of views was constructive and occurred regularly. With regard to international agreements, extension was only decided after careful consideration with the Faroe Islands and Greenland. Since Denmark would be held responsible under international law, there had been many reservations to human rights conventions.

The Committee asked about the implementation of the Child's Reform in the Faroe Islands and Greenland. The delegation said that the Faroe Islands and Greenland had competence over the implementation of the CRC on their respective territories and that the Child's Reform legislation applied only to the mainland. The Committee noted that the reform that had been completed in Denmark was being carried out in Greenland with the support of UNICEF, and wondered whether there was a shared experience. The delegation affirmed this practice, but said the situation in Greenland was very unique.

### **Coordination**

The Committee asked whether there were measures to avoid unequal application of the CRC in Denmark and whether there was a comprehensive national plan of action. The delegation

reiterated that the system was decentralised and that the appeal system assured that legislation was equally applied across the country. There was cooperation and exchange with the Faroe Islands and Greenland, but they had their own legislation and measures.

### ***Monitoring***

The Committee expected more details about monitoring the application of the Child's Reform and about other reporting systems that existed to ensure that cases of abuse or violation of the principle of best interest of the child by case-workers, nurses, and doctors were prevented. The delegation said the State did not have standard protocols.

### ***Children's ombudsperson***

The Committee inquired about the child ombudsperson. The delegation said there was no child ombudsperson and that the State did not contemplate the establishment of a complaints board that had a specific CRC mandate, as young people could file complaints with the ombudsperson responsible for public administration in general. The Faroe Islands had taken no measures to establish an independent monitoring mechanism for child rights, but Greenland had decided, in 2010, to develop an independent children's council that was a permanently funded body. With regard to evaluation, the delegation did not know whether a specific evaluation had taken place, but said that there were several complaint systems in the Ministry of Social Affairs; complaints could be brought to these bodies.

### ***Dissemination and training***

The Committee was concerned that a recent study found that only 18 per cent of children surveyed knew about the CRC, but commented that Denmark was very active in children's rights promotion in the African countries; it was a paradox that African children there were more aware of the CRC than Danish children. The Committee asked how the CRC was disseminated and applied in the country and whether the CRC was explicitly incorporated in primary or secondary school curricula. The delegation described the highly decentralised structure and content, themes and methods in the Danish educational system. As a result, it was difficult to get all teachers to teach the same Principles from the CRC, the democratic values and respect for dignity were included in the curriculum.

The Committee asked why the CRC was not explicitly incorporated in the school curriculum, as it covered all aspects of the rights of the child, and wondered whether it was because it the CRC was not seen as valid source of information. The delegation explained that all organisations were encouraged to promote the knowledge of the CRC and agreed that it was a valid source of information on child rights. However, with regard to the curriculum, the government could not address to any specific material, except if it was asked to do so.

The Committee asked whether judges received specific training on children's rights, as the CRC was not incorporated in the national legislation. The delegation said that in October 2009 the government had presented a comprehensive programme that ensured introductory courses in human rights for all judges. These judges reviewed all the criminal cases for individuals under the age of 18. Denmark aimed to engage special judges for all the criminal cases for individuals and the Court of Denmark was preparing an educational programme for judges and lawyers. Courses and handbooks were also provided for social workers and case-workers. Additionally, a task group scrutinized the opinions in municipalities around Denmark; many municipalities had asked for more meetings, because of their success.

## **General Principles**

### ***Non-discrimination***

The Committee congratulated Denmark for the information campaign, "Give racism the red

card”, on diversity and equal treatment, but was concerned that intolerance was rising in the country and that the December 2010 amendment to the Aliens Act, enabled repatriation. The Committee asked whether this amendment complied with the right of non-discrimination and the best interest of the child in case of unaccompanied minors or asylum seekers.

### ***Best interest of the child***

The Committee noted that the application procedure for residence permits requested information that was not in accordance with the maturity of the child and asked for more information about the procedure for granting asylum or residence permit to unaccompanied minors. The delegation said that minors who were not mature enough to undergo the official procedure, would be automatically granted a stay permit; the specific circumstances of the country of origin would be taken into consideration while making the decision.

### ***The right to life, survival and development***

The Committee asked for clarification about the high number of work-related accidents with minors. The delegation noted that special regulations were in place and that there were special services that controlled the work environment. The National Council for Children was also working on the issue. The Committee was concerned that every seventh child in Greenland had parents with severe problems with maintaining their parental responsibilities.

### ***Respect for the views of the child***

The Committee asked whether children’s views were considered when they were placed in care centres for unaccompanied or asylum seeking children, as they did not seem to be individually interviewed. The delegation said this question was a delicate issue, as the children in the centres had very different backgrounds. In an asylum procedure, these children were always first given the possibility to talk about their case with the Refugee Board. The hearing was only interrupted if they were considered too immature for the procedure. In cases of detention, the child was given the right to be heard during all stages of the procedure and the child was given the opportunity to appeal to the decision of the Court.

## **Civil Rights and Freedoms**

### ***Nationality acquirement***

The Committee asked for more information about the right to automatically acquire nationality at birth in Denmark, particularly for stateless children. The Committee noted that many children born in Denmark by foreign parents were denied citizenship because they lacked the necessary documents. The delegation explained that the naturalisation law (1992) could be applied to stateless children; however these children would not automatically acquire Danish nationality. The recent amendment to this law created administrative hesitancy to the normal guidelines and as a result, some applications had been rejected. The delegation assured that wrongfully rejected applications were reopened and corrected. According to article 44 of the Danish Constitution, naturalisation was the exclusive prerogative of the Legislature; in Denmark there was no automatic naturalisation at.

### ***Access to appropriate information***

The Committee asked about the measures adopted since 2005 and the position of the government on child protection from information and material that was harmful to their wellbeing, particularly in relation to social networks. The delegation explained that the police and internet providers collaborated and the Danish national police regularly sent information to the internet provider when child pornography websites were found. The delegation explained that information on media use was taught at school, so that children could discern harmful material, identify risky communications and take safe actions when an unknown

person contacted them. The delegation said Microsoft provided teaching materials on web ethics and web corporate social responsibility. The Committee asked about the information received through other media, e.g. television and newspapers.

### ***Protection from abuse and neglect***

The Committee was concerned that children in Denmark did not have sufficient knowledge about the CRC and asked what measures had been taken to protect children from violence. The delegation stated that the Ministry of Social Affairs had a strict duty to notify the authorities of any information or reports of violence against children. A campaign targeting violence against children would be organised to make all children aware of their rights.

## **Family Environment and Alternative Care**

### ***Alternative care***

The Committee was concerned that a large number of children were subjected to alternative care and cited the most common reasons for institutionalisation were situations where parents or caretakers were unable to deal with the behavioural and emotional problems of children in their care. The Committee asked whether Denmark was discussing more preventive measures for children. The delegation agreed that the trend towards institutionalisation noted in the State Party report was appalling, the rate among new placements had dropped. The delegation acknowledged that it was unclear whether the drop in new placements was due to new initiatives in municipalities or if not enough children were being identified. The delegation said that different solutions needed to be developed and that institutions should be the last resort and in accordance with UN guidelines for alternative care.

### ***Family support***

The Committee noted the unclear impact of cuts in subsidies on families, such as the “300 working hours rule” in the social welfare system. The delegation explained that this rule was approved in 2007 and there had not been an investigation since 2008. According to the 2008 assessment, one third of the people got employed afterwards. The Committee noted that this also meant that more than one third were not employed afterwards and that it was the State’s obligation to help families in extreme poverty. The delegation explained that this was just one of the strategies of the government and that there were other mechanisms to fight poverty and address socio-economic difficulties experienced by families, including a variety of welfare schemes, e.g. disability, education, and health care.

### ***Child abuse***

The Committee noted that Denmark had an action plan on protection of abuse and asked whether the data from 2003 had been updated. The Committee also asked whether medical and psychosocial measures were taken to support child victims, particularly when the perpetrator was a family member. The delegation explained that the 2003 action plan was still in effect, but had not been updated. The delegation said protection of children from abuse was an important priority and that a comprehensive strategy, developed with the participation of the relevant authorities, NGOs and children, would be launched at the beginning of 2011. With regard to victim support, the delegation said that child victims could obtain compensation from the State for cases of sexual abuse. The 2006 Amendment to the Danish Criminal Code punished Danish citizens found to guilty of sexual abuse, even when committed outside of Denmark.

### ***Abduction***

The Committee asked for data on abduction of children both into and out of Denmark and for more information on the situation of abduction to a country that was not a member of the

Hague Convention on the Civil Aspects of International Child Abduction. The delegation said that the State was cooperating with the United States and other countries in this respect. With regard to data on abductions, the delegation reported that there were approximately 25 child abductions from Denmark to other States parties of the Hague Convention and about 15 to Denmark.

### ***Adoption***

The Committee asked whether it was possible to increase national adoptions, as there were a high number of children in alternative care and a high number of international adoption cases. The delegation explained that the rules of adoption had changed since October 2009, which now made it possible to carry out an adoption of a child without the consent of its biological parents, if the biological parents were permanently not in a position to take care of the child or could not play a positive role in the child's upbringing. Adoption was a very big step for a child and social workers helped children to adjust to the transition.

## **Basic Health and Welfare**

### ***Attention deficit hyperactivity disorder (ADHD)***

The Committee reiterated its concern about the over-medication of children with ADHD and suggested improving mental health promotion and developing sustainable preventive programmes such as promoting the use of primary healthcare in schools. The delegation assured that medicine was not prescribed easily, but rather that a diagnosis was needed as well as an individual treatment plan. This process was monitored by ministries and agencies and the National Board of Health could intervene, if necessary.

### ***Adolescent health***

The Committee asked for more information on the health education system in Greenland given the high rate of pregnancy among young girls, as well as teenage abortions, obesity and alcohol consumption. The delegation explained that in order to develop a responsible approach to drinking, the age limit for alcohol consumption was fixed at 18. While there were no written policies on child health education, this question was not neglected and every child was included in a system of promotion of health care services.

### ***Institutional care***

The Committee noted that compared to the statistics from other developed countries, Danish children were placed for a longer period in institutions (over 3 years). The Committee noted that according to a 2008 study only 27 per cent of these children had an action plan and many children need further support.

The Committee asked whether children were mixed with adults in institutional care. The delegation explained that children were placed separately from adults, except in one institution, where they were separated in different sections of the buildings and did not live together.

### ***Maternity leave***

The Committee asked whether there was a plan to establish a longer period for maternity leave to encourage breastfeeding. The delegation said that the current system was in line with international obligations.

### ***Bullying***

The Committee asked about the responsibility of parents, schools and municipalities to prevent bullying. The delegation noted that school bullying had decreased from 25 per cent in 1994 to 6 per cent in 2010 and noted that there were a number of national campaigns and

other concrete methods to prevent bullying at school. There was a project to explore whether bullying was a social practice and group dynamic that could be resolved by providing social structure. The delegation acknowledged that bullying was not eradicated, but said it was high on the political agenda.

## **Education, Leisure and Cultural Activities**

### ***Integrative Education***

The Committee noted that many Danish children with disabilities attended special schools and asked whether the State had developed a comprehensive strategy to address the problem. The Committee asked for more information on the 2007 reform of the educational training for teachers and the possibility of integrative education. The delegation acknowledged that children with disabilities had specific needs and had to receive appropriate education. It noted that the State was working to increase children with disabilities' access to mainstream education. To meet this goal, special resources would be allocated and one third of the future teachers would have the necessary preparation.

### ***Mother tongue***

The Committee asked whether it was possible to study in the minority language, Inuit. The delegation said that Greenland's language, Inuit, was an official language of the country and according to recent policies, it was possible to study in Inuit at school.

## **Special Protection Measures**

### ***Children of prisoners***

With regard to measures taken for children of prisoners, the delegation explained that children could live in prison with their parent if they were under the age of three and if the social authorities found it in the best interest of the child. The delegation assured that currently, only one child in Denmark was living in prison with its mother. Special houses existed for older children.

### ***Children in conflict with the law***

The Committee was concerned that the minimum age of criminal responsibility had been lowered from 14 to 12 years and asked whether the number of minors detained was expected to increase. The delegation said that this was not an issue and explained that new centres were being built to deal appropriately with young offenders. The Committee noted the initial holding in custody of young offenders in the police office, which could last up to six hours, and asked whether children would be left alone or accompanied.

### ***Refugee and asylum seekers***

The Committee asked how Denmark was dealing with the issue of safe return and whether it had implemented the European Union's regulation of return to the country where the border of the European Union was first crossed, for example with regards to Greece. The delegation said that for a long time no child was returned to Greece and that asylum seeking children could be returned to a county where if it was in the child's best interest. With regard to age determination procedures, the delegation said that the consent of the child was required for assessment.

The Committee asked whether there were legislative measures that protected children arriving from other countries, and were seeking asylum, for example because of involvement in armed conflict or other particular situations. The delegation assured that when considering the application for asylum, the special conditions of the child, e.g. FGM victims and victims

of hostilities were taken into account. The delegation explained that the unaccompanied minors could be granted a permanent representative and this person was assigned to counsel or accompany the minor to the refugee board and also to assist the child in its daily needs.

### **Trafficking**

The Committee congratulated Denmark for its efforts made to eliminate the trafficking of children and women and noted that Denmark's legislation was in full compliance with the minimum standards for the elimination of human trafficking. The delegation explained that the government had an action plan 2007-2010, which had been evaluated by an external evaluation agency. The delegation stated that the national police were responsible for tracking down prostitutes and the controllers of prostitution were prosecuted. The police received mandatory training and general education about trafficking through the Police Academy. The delegation noted that eight million kroner were dedicated to initiatives in this area.

### **Concluding Remarks**

Ms. Mauras Pérez, the Country Rapporteur, appreciated the detailed, careful and candid answers of the delegation, as well as Denmark's commitment to international human rights and to development and progress in this area. She looked forward to receiving updates from Denmark, Greenland and Faroe Islands. The Country Rapporteur reiterated the Committee's concern that child reforms needed to do address prevention, to ensure that children did not fall into a situation where they were at risk. She expressed the Committee's hope for Denmark to extend the Day Care system as part of a preventive approach in Greenland and Faroe Islands. Ms. Pérez invited the delegation to evaluate the juvenile justice reforms and the decision to reduce the age of criminal responsibility. She urged for an overall comprehensive approach to bring national law into line with the CRC and emphasised that the National Children's Council, as an NGO, could not perform the role of a Child Ombudsman.

The head of delegation thanked the Committee for its thought-provoking questions and said that the Committee's examination played an important role in the government's effort to fulfill international obligations. He emphasised that the Committee's reporting requirements were a resource-demanding process for states, but also a good opportunity to reflect on implementation efforts. Mr Jacobsen promised there would be further reflection on the recommendations and stated that they would be published on the State's website and sent to the Parliament; however he could not promise that comments and concluding observations would lead to changes in Danish policy.