



THE DANISH
INSTITUTE FOR
HUMAN RIGHTS

HUMAN RIGHTS ON
THE AGENDA

REPORT 2014-15

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There is a constant need for a vivid and public debate on the legitimacy and role of human rights in society – regardless of how strong a presence they are to have politically and practically.”

Jonas Christoffersen, Director of the Danish Institute for Human Rights

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ABOUT THE INSTITUTE

The Danish Institute for Human Rights is Denmark's National Human Rights Institution. We promote and protect human rights and equality in Denmark and internationally. We want to set standards and create change.

We also act as the national equality body for matters of racial and ethnic origin and for gender issues. In addition, we have a special role in the disability area, where we promote and monitor implementation of the UN Convention on the Rights of Persons with Disabilities.

In the past year, we have, among other things:

- prepared the annual overview of the human rights situation in Denmark. In the 2015 edition, we review 22 areas. Read more on humanrights.dk/status
- prepared 174 legal briefs to proposed legislation containing human rights content.
- published nine reports, five research-based books, more than 28 research articles and chapters in books. In the media, we have published about 30 op-ed pieces, analyses and blog entries and contributed to more than 2,500 news items and supplies. Read more on humanrights.dk.
- advised 43 persons in cases related to unequal treatment and discrimination because of race, ethnicity or/and gender.

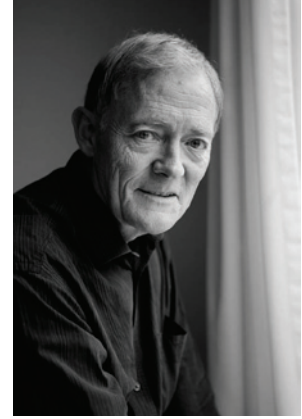
We work internationally through partnerships with ministries, authorities and national human rights institutions to ensure robust and sustainable results.

We concentrate our work in eight strategic priority countries:

- Burkina Faso, Mali and Niger in West Africa.
- China and Nepal in Asia.
- Tunisia and Yemen in the Middle East and North Africa.
- Kyrgyzstan in Eurasia.

As of 2015, we are also active in: Afghanistan, Albania, Belarus, Benin, Egypt, The Gambia, Libya, Myanmar, Russia, Tajikistan, Vietnam, Zambia and Zimbabwe. Read more about our international work in humanrights.dk.

FOREWORD



One of our fundamental human rights, freedom of speech, was attacked in the most chilling way with the terrorist attacks in Paris and Copenhagen. It is frightening when people are killed because of their beliefs or expressions. It happens many places around the world, with many casualties, but the emotional toll is more severe when terror strikes so close to us at home.

It is of utmost importance to preserve and defend the values that characterise our society: individual freedom and pluralism. The response to terror must not be intensified surveillance and casting suspicion on groups of people, neither among the majority population nor among minorities. Denmark must protect human rights and this is best achieved when we have thorough knowledge of these rights and where these rights may be vulnerable.

The Danish Institute for Human Rights has called for a more coordinated human rights effort in Denmark. It is our hope that the coordinating cross-ministerial committee on human rights, together with the annual report and parliamentary debate, announced by Minister of Foreign Affairs, Mr. Martin Lidegaard, will place human rights at the top of the politicians' agendas.

We take seriously our responsibility to contribute to an informed and constructive debate. We do this partly through our continuous monitoring of human rights in Denmark, our dialogue with state officials and our interaction with the Danish public. Our annual Status Report, which has just been published, provides a thorough overview of the major improvements and challenges facing human rights in Denmark.

In 2014, we also adopted a new strategy for the institute's international work, which means that we will utilise our position as the national human rights institution in Denmark to help other countries build their capacity to protect and promote human rights.

This and much more is contained in our annual report to Parliament. We hope the report will increase interest in our work and in the development of human rights in Denmark.

Enjoy the report!

Jonas Christoffersen
Director

Ole Hartling
Chairman of the Board

BIRD'S EYE VIEW

Human rights are generally progressing well in Denmark, although our Status Report 2014-15 contains more than 200 recommendations covering many different areas. When we take a bird's eye view, we can identify five areas that seem to be particularly difficult to work with, perhaps because these areas require more thorough efforts.

1

DETENTION

Remand imprisonment in Denmark is of longer duration and more frequent than in, for example, Sweden and Finland. There are many persons with psychosocial disabilities among the detainees. Solitary confinement is used frequently and for longer periods. The punitive use of solitary confinement (isolation as punishment) is at a very high level. Even children can be placed in solitary confinement in Denmark, and punitive isolation has been used for up to two weeks. Pepper spray is used against detainees, with foreigners and persons with psychosocial disabilities being especially vulnerable. Foreigners on 'tolerated stay' in Denmark live under very restrictive and difficult conditions. Physical restraints in the psychiatric wards are used too frequently. **Denmark appears to have a blind spot in terms of citizens' personal freedom.**

2

SURVEILLANCE

Leaks of personal identification (CPR) numbers and other personal data. Mass surveillance by general logging. CCTV in public spaces. Inadequate IT security at public institutions. A weak Data Protection Authority. Cross-checking of individuals' public records. Inspections carried out by public authorities without a court order. The Police Intelligence Service and the Defense Intelligence Service carry out their work largely without independent oversight. An assessment of the anti-terror measures has not been carried out. **Denmark needs to reconsider the issue of citizens' freedom from surveillance.**

3

REFUGEES

Family reunification is restricted for certain refugees. The integration of refugees must be balanced against the goal of preparing them for their eventual return to their home country. Many refugees will be traumatized and require treatment. Some will have diseases that must be treated. Legal aid for the asylum application process is weak. Unaccompanied refugee children arrive in Denmark, but many simply disappear. Some children must be returned to reception centres in their home country. Others are sent home when they turn 18. Some families break apart, obtain a residence permit on humanitarian grounds and live miserable lives. **Denmark does a lot, but respect for refugees' family life and dignity is under pressure.**

4

CHILDREN

Neglect and sexual abuse. Growing up in drug or alcohol abusing families. Problems with the use of force against children placed in care. Difficulties with the inclusion of children with special needs in schools. Differences between boys' and girls' benefits from public school teaching. Differences between ethnic groups' benefits from schooling. Lack of legal security for children expelled from private schools. **Denmark has strengthened its efforts, but there continue to be many tasks left in the area of children's rights.**

5

DISCRIMINATION

Attacks on homosexuals, Jews, ethnic minorities and others are still a major problem. Stereotypes thrive. Anti-discrimination legislation, for example, does not cover persons with disabilities, due to a weak and uneven law. We see insurance companies refusing to insure persons with psychosocial disabilities. A health service unwilling to carry out organ transplants because the patient has a developmental disability. A public school system that provides uneven assistance to pupils. Fathers utilize only seven percent of the total allocated parental leave, and this affects wages, the labour market and management positions. **Denmark is known as an egalitarian society, but perhaps we are not as equal as we like to boast.**

LEGAL AND POLICE AUTHORITIES

SIGNIFICANT CHANGES IN THE ADMINISTRATION OF JUSTICE ACT

In 2014 there have been significant changes in the Administration of Justice Act (**Retsplejeloven**) seen from a human rights perspective. In line with the Danish Institute for Human Rights' recommendation in our 2013 Status Report, it has been clarified that the Supreme Court should deal exclusively with cases involving issues of principle or of significant public importance.

On the other hand, the Danish Institute for Human Rights is concerned about the decision to give the High Court the possibility, under certain circumstances, to refuse to hear a civil lawsuit if the court deems that the case will have a different outcome than in the District Court. This innovation in Danish law has been introduced without a detailed assessment of its legal consequences.

The government also proposed raising the minimum amount for appealing a civil action from DKK 10,000 to DKK 50,000. After a number of critical legal briefs to this proposal, including from the Danish Institute for Human Rights, the minimum limit was subsequently raised, but only to DKK 20,000 before Parliament passed the amendment.

BURDENSOME REMAND IMPRISONMENT AND DETENTION

During 2014, a number of Danish conditions have been assessed by international bodies. Among other things, the Council of Europe's Committee for the Prevention of Torture

visited Danish prisons and pre-trial detention facilities. The visit to Denmark resulted in a number of recommendations to the Danish authorities, with which the Danish Institute for Human Rights is in agreement. Among these recommendations, Denmark was urged to reduce the use of force, remand imprisonment and isolation of children. In Denmark, solitary confinement continues to be applied to children, with examples of punitive isolation being used for a period of up to two weeks. This occurs despite the disproportionate psychological burdens on these children caused by the solitary confinement.

Remand imprisonment in Denmark continues to be at a high level. Many persons are detained for long periods, and pre-trial detainees still



Remand imprisonment can have major financial and personal consequences for the individual citizen."

Senior Researcher Peter Scharff Smith



The Danish Institute for Human Rights is concerned that the High Court has the possibility to refuse to hear certain civil lawsuits if it is deemed that the case will have the same outcome as in the District Court.

represent a disproportionately high share of the total number of inmates in Danish penal institutions.

Although solitary confinement applied for investigative purposes during remand imprisonment has been at historically low levels in recent years, the use of punitive isolation remains at a very high level. In addition, many inmates are in voluntary isolation because of threats and risk of abuse.

Generally, the prison environment has become more insecure for both prison guards and inmates, although 2014 saw a decline in the number of inmates. This has led the Danish Prison and Probation Service to request that the Ministry of Justice extend the possibility to use pepper spray, so that pepper spray can now become part of the prison staff's

standard equipment. The Prison and Probation Service is now considering formulating clearer rules on the use of pepper spray based on recommendations in the Danish Institute for Human Rights' new report on the subject. The application of force in Denmark's prisons and pre-trial detention facilities is increasing. This may be due to the increased proportion of inmates from outlaw motorcycle gangs and street gangs, but also due to a very large number of inmates with psychosocial disabilities.



SETBACKS

- The government's Computer Emergency Response Team (GovCERT) has by law become part of the Centre for Cyber Security under the Defence Intelligence Service (FE) with limited possibility for access and oversight.
- A reform of the administration of justice means that under certain circumstances, the High Court may dismiss a civil lawsuit in the second instance if there is no prospect that the case will have a different outcome than in the District Court.
- The National Police retain the fingerprints for persons acquitted of crimes, in violation of a 2008 judgment of the European Court of Human Rights, because the necessary decree from the Ministry of Justice has not yet been issued.

STRONGER DATA PROTECTION NEEDED

Protection of individuals' right to privacy has been high on the agenda in 2014. The year has seen several cases of data breaches with the Se og Hør/Nets case as probably the most prominent. There have also been critical reports from the Auditor General, a controversial law establishing the Center for Cyber Security and the invalidation of the EU's Data Retention Directive from 2006.

Shortly after the EU judgment against the Data Retention Directive, the Danish Government decided to abolish the retention of internet session logs, which collect information on Danes' internet usage. The Danish Institute for Human Rights has long recommended that the Danish data retention regulations be revised, and we welcome the decision to stop retaining data on internet sessions. However, the Institute



Systematic collection of EU citizens' communication data interferes with the right to privacy and with the protection of personal data. This was affirmed by the European Court of Justice in 2014, when it invalidated the EU's Data Retention Directive from 2006.

continues to recommend a substantive revision of the Danish data retention rules in light of the EU ruling.

In 2014, the Danish parliament established a working group to examine the possibilities for better protection of personal data and increased oversight in this area. The institute has continually contributed to the group's work, which in January 2015 resulted in a number of relevant recommendations to the government.



PROGRESS

- DKK 24.4 million has been allocated to initiatives aimed at children of prisoners over the next four years.
- Mandatory retention of data on internet sessions has been abolished.
- The number of search zones where citizens can be subject to random body searches for drugs, weapons, etc. has declined significantly in 2014, and the body search zones have been in force for much shorter periods.
- Children and young people in secured institutions shall be offered screening to detect possible psychiatric problems.
- Young people who have served a sentence, been in pre-trial detention or placed in surrogate custody must be provided with reintegration measures.
- The Prison and Probation Service has recommended that all prisons and detention centres limit the use of the punishment cell for 15-17-year-olds as much as possible.
- The Military Prosecution Service has been reorganised with the goal of strengthening its independence in the administration of military criminal cases.
- The Supreme Court can now concentrate on hearing cases of fundamental or significant public importance.

HEALTH AND SOCIAL AFFAIRS

DENMARK LACKS A GENERAL DISCRIMINATION BAN

One-fifth of general practitioners in Denmark have been in situations where they have had to use children as interpreters for relatives who do not speak and understand Danish. This is one of several important conclusions in "Equal Access to Health", a report published by the Danish Institute for Human Rights in August 2014.

Since then, the Minister for Health has moved to tighten the rules so that doctors can no longer ask children younger than 15 years of age to act as interpreters unless the situation is acute and life threatening. This is a crucial step in the right direction. However, the institute recommends that the age ban on using children as interpreters be raised so that it applies to children up to the age of 18 years.

DISKRIMINATION AGAINST PERSONS WITH PSYCHOSOCIAL DISABILITIES

Another vulnerable group that has been in focus in 2014 are persons with psychosocial disabilities.

SETBACKS

- Although it contravenes the principles of inclusion stated in the UN Convention on the Rights of Persons with Disabilities, several municipalities are constructing new, large institution-like residential facilities for persons with disabilities.
- The Appeals Board (Ankestyrelsen) has determined that it is not possible to appeal a rejection or expulsion from shelters.

According to a study commissioned by the Danish Broadcasting Corporation, insurance companies have rejected one in five persons with psychosocial disabilities. While insurance companies should be able to refuse to offer life insurance policies for persons with actual suicidal tendencies, it is unreasonable that a person who, for example, has been healthy for 20 years cannot buy a life insurance policy. The Danish Financial Supervisory Authority is now investigating whether insurers are complying with legislation.

The problem for persons with psychosocial disabilities is yet another example of how a general prohibition against discrimination would make a crucial difference for vulnerable groups in Denmark.

NO FINAL DATE FOR ENDING THE USE OF PHYSICAL RESTRAINTS

In mental health treatment, extended use of physical/belt restraints leads to violation of the rights of persons with psychosocial disabilities. Unfortunately, the government's proposed amendment to the Mental Health Act does not include any improvements in this area. Among the most serious shortcomings is a lack of an date for which the use of long belt restraints of over 48 hours will no longer be permitted, and lack of clarity regarding the legal consequences when children oppose mental health treatment.

30 RECOMMENDATIONS FOR IMPROVEMENTS FOR PERSONS WITH DISABILITIES

The lack of a prohibition on discrimination was also discussed by the UN Committee on the Rights of Persons with Disabilities in connection



PROGRESS IN THE DISABILITY AREA

- Sign language is recognised as a language on an equal footing with spoken and written Danish.
- The Eastern Region High Court has determined that an improper physical belt restraint used on a patient with psychosocial disabilities for more than 12 hours constituted a violation of the European Convention on Human Rights article 3.
- Denmark has accorded individuals and groups of individuals the right to bring complaints to the UN Committee on the Rights of Persons with Disabilities regarding possible violations of the UN Convention on the Rights of Persons with Disabilities. A similar option is in the works for the Convention on the Rights of the Child.
- Young persons with reduced functional capacity can be placed in foster families until they turn 23 years.
- The departmental order on sterilization and castration has been clarified so that sterilizations may never be performed against the person's will.
- Danish public transportation companies have recognised the objective that people with disabilities, as far as possible, should be able to use regular buses, and the public transport firms Midttrafik and Movia are in dialogue with disability organisations regarding access to public buses.

with the review of Denmark's adherence to the Convention on the Rights of Persons with



PROGRESS IN OTHER AREAS

- The Minister for Health has taken steps to ensure that children under age 15 will no longer be used as interpreters in the health system.
- Children and young people from families with drug and alcohol dependence have been granted a treatment guarantee.
- People who use drugs have been granted a guarantee for medical treatment.
- Refugees granted permanent residence have again been granted the right to a full pension regardless of how many years they have resided in Denmark.
- New social supervision regulations for, among other things, residences for socially disadvantaged, have now entered into force.
- The municipalities must offer anonymous counselling for parents and children in need of special support.
- The municipalities may now grant stronger action against anti-social behaviour through the establishment of networking consultations with young people, parents, professionals and relevant persons from the youth's network.

Disabilities in September 2014. Subsequently, Denmark received 30 recommendations from the Committee. Among the recommendations, Denmark was urged to ensure voting rights for persons under guardianship and to cease constructing large residential institutions for people with disabilities.

EQUAL OPPORTUNITY

MINOR CASES DOMINATE THE GENDER EQUALITY AREA

In particular, two cases of equality have taken up much of the media debate in 2014. Firstly, the Eastern Region High Court ruled that the Hotel Bella Sky in Copenhagen is not permitted to set aside a floor exclusively reserved for women, a decision with which the Danish Institute for Human Rights disagreed. Secondly, hairdressers were affirmed that they could demand higher prices for cutting women's hair than for men, as long as their haircutting practices differed. We find that there are far more serious gender problems in Denmark, so it is regrettable that cases such as these attract so much public attention and take up the valuable resources of review boards and courts. On the other hand, it is positive, that a broad political agreement limiting access to making complaints to the Board of Equal Treatment has been brokered. This means, that the Danish Institute for Human Rights will be the only entity able to put forward cases of principle in the future. We look forward to playing our part in making the Board of Equal Treatment run more efficiently.

Furthermore, the institute recommends that the government establish a committee that can examine the legal framework and policy choices for minor cases, the size of compensation, guidelines, etc. We have also prepared an analysis showing that the EU's directive in this area is interpreted very differently in member countries, so here, too, is a need for policy clarification. The EU Commission is expected to issue a report on this issue in the spring of 2015.

BURDENSOME TO COMPLAIN IN CASES OF EQUAL PAY

In May 2014, Parliament decided that small businesses with as few as 10 employees must produce gender-based wage statistics. This is an important improvement, as lack of access to information is among the greatest obstacles to employees seeking to file an equal pay complaint against their employer.

Our report "Experiences in equal pay cases – An interview study of complainants' perspective" shows that it is quite difficult and burdensome to bring an equal pay case to trial. It is difficult for the complainant to know what their colleagues receive in salary, and the wage policy is difficult to understand. Several persons who have filed a complaint have also subsequently experienced reprisals.

LACK OF EQUALITY FOR MEN AND WOMEN IN CRISIS CENTRES

Statistics on domestic violence show that it is predominantly women who fall victim to violence. As part of the Special Fund negotiations, family counselling at women's shelters was expanded and strengthened, as well as advice on, for example, education and housing relocation. However, many men are also subjected to domestic violence, and the facilities available to them are fewer and the financing lower.

The 39 shelters for women in crisis are financially secured through Social Service Law, while the nine shelters for men in crisis are funded primarily by pools and foundations.



PROGRESS

- Transgender people over 18 can now apply for a new personal identification number and thereby obtain a legally binding change of gender.
- All companies with at least 10 full-time employees -- including at least three men and three women -- must share gender-based wage statistics with the shop steward and discuss it with their employees if they wish to do so.
- The Council of Europe's Convention on Preventing and Combating Violence Against Women and Domestic Violence has entered into force for Denmark.
- All women who are in shelters now receive initial and coordinated counselling.

The Danish Institute for Human Rights' report "Experiences in equal pay cases" summarizes experiences from 14 cases on equal pay and suggests, among other things, that it is a major burden for complainants to bring an equal pay case forward. The report has received considerable attention from, among others, the trade unions.

10 KEY CHALLENGES

To provide an overview of the gender equality debate, the Danish Institute for Human Rights has highlighted 10 major challenges where Denmark lags behind in the area of gender equality. Among the challenges are domestic violence, unclear legislation and gender stereotypes.

FOREIGNERS AND INTEGRATION

PATCHWORK OF AMENDMENTS THREATENS LEGAL SECURITY

In May 2014, the Danish Aliens Act could celebrate an unusual anniversary, when the Parliament adopted amendment number 100 since the law was passed in 1983. Whether one is in favour of a stricter or more lenient immigration policy, one must take into account that the many changes have created a fundamental legal problem. The problem is not about how many people should receive a residence permit, whether criminal asylum seekers can be expelled, or where the asylum seekers shall reside, but whether the law is comprehensible. This is the case only for a select few.

BEST INTEREST OF THE CHILD OVERLOOKED IN CASES OF HUMANITARIAN RESIDENCE

An example of how difficult it can be to administer the legislation on foreigners revealed itself in May 2014, when the Ministry of Justice issued its own going through of cases of humanitarian residence from 2010 to 2013. Out of 20 cases on prolongation of humanitarian residence, six cases had families with children who had not been informed of the possibility to apply for a residence permit under the Aliens Act section 9c, which deals with safeguarding the best interests of the child among others.

The Aliens Act requires a thorough revision. Over 100 changes in the existing law mean that even lawyers with knowledge of the law have difficulties understanding it.





SETBACKS

- Refugees who are not personally persecuted will be granted only temporary protection status and in principle must wait a year for family reunification.

Since autumn 2013, however, the Ministry of Justice has changed its practice, so that all cases of extension involving families with young children are now automatically sent to the Danish Immigration Service, which assesses whether the family can nevertheless remain in Denmark under the provisions of 'best interest of the child' or 'attachment to Denmark'.

DENMARK RISKS INFRINGING UPON HUMAN RIGHTS

The number of amendments did not stop with number 100 of the Aliens Act in 2014. One amendment received particular attention late in the year. The Danish Institute for Human Rights was among the critics of the government's proposal on temporary protection status and postponement of family reunification for refugees classified as not individually persecuted. The institute is concerned that the law, adopted in February 2015, could lead to people becoming exposed to abuse or in the most extreme consequences, losing their lives while they wait to be reunited with their family in Denmark.

Similarly, the institute sent a critical legal brief to the government's proposal to allow, among other things, revocation of the passports of Danes and deprivation of residence permits of foreigners who intend to participate in an armed conflict abroad. The institute recommended that the criteria for who is covered by the law and the criteria for being under suspicion be



PROGRESS

- Dual citizenship for Danes residing abroad and Danish immigrants has been accepted from September 1, 2015.
- Every child with a Danish parent acquires Danish citizenship at birth.
- Foreigners born in Denmark are entitled, under certain conditions, to Danish citizenship by declaration.
- From September 1, 2015, children are no longer required to pay a fee when applying for Danish citizenship.
- Asylum-seekers may now remain in Denmark while their appeal against decisions according to the Dublin Regulation are considered.
- It is no longer the refugees' integration potential that is most emphasised in the selection of quota refugees.

made more precise so that innocent persons do not run the risk of severe penalties or restrictions. The proposal was adopted in February 2015 without including the major points of criticism.

EASIER ACCESS TO CITIZENSHIP

The Nationality Act was amended in 2014. As of now, all children with at least one Danish parent acquire Danish citizenship at birth, and young people who are born and raised in Denmark are under certain conditions entitled to Danish citizenship. Moreover, from September 1, 2015, Danish citizens are generally allowed to hold more than one citizenship.

EDUCATION

HUMAN RIGHTS IN PUBLIC SCHOOLS

Following the public school reform, human rights was incorporated into the compulsory curriculum in history and social science, and children's rights are included in health, sex education and family studies. This is certainly good news. By contrast, curricula for teacher and educator training are lagging behind in terms of compliance with the obligatory human rights education curriculum in school. For example, human rights are not part of the history curricula for teachers.

OBSTACLES TO SUCCESSFUL INCLUSION

Denmark has a clear objective to create a more inclusive school, in accordance with, among other things, the UN Convention on the Rights of Persons with Disabilities. However, some schools are unable to ensure adequate conditions for pupils with special needs, and there is thus a real risk that some pupils with disabilities will not obtain their right to an education. There remains a need to improve accessibility to the schools and strengthen the teachers' skills in the area of inclusion.

In 2014, the Danish Institute for Human Rights launched the Instagram campaign #ståpådinret ("Stand for your right") as a means of celebrating the 25th anniversary of the Convention on the Rights of the Child. Nearly 1,500 students have helped to celebrate the Convention together with the institute.

PROGRESS

- Human rights are incorporated into the public school curriculum in the subjects of history and social studies, and children's rights are included in the school curriculum on health- and sex education and in family studies.



IMPROVED EFFORT FOR HUMAN RIGHTS

Since May 15, 2014, the Danish Institute for Human Rights has functioned as the national human rights institution for Greenland. The institute works closely with the Human Rights Council of Greenland. In June 2014, the institute, together with the council, issued a status report on the human rights situation in Greenland.

VAST DISTANCES HINDER ACCESS

The survey reveals the need for improvement in several areas. The judicial system in Greenland is characterised by a backlog of court cases and problems with interpretation and translation. In the disability area, the vast distances between towns make it difficult to ensure that persons with disabilities can gain access to public education, support and treatment.

In the children's area, conditions are very serious, and a greater effort should be made to help neglected children, marginalised families and children's access to counselling and complaints bodies.

NEW TEACHING MATERIALS FOR THE YOUNGEST

In 2014, the Danish Institute for Human Rights and the Greenlandic children's rights institution MIO published a set of new teaching materials for young schoolchildren. The aim is to strengthen the children's knowledge of their own and others' rights.

LATE, BUT IMPORTANT PROGRESS FOR THE LEGALLY FATHERLESS

It is only in 2014 that it has become possible for people born outside marriage before 1963 in West Greenland and before 1974 in North and East Greenland to bring a paternity suit. The inability to do so until now must be considered as a breach of the European Convention on Human Rights. However, it is only possible for persons to bring a paternity suit if the alleged father is still alive or if the estate has not yet been settled.

THE DANISH INSTITUTE FOR HUMAN RIGHTS IN GREENLAND

The institute, among other things, helps to:

- Monitor the human rights situation in Greenland and periodically publish a status report on the subject.
- Conduct analyses of and report on various relevant human rights issues.
- Report internationally on the human rights situation in Greenland.
- Advise Greenland's authorities on human rights issues.
- Work with the children's rights institution MIO on disseminating children's rights through education.
- Educate first instance judges and defence lawyers.
- Submit legal briefs on relevant draft laws.

THE FUTURE OF HUMAN RIGHTS

WE MUST DARE TO DISCUSS HUMAN RIGHTS

"It has become a dogma in Danish politics that we must naturally respect the international conventions, but if the politicians do it because they have to -- and not because they want to -- then we are facing a very big democratic challenge."

These words are found in the preface to the debate volume "Human Rights: A Democratic Challenge", which was published in 2014.

With the book, the Director of the Danish Institute for Human Rights, Jonas Christoffersen, makes an appeal to politicians, lawyers and other interested parties to ask themselves and each other what we want from human rights in Denmark.

"If we just close our eyes and regard human rights as untouchable, they can become an undemocratic pretext. We run the risk of politicians losing the sense of control and ownership and therefore end up pushing human rights away," warns Jonas Christoffersen.

THE CONVENTIONS NEED TO BE CHALLENGED

Jonas Christoffersen believes that the politicians themselves have helped to create the situation because they often call for a response in terms of human rights instead of taking a political decision. But the politicians must have the courage to challenge human rights.



"If a party disagrees with a convention or other legislation, they must work to change it. We should expect this from our elected representatives, and human rights must not be an obstacle. It is a sign of health that politicians take a position on human rights," says Jonas Christoffersen and continues:

"It may well be that the discussion does not end up where I think it should end, but on the other hand, human rights will obtain a stronger foundation. This should be the priority."

HUMAN RIGHTS ARE UNDER PRESSURE

In September 2014, a large group of leading human rights researchers came together in Copenhagen to discuss the major challenges facing human rights. The Danish Institute for Human Rights and the University of Copenhagen hosted the conference as part of the international research network under the Association of Human Rights Institutes (AHRI).

In over 100 presentations, the status of human rights was analysed and discussed. The focus was mainly on the pressure being placed on human rights due to the fight against terrorism and the increased surveillance in society.

In September 2014, the Danish Institute for Human Rights and University of Copenhagen welcomed human rights researchers from around the world to two days of debate and knowledge sharing.



INTERNATIONAL: GLOBAL ACHIEVEMENTS

NEW FOCUSED INTERNATIONAL STRATEGY

2014 was a landmark year for the Danish Institute for Human Rights' international work. First and foremost, we developed a new strategy for our work outside Denmark.

Our international strategy 2014-2017 focuses on making states capable of protecting and promoting human rights. At the same time, we will also focus on strengthening the international human rights system, as it is an essential tool for states' efforts to protect and promote human rights. This new focus means that the Danish Institute for Human Rights will no longer work on strengthening civil society, leaving that task to other organisations that have specialised in this work. Civil society will then become our strategic partners in developing new knowledge on human rights implementation and ensuring dialogue between the state and the individual.

We have focused our work so that we cover eight priority countries and five potential priority countries where we cooperate with state actors such as ministries of justice, national human rights institutions and the police. In addition, we are intensifying our work on global development and on human rights and business. Finally, the institute's research department will focus on the legitimacy of human rights at a time when religion and politics are constantly challenging the idea of universal rights.

REGIONAL RESULTS IN AFRICA

Along with the strategic work, we have also achieved significant results in 2014. The year marked a breakthrough for our long-term efforts with the police forces in Africa and their human rights work. The African Commission on Human Rights has adopted guidelines on the conditions during arrest, police custody and detention. It is a step towards improved conditions for African citizens in their encounters with the police. The guidelines are based on the institute's work with the police in Niger.



In Afghanistan, the Access to Information Act was adopted. For the first time in the history of the troubled country, journalists and citizens now have the right of access to information from the state. The Danish Institute for Human Rights has supported efforts in drafting the law so that it complies with international standards.

In Tunisia, an inter-ministerial working group drafted the first report on Tunisians' economic, social and cultural rights, to be delivered to the UN. The Tunisians, with the support of the Danish Institute for Human Rights, have worked hard to put in place a robust human rights system following the revolution in 2011.

Afghanistan adopted a new law granting access to information. It is the first time Afghan journalists and citizens are entitled to information from public institutions.



INTERNATIONAL: CHINA

HUMAN RIGHTS IN CHINESE EDUCATION

Over the past year, Chinese authorities have tightened its grip on human rights activists and NGOs, further restricting the areas in which it is acceptable to work. This has had consequences: activists have been imprisoned and NGOs have been marginalised to a degree greater than we have seen for some time.

In terms of the Danish Institute for Human Rights' projects in China, we find that the openness of the Chinese authorities and our ability to operate has shrunk compared to just a year or two ago. This development is cause for concern.

These setbacks aside, 2014 was also the year when our China program received a new three-year grant from the Danish Foreign Ministry. And one of the places where there is still room to make efforts to strengthen human rights in China is in the field of education.

RIGHTS FOR CHILDREN

In 2014, the Danish Institute for Human Rights entered into a partnership with the prestigious Nankai University in Tianjin to develop materials for human rights education of primary school pupils and local government officials.

The collaboration runs for three years, from 2014 to 2016. During the first two years, educational materials targeted at different age groups in the school and a teacher's manual will be developed. In the third year, teachers will begin to receive training in the use of these educational materials. Since it is fairly

new for the Chinese to teach human rights to schoolchildren and officials, the process is starting practically from scratch.

NOT ALL HUMAN RIGHTS ON THE AGENDA

The plan is to develop a course that follows a child throughout his or her entire schooling and brings up those human rights issues that are most relevant for the child at different ages.

There are limits to what kind of human rights can become part of the curriculum; for



This is pioneering work. Chinese schoolteachers have never been trained in human rights before. We are very excited about the prospects.”

Tang Yingxia, Deputy Director, Nankai University's Human Rights Center



THE DANISH INSTITUTE FOR HUMAN RIGHTS IN CHINA

- Has been working in China since 1999.
- Has worked for legal reforms to benefit Chinese.
- Cooperates with universities, think tanks, prosecutors and defence lawyers.
- The Criminal Procedure Law was revised in 2013 and for the first time includes a specific prohibition against torture.

example, multi-party democracy cannot be taught. All training materials must be approved by the Chinese Ministry of Education. On the other hand, there is a huge potential if the materials could eventually be disseminated across China.

Director Jonas Christoffersen gave a lecture on human rights at Nankai University when the partnership was finalised.

The Danish Institute for Human Rights is aware that the teaching of some human rights will not be possible if the Chinese are to participate. However, we have chosen to emphasize that Chinese children will obtain access to education in a number of important human rights.

INTERNATIONAL: NEPAL

PROMOTING HUMAN RIGHTS AND PREVENTING TORTURE

In November 2014, the Danish Institute for Human Rights commenced a new programme in Nepal which will initially run for four years.

The program includes collaboration with the Nepali police. It is intended that the institute should support specific activities to prevent the police from using torture. In collaboration with the Danish Police and Kathmandu School of Law, the institute is supporting projects in 60 of Nepal's 75 districts.

HYPOTHESIS TO BE TESTED

The first step is a survey of the prevalence and causes of torture. It is hypothesized that torture in Nepal can often be caused by the fact that the police are under pressure to solve crimes but suffer from poor working conditions and lack of equipment to investigate. There is also a tradition that the police are allowed to exercise a kind of 'edifying violence'.



The Danish Institute for Human Rights therefore supports police efforts to plan and implement 60 projects that can ensure the breaking of this vicious circle. We can draw on our positive experiences from similar cooperative projects with the police in West Africa. The institute will also work with institutions that monitor torture.

AID TO OUTCASTE GROUPS

In addition, the programme will offer technical assistance to the office under the Nepalese Prime Minister's office, which is responsible for coordinating human rights efforts in Nepal. We will support Nepal in reporting to the UN and help develop instruments to measure how the human rights situation in the country can be improved. Important issues are how to avoid discrimination against low-caste and outcaste groups in a hierarchical society such as Nepal.

After 10 years of bloody civil war, Nepal has been working for eight years to create a viable state. The country still lacks a constitution, which means that human rights work lacks a solid governmental foundation.



There are many who are fighting to improve human rights in Nepal, but the overall coordination must be improved. The State is responsible, and that is why we support it at all levels - from the office of the prime minister to the police officer.”

Bjarne Andreasen, Regional Coordinator, Asia

THE WORK IN NEPAL

- The Danish Institute for Human Rights has worked in Nepal intermittently since 1996.
- We have cooperated with the Human Rights Commission and the Kathmandu School of Law.
- We have conducted anti-torture courses with the Nepalese government and with others in 2014.
- The new program works from the bottom up through the efforts of the police, and from the top down through cooperation with the office of the prime minister.

INTERNATIONAL: ZAMBIA

PIONEERING PROJECT IN ZAMBIA BRINGS RIGHTS TO THE PEOPLE

The Danish Institute for Human Rights has developed a new method to ensure that human rights are not just something one talks about in conventions and in the assembly halls of the UN in Geneva and New York, but that it actually means concrete improvements for the people who need it.

The method is called Availability, Accessibility, Acceptability, Quality (AAAQ) and is aimed at ensuring economic, social and cultural rights, such as the right to health, education, food and housing. Initially, the institute has worked to concretise the right to water.

FROM THE UN TO THE VILLAGE

Work has started in Zambia and Zimbabwe, where we and our partners have first been guided by the international conventions, then regional agreements, and finally, undertaking an analysis of the national law in order to identify what the right to water actually means.

In Zambia, for example, there must be no more than 1,000 meters to a well, which can provide 20 litres of water per person per day, in maximum 30 minutes.

The method ensures that the minimum requirements are recognized by the state, by the private water suppliers and by the civil society. And that people can therefore hold the responsible institutions accountable if the water is contaminated, flows too irregularly or is not existent.



Sometimes, politicians will argue that they have ensured water. But with the AAAQ, we can hold them accountable. We provide the locals with checklists so that we can determine whether the water is not clean enough, or if the well is not working.”

Andrew Tembo, WASH Forum, Zambian partner



AAAQ

Stands for Availability, Accessibility, Acceptability, Quality.

Can be used for all economic, social and cultural rights.

Is open source, so anyone can use the method.

Has been used in Zambia, Zimbabwe and Russia and is now on track for new projects in Europe, Africa, Central Asia and South America.

In Zambia, the local population can now use a new tool to make sure that there is enough water readily available in a satisfactory quality.

In Zambia, it means that civil society organisations use the AAAQ system as a tool for quality control and as a measure to make sure that public funds for water allocation are properly used to ensure the human right to water.

AAAQ operates not only in Zambia but also in other countries and for other rights. The Danish Institute for Human Rights is now working provisionally to develop AAAQ to five additional rights: food, education, sanitation, housing and health.

TOOLBOXES WIN SUPPORTERS

More and more countries have begun to create National Action Plans in order to address the human rights impacts of economic activity, often using a 'toolbox' developed by the Danish Institute for Human Rights. Among the countries are the United States, Germany, Ireland and Chile.

Traditionally, human rights have been the responsibility of the respective states. However, a more globalised world has placed new demands on both governments and the private sector, as business can affect human rights both positively and negatively in the individual countries. When human rights are violated, it is often unclear what the duty of the government is and what responsibility business has.

In 2011, the UN established guidelines affirming that the state has a duty to protect human rights; business has a responsibility to respect human rights; and that there should be effective means of complaining and obtaining compensation if human rights are violated.

NATIONAL ACTION PLANS REQUIRE INVOLVEMENT

National Action Plans constitute a foundation for individual countries being able to clarify the respective rights and obligations of government, the private sector and the society to create a proper policy on human rights and business that follows UN guidelines.

Creating a good plan of action is not so simple. Conflicting interests often clash, and it may also be difficult to copy other countries' plans when their national situations are so different. Hence, instead of offering standard solutions, the institute's toolbox offers a range of options from which countries can choose.

Despite the great interest from states, there is still some way to go: civil society and the business community are typically not sufficiently involved when the action plans are formulated. The toolkit was developed in collaboration with the International Corporate Accountability Roundtable.

HUMAN RIGHTS AND BUSINESS

States have the duty to protect human rights. It is not enough to pass laws – the state must also ensure that these laws are in fact observed. Business has the responsibility to respect human rights everywhere. Even if a country's laws do not oblige them to do so. There must be smooth and effective means of redress so that victims of a violation can be acknowledged as such and be suitably compensated.

”

The last 15 years have shown that CSR does not work unless the states set the proper framework. UN guidelines are the cornerstone, and National Action Plans show the way forward.”

Allan Lerberg Jørgensen, Department Director,
Human Rights and Development

National Action Plans are developed to address the human rights impacts of economic activity – for instance, in order to ensure that workers have access to compensation if their rights are violated.



HUMAN RIGHTS IN DENMARK

FACTS AND RECOMMENDATIONS

If you would like to know how the human rights situation in Denmark is developing in 22 areas and learn more about our recommendations

for improvements, read the summary: Human Rights in Denmark. Status 2014-15.



You will find the summary at humanrights.dk/status.
The summary is based on 22 individual chapters of 25-50 pages, each covering one specific field.

FINANCES

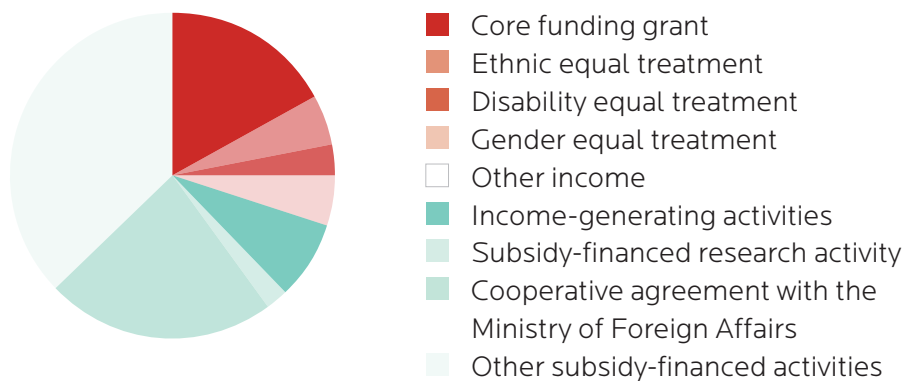
INCOME IN 2014 BY SECTOR

IN DKK 1000.	2014		
	BUDGET	INCOME	INCOME IN PER CENT
Core funding grant	22,400	22,400	17 %
Ethnic equal treatment	6,000	6,000	5 %
Disability equal treatment	4,400	4,400	3 %
Gender equal treatment	6,000	6,000	5 %
Other income	0	428	0 %
Income-generating activities	17,058	10,393	8 %
Subsidy-financed research activity	2,446	2,264	2 %
Cooperative agreement with the Ministry of Foreign Affairs	29,200	29,946	23 %
Other subsidy-financed activities	46,496	48,647	37 %
	134,000	130,478	100 %

The deviation between the budget and the account of income-generating activity is due mainly to the fact that not all projects were identified at the time when the budget was being prepared.

The accounts show the actual categorisation and the actual level of activity for the year, while the budget items are the Danish Institute for Human Rights' best estimate of the relative size of the externally financed projects.

INCOME TOTAL 2014



The institute's total income for 2014 comes from a DKK 38.8 million allocation from the national budget (core funding and the funds for equal treatment in the areas of ethnicity, disability and gender); DKK 29.9 million from the cooperation agreement with the Foreign Ministry; DKK 48.6 million from other subsidised activities; DKK 2.3 million for grant-funded research; and DKK 0.4 million from other income. Of the total funds granted from the state budget, DKK 16.4 million are for equal treatment activities in the areas of gender, ethnicity and disability.

The institute's total income in 2014 was an increase of DKK 4.5 million relative to 2013. This was due primarily to an increase of DKK 1.1 million in 'other grant-funded research activities' and DKK 7.0 million in 'other subsidised activities', offset by a decrease of DKK 4.4 million in income-generating activities.



The exhibition 'A New World Image' was a re-production of the world's first human rights exhibition organised by UNESCO in 1949, where member states contributed with pictures, objects and documents illustrating human rights.

The curators of the exhibition were Katrine Bregengaard and Eva Prag of Columbia University, and the production was undertaken in cooperation with the Danish Institute for Human Rights.



The Mabu family from Myanmar has been expelled from Denmark and is waiting for their turn to board the flight in Copenhagen Airport. The photo, taken by Michael Drost-Hansen for the newspaper JP, won the Danish Institute for Human Rights' photo contest in connexion with the exhibition 'A New World Image' shown in The Black Diamond – The Royal Library.