

DENMARK

Denmark, with a population of approximately 5.5 million, 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 or coalition, is head of government and presides over the cabinet, which is accountable to the unicameral Folketing (parliament). The minority, center-right coalition government led by the Liberal Party (Venstre) won a plurality of seats in the 2007 elections, which were deemed free and fair. Security forces reported to civilian authorities.

Authorities often held pretrial detainees together with convicted criminals, and there were instances in which they held children together with adults. During the year there were three cases of persons imprisoned for public speech or dissemination of statements that courts found constituted racism, while two similar cases were pending at year's end. Incidents of religious and ethnic discrimination against minority groups continued to be reported, and Romani rights advocates criticized the deportation of 37 Roma in July and August as discriminatory. Domestic violence against women and trafficking in women and children continued to be reported.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings; however, on April 24, police shot and killed an individual during an attempted robbery. A preliminary investigation indicated that the killing was neither arbitrary nor unlawful.

On June 13, the Office of the National Prosecutor reopened a November 2009 case in which police shot and killed a man who was armed with a knife.

b. Disappearance

There were no reports of politically motivated disappearances.

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

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

Prison and Detention Center Conditions

Prison conditions generally met international standards, and the government permitted monitoring visits by independent human rights observers, such as the Institute for Human Rights and Rehabilitation, in accordance with the UN's Optional Protocol to the Convention against Torture. Such visits occurred during the year. However, authorities often held pretrial detainees together with convicted criminals, and there were instances in which authorities detained children together with adults. A law passed in June reduced to 14 years the age at which authorities could place children in police custody.

According to government statistics, 14,244 new inmates entered prisons in 2009 (the most recent year for which statistics were available), of whom 1,199 were women and 783 were juveniles. On average, 3,715 prisoners (including 179 women and 24 juveniles) were incarcerated on a given day during 2009, which represented approximately 92 percent of the total prison capacity of 4,019 persons.

Prisoners have access to visitors and religious counsel. They may adjust their work schedules to permit observance of their religion. Prisoners are able to make complaints without censorship directly to the Prison and Probation Service or via the parliamentary ombudsman. The investigations of these complaints are kept in a public register.

The government monitored prison and detention center conditions. The parliamentary ombudsman is responsible for inspecting these institutions. The ombudsman can serve on behalf of prisoners and detainees to consider such matters as advocating for alternatives to incarceration for nonviolent offenders to alleviate overcrowding; addressing the status and circumstances of confinement of juvenile offenders; and improving pretrial detention, bail, and recordkeeping procedures to ensure that prisoners do not serve beyond the maximum sentence for the charged offense. The ombudsman may not change a decision by the Danish Prison and Probation Service but may act on behalf of the prisoner to request reconsideration of a case. During the year there were no known credible complaints

to the ombudsman regarding human rights violations or inhuman conditions at the state's prisons.

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

Civilian authorities maintained effective control over the national police, and the government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

Arrest Procedures and Treatment While in Detention

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. Apprehended persons are brought before an independent judiciary.

If authorities take an individual into custody, the law mandates that he or she be brought before a judge within 24 hours; however, police are required by law to make every effort to limit this time to less than 12 hours. Statistics were not available regarding the average time prisoners were held prior to first appearance before a judge. After coming before a judge, individuals may be detained for a further period of up to 72 hours while the judge makes a decision on their status. A foreigner arrested in connection with immigration proceedings (i.e., deportation) may be held up to 72 hours before the initial appearance before a judge. Authorities generally respected the right to a prompt judicial determination and informed detainees quickly of charges against them.

The country does not have a bail system; rather, a judge decides either to release the detainee on his or her recognizance or to keep the detainee in jail until trial. Pretrial detention is authorized only if: the violation could incur a sentence longer than 18 months, there is reason to believe the person is a flight risk, there is reason to believe the person may intend to commit a new offense, or the person's release would impede the investigation of the case. The period of pretrial custody should not exceed four weeks. However, a court order may further extend custody in four-week

increments. According to the Office of the Director of Public Prosecutions and the Ministry of Justice, 89.4 percent of detainees served less than three months in pretrial custody in 2008.

The minister of justice is responsible for the rules regarding the treatment of pretrial detainees. A document circulated to police by the Danish Prison and Probation Service outlines detainees' rights to inform next of kin of their arrest, to contact a lawyer, and to have access to medical treatment. The circular specifies that arrested persons always have the right to unsupervised visits with an attorney from the time they are brought to a police station. The government provided counsel for those who could not afford legal representation. The police may deny other forms of visitation to those in custody, subject to a court appeal. However, police generally did not restrict visitor access in practice.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence in practice.

Trial Procedures

The constitution and law provide for the right to a fair trial, and an independent judiciary generally enforced this right. Defendants are presumed innocent until proven guilty. Trials are public. Juries must hear criminal cases in which the maximum penalty is greater than four years' imprisonment. The law gives defendants the right to timely consultation with an attorney, at public expense if needed. Defendants have the right to question witnesses against them and to present their own witnesses. Defendants and their attorneys have access to government evidence relevant to their cases. The right of appeal is automatic and encompasses both procedural matters and sentences imposed. The law provides that courts may increase criminal sentences through additional charges when bias is proved as a motive. Bias can be based on race, ethnicity, gender, sexual orientation, or religion. The law extends the above rights to all citizens.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Regional Human Rights Court Decisions

The country is subject to legal decisions of the European Court for Human Rights (ECHR). The ECHR did not issue any negative decisions related to the country during the year. In 2009 the ECHR issued decisions against the country that found three violations with respect to the length of legal proceedings, two violations of the right to an effective remedy, and one violation of the right to protection of property as provided under the European Convention on Human Rights. The government generally complied with the ECHR's judgments against it, for example by providing compensation to claimants.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters, including access to the court system to bring lawsuits seeking damages for, or cessation of, a human rights violation. There were no reported problems enforcing domestic court orders. In addition to judicial remedies, administrative remedies are also available.

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

The constitution and law prohibit such actions, and the government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and of the press, and the government generally respected these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press. Individuals were able to criticize the government publicly and privately without reprisal. The independent media were active and expressed a wide variety of views with few restrictions.

The law prohibits any public speech or dissemination of statements or other pronouncements by which a group of persons is threatened, derided, or degraded because of their race, skin color, national or ethnic background, faith, or sexual orientation; offenders may be fined or imprisoned for up to two years. 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. During the year, in addition to prosecuting racially motivated crimes (see section 6), courts found five individuals guilty of

racism under the criminal code section which makes racist behavior, including speech, directly punishable by law. Three defendants served sentences ranging between 10 to 40 days in prison, one was fined 1,000 kroner (\$178), and one was put on probation. Courts acquitted two other defendants tried during the year under the same section of law.

In June parliament voted to lift the parliamentary immunity of Jesper Langballe, a member of the Danish People's Party, so he could be prosecuted for racism. A newspaper column in January quoted Langballe as saying that "Muslims kill their daughters [over crimes of honor] and turn a blind eye while they are raped by their uncles." Langballe himself supported the lifting of his immunity, asserting that he wanted a court to hear the case. Langballe was writing in support of the views of Lars Hedegaard, a freedom-of-the-press activist who made even stronger remarks in 2009. A court fined Langballe 5,000 kroner (\$890) on December 3, after he pled guilty. Langballe argued that the law as written made it impossible for a defendant to prove his innocence, and as a member of parliament he attempted unsuccessfully to have the law repealed. In August the public prosecutor charged Hedegaard with a similar offense. The Hedegaard case was pending trial as of year's end.

Cartoonist Kurt Westergaard continued to receive security protection due to threats on his life because of his controversial cartoon depictions of the Prophet Mohammed, first published in 2005. On January 1, authorities arrested a 28-year-old Somali man with a Danish residence permit after, armed with an axe and a knife, he forced his way into Westergaard's home in Aarhus. Police responded to the home invasion, shot the intruder in the knee and the hand, and arrested him; he was charged with attempted murder of the cartoonist and of a police officer on duty. The Security and Intelligence Service (PET) considered the attempted killing of Westergaard to be terrorism related. According to PET's information, the arrested man had close relations to the Somali terror organization al-Shabaab and to al-Qaida leaders in East Africa.

On August 31, after a five-year investigation into Roj-TV, a television network licensed in the country, for suspected links to the Kurdish terrorist organization PKK/Kongra Gel, authorities charged the network and its parent company with promoting the activities of a group that commits or intends to commit acts of terrorism. The director of public prosecutions stated that Roj-TV persistently broadcast television programs with a content aimed at promoting and supporting the activities of the PKK. The trial was scheduled to begin in August 2011. In December the Eastern High Court upheld a lower-court ruling ordering police to

unfreeze the station's bank accounts and return funds seized at the time of the August indictment.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. However, authorities continued to employ an Internet filter, designed to block child pornography, which operates on computers used by 98 percent of the country's Internet users. During the year there were no known cases in which the filter mistakenly affected legitimate sites. Government statistics released in November indicated that approximately 88 percent of the country's inhabitants use the Internet regularly, and 89 percent of the population had some form of Internet access in their homes.

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 freedom of assembly and association, and the government generally respected these rights in practice. During the year, 262 individuals sued the Copenhagen police force, alleging mistreatment during and after their detention in December 2009 in connection with the UN Climate Change Conference in Copenhagen. The Copenhagen City Court ruled in favor of the plaintiffs and ordered the police to pay compensation.

c. Freedom of Religion

For a complete description of religious freedom, see the *2010 International Religious Freedom Report* at www.state.gov/g/drl/irf/rpt/.

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

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. The government cooperated with the Office of the UN High Commissioner

for Refugees and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

The constitution and law prohibit forced exile, and the government did not employ it.

Protection of Refugees

The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. In practice, the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. During the first two quarters of the year, authorities received 2,223 applications for asylum, began processing 1,316, and approved 929.

In May 2009 the government concluded an agreement with the Iraqi government under which Iraq would take back those of its citizens who had been denied asylum based on safe country of origin. In April the Ministry of Immigration and Integration Affairs reported that 272 rejected Iraqi asylum seekers had been in the country at the time of the agreement, 88 of whom were still awaiting deportation.

The government also provided temporary humanitarian protection to individuals who may not qualify as refugees, providing such protection to 274 persons in the first five months of the year and to 413 persons in 2009.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution provides citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

The territories of Greenland and the Faroe Islands have democratically elected governments whose powers may encompass all matters except the constitution, nationality, the Supreme Court, foreign and national security affairs, and monetary matters. Greenlanders and Faroese have the same rights as other citizens. Each territory elects two representatives to the parliament. In June 2009 Greenland's new

Self Governance Agreement, which further expanded the area of competency of Greenland's government, entered into force.

Elections and Political Participation

Free and fair parliamentary elections took place in 2007 and resulted in the continuation of a center-right coalition. In April 2009 Lars Loekke Rasmussen was named prime minister, replacing Anders Fogh Rasmussen (no relation), who resigned to become secretary general of NATO.

Political parties could operate without restriction or outside interference.

In parliamentary elections in 2007, 67 women were elected to the 179-seat parliament, and after a cabinet reshuffle in February, there were nine women in the 19-seat cabinet. Following municipal and regional elections in November 2009, 32.1 percent of the members of municipal councils and 35.1 percent of the members of regional councils were women.

Four citizens of other than Danish, Greenlandic, or Faroese origin were elected to the parliament in the 2007 elections. There were no ethnic minorities in the 19-seat cabinet. There were 65 persons of non-Danish ethnic origin among those elected to municipal councils in the November 2009 municipal elections.

Section 4 Official Corruption and Government Transparency

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated reports of government corruption during the year. One involved an accusation that a police chief on the island of Funen had regularly accepted free VIP tickets to a local event center since 2007, allegedly in exchange for assurances that police would give permission for performances to be held at the center.

Public officials are not subject to financial disclosure laws, but government officials may not work on cases in which they have a personal or economic interest or represent a person, or have close relations to a person, who has a special interest in a specific matter. Officials must inform their superiors of any possible issues that might disqualify them. The Ministry of Justice and the State Employer's Authority in the Ministry of Finance are responsible for combating government corruption.

The law provides for public access to government information, and the government 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 number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views.

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 could independently inspect, at his initiative, any facility within his authority, such as prisons, detention centers, and psychiatric hospitals. There was also a European ombudsman, who ensured compliance with EU basic rights, and a consumers' ombudsman, who investigated complaints related to discriminatory marketing. These ombudsmen enjoyed the government's cooperation, operated without government or political interference, had adequate resources, and was considered effective.

Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, and the government generally enforced the law effectively. However, there were incidents of violence against women, child abuse, and trafficking in persons.

Women

Rape, including spousal rape, is a criminal offense, and the government effectively prosecuted persons accused of such crimes. In 2009 authorities received 431 reports of rape; charges were brought in 297 cases, resulting in 51 convictions. As of October 25, there were 301 reports of rape. Penalties for rape include up to eight years' imprisonment or up to 12 years' imprisonment in aggravating circumstances.

Violence against women, including spousal abuse, remained a problem. According to the Ministry for Gender Equality, an estimated 28,000 women and 21,000 children experienced domestic violence annually. The National Organization of Shelters for Battered Women reported that in 2009, 36 crisis centers in Denmark

proper (excluding Greenland and the Faroe Islands) received 14,821 applications for assistance. Of these, 7,430 were inquiries about available rooms at a shelter; in 2,991 cases, shelter space was available. Authorities estimated that 1,858 women moved into shelters in 2009. Under the law, any assault on another person is illegal. This also applies to domestic violence and rape. Penalties include imprisonment for up to 12 years, depending on the seriousness of the offense. The government and nongovernmental organizations (NGOs) operated 24-hour hotlines, counseling centers, and shelters for female victims of violence and embarked on nationwide information campaigns and police training on gender-based violence.

Honor killings were a relatively new phenomenon. In 2007 the national police force formally published a strategy to identify and combat such crimes. In 2009 police reported 185 separate cases involving honor-related crimes such as forced marriage and threats. They did not officially identify any honor-related killings during the year.

The law prohibits sexual harassment and provides for monetary compensation for victims, paid by the perpetrator and/or the employer who allowed or failed to prevent the incident. The government effectively enforced the law. Few cases were reported during the year.

The government recognized the basic right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children and to have the information and means to do so free from discrimination, coercion, and violence. Health clinics and local health NGOs were permitted to operate freely in disseminating information on family planning under the guidance of the Ministry of Public Health. There were no restrictions on access to contraceptives, and the government provided free childbirth services. Women have unfettered access to maternal health services including skilled attendance during childbirth. Women also used nurses and midwives for prenatal and postnatal care unless the mother or child suffered more serious health complications. The maternal mortality rate is low, with only one known case during the year. According to a 2008 estimate of the UN Population Fund, maternal mortality was five deaths per 100,000 live births. Men and women had equal access to diagnosis and treatment for sexually transmitted infections, including HIV.

Women have the same legal status as men, including under family law, property law, and in the judicial system. The law requires equal pay for equal work. However, the Women's Council in Denmark reported that men, on average, earn as much as 18 percent more per hour than women. In the public sector, the difference

was reported to be 20 percent. Women held positions of authority throughout society, although they were notably underrepresented in senior business positions and as university professors.

In January the Office of the Prime Minister instructed that all public-sector workplaces "must be made aware of existing rules so that burqas and niqabs are not worn in central government, regional, or municipal work places" because the government "is determined to fight the views about ... women which the burqa and the niqab symbolize."

In August 2009 the UN Committee on the Elimination of Discrimination against Women released a report indicating that women occupied 13 percent of the management positions in the labor market. The report noted that aside from the difference in pay, women generally did not experience economic discrimination in access to employment, credit, or owning or managing businesses.

Children

Citizenship is primarily derived from one's parents. Citizenship is automatically given to children of married parents, provided one parent is a citizen, and to children of unwed citizen mothers. The child of an unmarried citizen father and a foreign mother can only become a citizen if the child is born in the country. Anyone born in the country who would otherwise be stateless has the right to obtain citizenship either at birth or by application at a later date. The law requires that all persons practicing medicine in the country register the births of the children they deliver.

During the first half of the year, police received 85 reports of the sexual abuse of children, compared with 131 reports for 2009.

Female genital mutilation (FGM) – with or without consent of the victim or her parents – is illegal and carries a maximum penalty of six to 10 years in prison. The law applies to nationals and residents, regardless of whether the act was committed within the country or abroad and regardless of whether the act was a criminal offense under the law of the country where it was committed. The first case of FGM to be prosecuted in the country was tried in 2009. A court convicted a 49-year-old woman of Eritrean background of performing FGM on her two daughters. The court sentenced her to two years in prison, of which 18 months were suspended and the remaining six months corresponded to time served. The husband was acquitted. The government conducted information campaigns targeting the problem of FGM.

The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information on international parental child abduction, please see the Department of State's annual report on compliance at http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html.

Anti-Semitism

The Jewish population was estimated at 6,000 persons. There were isolated incidents of anti-Semitism. According to victims' reports, the perpetrators were mainly immigrants, many of them from Arab and other Muslim countries. Most incidents involved vandalism, such as graffiti, and nonviolent verbal assaults. In December PET released its annual report on religious- and race-related crime reported in 2009. The report included 21 incidents attributed specifically to religious motivation, up from nine incidents in 2008, but did not distinguish between anti-Semitic and other forms of religious motivation. The increase was attributed to a broadened definition of religiously motivated crime and a campaign to encourage local police precincts to report such crimes more reliably. Only one of the 21 incidents was involved violence; the others included harassment, graffiti and other vandalism, propaganda, and threats of violence. The Mosaic Religious Society, which represents one-third of the country's Jewish population, claimed that there were seven incidents of anti-Semitism in the first half of the year and 22 in 2009.

Trafficking in Persons

For information on trafficking in persons, please see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/g/tip.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care or other state services, and other areas, and the government effectively enforced these provisions in practice. The law mandates access to buildings, education, information, and communications for persons with disabilities, and the government generally enforced these provisions in practice.

The Ministry of Social Affairs has responsibility for protecting the rights of persons with disabilities, and implementation is the responsibility of municipal governments. The Danish Disability Council, a government-funded organization, monitored the status of persons with disabilities and advised the government and the parliament on issues relating to disability policy. The Equal Opportunities Center for Disabled Persons is a government-funded entity that documented and alerted the government to inequalities in society that affected persons with disabilities. The Danish Institute for Human Rights and the parliamentary ombudsman were also involved in monitoring the treatment of disabled persons. Each year, the ombudsman receives a significant number of complaints related to discrimination against persons with disabilities.

In April 2009 the government reported that more than 16,000 adults were in state-sponsored, long-term or temporary, special-care facilities for the persons with physical or mental disabilities.. The state also provided protected employment for approximately 9,000 persons with disabilities and offered 22,500 such individuals special state-sponsored activities to assist in their well-being. This was a part of the state's effort to move care for persons with disabilities from institutions to a home environment to promote greater individual self-reliance and reduced dependence on the public sector.

National/Racial/Ethnic Minorities

In December 2009 PET reported 175 recorded hate crimes for 2008, the most recent year for which figures were available. This represented roughly a five-fold increase compared to 2007. Police attributed the increase to a new definition used by PET of what constitutes a hate crime broadened to include crimes motivated by political issues, skin color, nationality, ethnic origin, religious beliefs, and sexual orientation. For the first time, PET combined its hate crime cases with those from the various regional and national police registries. According to police, hate-crime victims included "Jews and people of an ethnic origin other than Danish" (mostly African or Middle Eastern ethnic groups). Members of minority groups were sometimes the perpetrators of incidents against other minority groups. Reported cases included such hostile actions as graffiti, vandalism, theft, and racist Internet and written messages. The government effectively investigated and dealt with cases of racially motivated violence.

The presence of ethnically and racially diverse refugees and immigrants (mostly Turks, Iraqis, Lebanese, Pakistanis, Somalis, Afghans and refugees from the former Yugoslavia) caused some tension between citizens and immigrants, which were

documented in press reports. A report released by the EU Human Rights Agency in December 2009 stated that every third Somali in the country had experienced some form of racial harassment. During the year a local police department fined an individual 1,000 kroner (\$178) for refusing to pay a fare to a taxi driver because the driver was of an ethnic origin other than Danish and for using language derisive of the driver's ethnic origin in the ensuing argument.

During July and August, the government expelled 37 Roma to Romania after arresting them for illegal camping and trespassing in an abandoned building. The European Roma Rights Center (ERRC) criticized this action, asserting that the authorities failed to conduct individual assessments of the persons concerned and was discriminatory in singling out Roma. The ERRC charged the authorities with violating the European Convention on Human Rights, and on September 3, the ERRC filed an appeal against the deportations with the Danish Ministry of Refugees, Immigration, and Integration Affairs. The case was pending at year's end.

In August the UN Committee on the Elimination of Racial Discrimination (CERD) reviewed the country's periodic report to that body. While the committee observed some positive developments, CERD disapproved of the wide breadth of power given to the director of public prosecutions, especially related to the handling and discontinuance of cases involving racism.

During the year a steering group of experts from the Copenhagen police department, the City of Copenhagen, the Danish Institute for Human Rights, and the City of Frederiksberg initiated a campaign to discourage hate crimes, including those motivated by ethnic and racial hostility (see Section 6, Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity).

Indigenous People

The law protects the rights of the indigenous Inuit inhabitants of Greenland. Greenland's legal system seeks to accommodate their customs, provides for the use of laypersons as judges, and sentences most prisoners to holding centers (rather than prisons), where they are encouraged to work, hunt, or fish during the day.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The annual Copenhagen Pride parade was held August 18-22 and was followed by a "pride show" in Copenhagen's main town square.

During the year the Danish Institute for Human Rights joined with local governments and the Copenhagen police department to launch a campaign to discourage hate crimes. The stated goals of the campaign were to persuade victims and witnesses of hate crimes to report them to the police; prevent and combat hate crime; create a safe public environment in Copenhagen and Frederiksberg, especially for minority groups at risk of being victimized by hate crime; increase the general public's understanding of hate crime; and inform the public on places where victims of hate crimes can get help. It was too early to assess the effectiveness of the campaign.

There were no reports of official or systematic societal discrimination based on sexual orientation.

Other Societal Violence or Discrimination

There were no reports of societal discrimination against persons with HIV/AIDS.

Section 7 Worker Rights

a. The Right of Association

The law states that all workers, including military and police personnel, may form or join independent unions of their choosing without previous authorization or excessive requirements. These laws were effectively enforced. Approximately 76 percent of wage earners belonged to unions. Unions could conduct their activities without government interference. The law provides for the right to strike, and workers exercised this right during the year by conducting legal strikes. In some cases, when a strike occurs, not all union members may strike.

b. The Right to Organize and Bargain Collectively

Collective bargaining is protected by law and was freely practiced. Members of the workforce associated with unions were covered by annual collective bargaining agreements. These agreements also indirectly influenced wages and working conditions for the rest of the workforce. The law allows unions to conduct their activities without interference, and the government protected this right in practice.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, and there were no reports that such practices occurred. Also see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/g/tip.

d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the exploitation of children in the workplace, and the government effectively enforced this prohibition in practice. No instances of child labor were reported.

The minimum legal age for full-time employment is 15 years. The law sets a minimum age for part-time employment of 13 years; however, school-age children are limited to less strenuous tasks. The law limits work hours and sets occupational health and safety restrictions for children.

Child labor law is enforced by the Danish Working Environment Authority (DWEA), an autonomous arm of the Ministry of Labor.

e. Acceptable Conditions of Work

The law does not mandate a national minimum wage; minimum wages are negotiated between unions and employer associations. According to statistics released on March 1, the average minimum wage for all private and public sector collective bargaining agreements was 106 kroner (\$19) per hour, exclusive of pension benefits. The wage provided a decent standard of living for a worker and family. Migrant workers are entitled to the same minimum wages and must adhere to the same employment regulations as citizens.

Workers generally enjoyed a 37-hour workweek that was established by contract rather than by law. Workers received premium pay for overtime and were not subjected to compulsory overtime. Working hours were determined by collective bargaining agreements that adhered to the EU directive that an average workweek not exceed 48 hours.

The law prescribes conditions of work, including safety and health; the DWEA ensured compliance with labor legislation. The same laws protect legal migrants and foreign workers, and this was enforced in practice.

During the first 10 months of the year, the DWEA conducted 19,489 company screenings, visits, and inspections and made 8,554 requirements for additional information or improvements concerning working-environment problems, compared with 10,917 such requests out of 25,623 inspections in 2009. If required improvements are not carried out within a specified time, the DWEA has the authority to take the case to police or the courts. Workers may remove themselves from hazardous situations without jeopardizing their employment, and authorities effectively enforced this right in practice. Greenland and the Faroe Islands have similar work conditions, except that their standard workweek was established by collective bargaining at 40 hours.