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Table of Contents

**I. Justice System** ..... 6

1. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the justice system (if applicable) 6

*A. Independence*..... 6

2. Appointment and selection of judges, prosecutors and court presidents (incl. judicial review) ..... 6

3. Irremovability of judges; including transfers (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review) ..... 6

4. Promotion of judges and prosecutors (incl. judicial review) ..... 7

5. Allocation of cases in courts ..... 7

6. Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary) ..... 7

7. Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review) ..... 7

8. Remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year), transparency on the system and access to the information..... 7

9. Independence/autonomy of the prosecution service ..... 7

10. Independence of the Bar (chamber/association of lawyers) and of lawyers..... 7

11. Significant developments capable of affecting the perception that the general public has of the independence of the judiciary ..... 8

*B. Quality of justice* ..... 8

12. Accessibility of courts (e.g. court/legal fees, legal aid, language)..... 8

13. Resources of the judiciary (human/financial/material)..... 8

14. Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)..... 11

15. Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, procedural rules, access to judgments online)..... 11

16. Use of assessment tools and standards (e.g. ICT systems for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals).....	12
17. Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases. ....	12
<i>C. Efficiency of the justice system</i> .....	12
18. Length of proceedings .....	12
<b>II. Anti-corruption framework</b> .....	13
19. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the anti-corruption framework (if applicable) .....	13
<i>A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)</i> .....	13
20. List any changes as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO.....	13
21. Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption. ....	14
22. Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators.....	14
<i>B. Prevention</i> .....	14
23. Measures to enhance integrity in the public sector and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training). ....	14
24. General transparency of public decision-making (including rules on lobbying and their enforcement, asset disclosure rules and enforcement, gifts policy, transparency of political party financing) .....	14
25. Rules and measures to prevent and address conflicts of interests in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned) For questions 23-25, please provide figures on their application, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.). ....	15
26. Measures in place to ensure whistleblower protection and encourage reporting of corruption, including the number of reports received and the follow-up given.....	15

- 27. Sectors with high -risks of corruption in your Member State: - Measures taken/envisaged for monitoring and preventing corruption and conflict of interest in public procurement - list other sectors with high risks of corruption and the relevant measures taken/envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. healthcare, citizen/residence investor schemes, urban planning, risk or cases of corruption linked to the disbursement of EU funds, other), and, where applicable, list measures to prevent and address corruption committed by organised crime groups (e.g. to infiltrate the public sector)..... 16
- 28. Any other relevant measures to prevent corruption in public and private sector ..... 16

*C. Repressive measures*..... 16

- 29. Criminalisation, including the level of sanctions available by law, of corruption and related offences, including foreign bribery..... 16
- 30. Data on the number of investigation, prosecutions, final judgments and application of sanctions for corruption offences, (differentiated by corruption offence if possible) including for legal persons and high level and complex corruption cases) and their transparency, including as regards to the implementation of EU funds..... 16
- 31. Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning) 17
- 32. Information on effectiveness of non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders. ... 17

**III. Media pluralism and media freedom**..... 18

- 33. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding media pluralism and media freedom (if applicable) ..... 18

*A. Media authorities and bodies*..... 18

- 34. Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies..... 18
- 35. Conditions and procedures for the appointment and dismissal of the head /members of the collegiate body of media regulatory authorities and bodies ..... 18
- 36. Existence and functions of media councils or other self-regulatory bodies..... 18

*B. Safeguards against government or political interference and transparency and concentration of media ownership*..... 18

- 37. Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter) ..... 18
- 38. Safeguards against state /political interference, in particular: -safeguards to ensure editorial independence of media (private and public) -specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their operational independence (e.g. related to reporting obligations and the allocation of resources) and

safeguards for plurality of information and opinions - information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licences, company operation, capital entry requirements, concentration, and corporate governance ..... 19

39. Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners as well as any rules regulating the matter..... 19

*C. Framework for journalists' protection, transparency and access to documents* ..... 19

40. Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists..... 19

41. Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists ..... 20

42. Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information) ..... 20

43. Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits ..... 20

**IV. Other institutional issues related to checks and balances** ..... 20

44. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the system of checks and balances (if applicable) ..... 20

*A. The process for preparing and enacting laws* ..... 21

45. Framework, policy and use of impact assessments and evidence based policy-making, stakeholders/public consultations (including consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase..... 21

46. Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)..... 21

47. Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight. .... 22

48. Regime for constitutional review of laws. .... 23

*B. Independent authorities* ..... 23

49. Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions ..... 23

50. Statistics/reports concerning the follow-up of recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years. ....	24
<i>C. Accessibility and judicial review of administrative decisions</i> .....	25
51. Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data) .....	25
52. Judicial review of administrative decisions: - short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review). ....	25
53. Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU) .....	25
54. Follow-up by the public administration and State institutions to final (national/supranational, including the European Court of Human Rights) court decisions, as well as available remedies in case of non- implementation .....	26
<i>D. The enabling framework for civil society</i> .....	26
55. Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration and dissolution rules) .....	26
56. Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures for protection from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services. ....	26
57. Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding). ....	26
58. Rules and practices on the participation of civil society organisations and human rights defenders to the decision-making process (e.g. measures related to dialogue between authorities and civil society, participation of civil society in policy development and decision-making, consultation, dialogues, etc.).....	27
<i>E. Initiatives to foster a rule of law culture</i> .....	27
59. Measures to foster a rule of law culture (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.).....	27

## I. Justice System

1. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the justice system (if applicable)

In November 2023, the Danish government and all parties represented in the Parliament concluded a multiannual agreement on the financing of the judiciary for the period 2024-2027.

With the agreement, the government and the parties prioritize approximately 2.3 billion DKK to the judiciary budget over the period 2024-2027, which is intended to support a multi-year effort to address the challenges faced by the courts.

The agreement will finance the continuation of existing grants totaling around 1.0 billion DKK and new initiatives for a totaling of approximately 1.3 billion DKK in the multiannual agreement for the period 2024-2027.

Through the agreement, the government and the parties aim to significantly strengthen the processing of cases in the courts by allowing them to appoint more judges and other staff, such as deputy judges and administrative staff. The multiannual agreement also aims to supply the courts with more and better courtrooms and strengthen the IT systems.

At the same time, the government and all parties represented in the Parliament have agreed to simplify a number of procedural rules on the basis of recommendations from two expert committees; an ad hoc committee chaired by former president of the Supreme Court Thomas Rørdam and the Standing Committee on Procedural Law chaired by judge of the Supreme Court Lars Hjortnæs.

### *A. Independence*

2. Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2021.

3. Irremovability of judges; including transfers (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021 and 2023.

4. Promotion of judges and prosecutors (incl. judicial review)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021 and 2023.

5. Allocation of cases in courts

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2021.

6. Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2021.

7. Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021 and 2023.

8. Remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year), transparency on the system and access to the information

Reference is made to the Danish contribution to the Annual Rule of Law Report 2022.

9. Independence/autonomy of the prosecution service

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2021.

10. Independence of the Bar (chamber/association of lawyers) and of lawyers.

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2021.

11. Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2021.

*B. Quality of justice*

12. Accessibility of courts (e.g. court/legal fees, legal aid, language)

Reference is made to the Danish contribution to the Annual Rule of Law Report 2022.

13. Resources of the judiciary (human/financial/material)

Table 1 shows that the estimated total use of financial resources in the judiciary, i.e. the Courts of Denmark and The Prosecution Service, was DKK 2,805.9 million in 2022 and DKK 2,913.6 million in 2023. This includes expenses related to payroll, buildings, and other facilities, e.g. rent.



**Table 1****Financial resources in the Courts of Denmark and The Prosecution Service**

<i>DKK million (2023 price level)</i>	<b>2022</b>	<b>2023</b>
<b>The Courts of Denmark</b>	<b>2,005.4</b>	<b>2,067.7</b>
Payroll	1,306.8	1,328.7
Other expenses	698.6	739.0
- <i>Rent</i>	365.2	377.2
- <i>Other goods and services</i>	289.9	288.4
- <i>Depreciation</i>	43.6	73.4
<b>The Director of Public Prosecutions, the three state prosecutors' offices, and the Clinic of Forensic Psychiatry</b>	<b>266.1</b>	<b>298.8</b>
Payroll	202.1	205.6
Other expenses	64.0	93.2
- <i>Rent</i>	18.5	20.8
- <i>Other goods and services</i>	44.3	70.9
- <i>Depreciation</i>	1.3	1.5
<b>The Prosecution Service in the police districts</b>	<b>534.4</b>	<b>547.1</b>
Payroll*	534.4	547.1
Other expenses**	-	-
<b>Total</b>	<b>2,805.9</b>	<b>2,913.6</b>

Note: The figures are not the final accounting figures for 2023, as these will only be available later. \*Excluding payroll expenses of the prosecution offices in the Special Crime Unit, Bornholm Police, Faroe Islands Police and Greenland Police. \*\*Organizationally and physically the Prosecution Service in the police districts is placed within the 12 police districts of Denmark. As a result, it is not possible to separate other expenses such as rent etc. from the expenses of the police districts.

Table 2 shows that the number of full-time employees in the judiciary was 3,472 in 2022 and 3,486 in 2023. The table also shows the distribution of employees by employee groups.

**Table 1**

**Human resources in the Courts of Denmark and The Prosecution Service**

<i>Full-time employees</i>	<b>2022</b>	<b>2023</b>
<b>The Courts of Denmark</b>	<b>2,079</b>	<b>2,086</b>
Judges and other legal advisors	697	719
Office staff	1,189	1,172
Other personnel	193	195
<b>The Director of Public Prosecutions, the three state prosecutors' offices, and the Clinic of Forensic Psychiatry</b>	<b>313</b>	<b>314</b>
Prosecutors	138	156
Other personnel	175	158
<b>The Prosecution Service in the police districts*</b>	<b>1,080</b>	<b>1,086</b>
Prosecutors	657	668
Other personnel	423	418
<b>Total</b>	<b>3,472</b>	<b>3,486</b>

Note: The figures are not the final figures for 2023, as these will only be available later. \*Excluding employees of Faroe Islands Police and Greenland Police.

The above figures regarding the Courts of Denmark include the financial, material and human resources directly related to the Courts of Denmark (Retterne). Resources related to the Danish Court Administration (Domstolsstyrelsen), The Appeals Permission Board (Procesbevillingsnævnet), and the Land Registration Court (Tinglysningsretten) are not included.

The above figures regarding the financial and material resources of the Prosecution Service include the payroll expenses and other expenses of The Director of Public Prosecutions, the three state prosecutors' offices, and the Clinic of Forensic Psychiatry (altogether Den Centrale Anklagemyndighed) and the payroll expenses of Prosecution Service in the police districts (den lokale anklagemyndighed) excluding payroll expenses of the Prosecution Service in the police districts of the National Special Crime Unit, Bornholm Police, Faroe Islands Police, and Greenland Police.

The above figures regarding the human resources of the Prosecution Service include the full-time employees of The Director of Public Prosecutions, the three state prosecutors' offices, and the Clinic of Forensic Psychiatry (Den Centrale Anklagemyndighed) and the Prosecution Service in the police districts (den lokale anklagemyndighed) excluding the Prosecution Service in Faroe Islands Police and Greenland Police.

14. Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)
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Reference is made to the Danish contribution to the Annual Rule of Law Reports 2021 and 2022.

As an addition to the response from 2022, it should be noted that the mandatory basic training for legal officers has been changed from 9 modules to 8 modules. Furthermore, 2 mandatory courses for prosecutors have been established, containing criminal procedure, written communication, legislative process, organizational understanding and knowledge of goal and result plans.

Reference is also made to the Danish contribution to question 1.

15. Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, procedural rules, access to judgments online)
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Reference is made to section 15 of the Danish contributions to the Annual Rule of Law Report 2023 regarding the development of new IT systems to support criminal and probate cases. At this moment, two of the six releases – a public platform for probate cases and a system to review fines – have been deployed. The third release regarding compulsory liquidation will be rolled out during 2024.

The future releases will, among others, include case management systems for forced dissolution cases, the rest of the estate probate cases and criminal cases.

In 2023, the Courts of Denmark's online database of court judgments and sentences ("Domsdatabasen") has been expanded with even more rulings. The database was deployed in 2022 and provides all citizens free access to judgments and sentences delivered by the Courts in pseudonymized form. The database contains judgments and sentences based on criteria of relevance and leading cases and is updated on a continuous basis with new rulings. Moreover, the database contains historic rulings from civil and criminal cases of public interest.

The database has been very well received by users, both citizens and professional actors.

16. Use of assessment tools and standards (e.g. ICT systems for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2021, 2022 and 2023.

The case handling systems for criminal cases and some civil cases, such as probate cases, are to be replaced within the next three years.

The performance of all courts, except from the Supreme Court, is evaluated on a monthly basis based primarily on indicators such as: Number of incoming cases, length of proceedings (timeframes), number of resolved cases, number of pending cases, backlogs, and number of weighted cases. For the Supreme Court, this is done on a quarterly basis. For further information see also the annual report published by The Court Administration<sup>1</sup>.

17. Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

Reference is made to the Danish contributions to the Annual Rule of Law Report 2021.

### *C. Efficiency of the justice system*

18. Length of proceedings

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2021 and 2022. Regarding statistics on the length of proceedings, reference is made to the European Commission’s European Scoreboard, page 11.<sup>2</sup>

The multiannual agreement on the financing of the Danish police and The Danish Prosecution Service was prolonged for another year. The agreement was originally planned to cover 2021-2023. In continuation it was decided to simplify the objectives for criminal proceedings with two new simplified objectives for the police and the Prosecution Service. The aim of the two new objectives is to shorten the processing time, particularly for the most serious cases that lead to imprisonment.

<sup>1</sup> The annual reports for Danish Courts are available in Danish at <https://domstol.dk/om-os/aarsrapporter/>

<sup>2</sup> [THE 2023 EU JUSTICE SCOREBOARD \(europa.eu\)](https://ec.europa.eu/eu-justice/scoreboard/)

Further, reference is made to the answer of question 1 regarding efforts to reduce the processing times at the courts.

## II. Anti-corruption framework

19. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the anti-corruption framework (if applicable)

Regarding the recommendations to introduce rules on ‘revolving doors’ for ministers and on lobbying, and to ensure adequate control of asset declarations submitted by persons entrusted with top executive functions, reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021 and 2023.

Regarding the recommendation to ensure the collection of data on investigations and prosecutions of corruption-related offences at national and local level, it can be stated that Denmark is currently looking into the recommendations received from the OECD’s Working Group on Bribery, and will be following up on all of the recommendations in a written report in March 2025.

### *A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)*

20. List any changes as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO.

Reference is made to the Danish contribution to the Annual Rule of Law Report 2022.

The Special Crime Unit has experienced no relevant changes in the cooperation between different national authorities in cases with cross-border elements. In relation to the cross-border cooperation, The Special Crime Unit has not noted any obstacles of significance.

21. Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption.

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2022 and 2023.

22. Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators.

Reference is made to the Danish contribution to the Annual Rule of Law Report 2022.

### *B. Prevention*

23. Measures to enhance integrity in the public sector and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training).

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2021. In addition, it may be noted that figures on the application or the enforcement of the mentioned rules are not available.

24. General transparency of public decision-making (including rules on lobbying and their enforcement, asset disclosure rules and enforcement, gifts policy, transparency of political party financing)

As for the rules on lobbying and their enforcement, asset disclosure rules and enforcement and gifts policy, reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2021. In addition, it may be noted that figures on the application or the enforcement of the mentioned rules are not available.

Negotiations regarding the rules on transparency of political party financing are currently ongoing. Due to the sensitive nature of political negotiations, Denmark cannot give any information about the contents of the negotiations at this stage. The Danish government remains mindful of further potential improvements of issues concerning transparency of political party financing.

25. Rules and measures to prevent and address conflicts of interests in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)  
For questions 23-25, please provide figures on their application, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2021. In addition, it may be noted that figures on the application or the enforcement of the mentioned rules are not available

26. Measures in place to ensure whistleblower protection and encourage reporting of corruption, including the number of reports received and the follow-up given.

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2021, 2022 and 2023.

Regarding the protection of whistleblowers, it is furthermore noted that Denmark on 14 December 2023 notified the European Commission regarding the transposition in Danish national law of article 26(2) of the Directive (EU) 2019/1937 on the protection of persons who report breaches of Union Law. Article 26(2) states that as regards legal entities in the private sector with 50 to 249 workers, Member States shall by 17 December 2023 bring into force the laws, regulations and administrative provisions necessary to comply with the obligation to establish internal reporting channels under Article 8(3). Article 26(2) is transposed in Danish national law by section 31(2) of the Danish Whistleblower Act of 29 June 2021 stating that chapter 3 of the act (regarding internal reporting channels) comes into force as regards legal entities in the private sector with 50 to 249 workers from 17 December 2023.

27. Sectors with high -risks of corruption in your Member State:  
- Measures taken/envisaged for monitoring and preventing corruption and conflict of interest in public procurement  
- list other sectors with high risks of corruption and the relevant measures taken/envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. healthcare, citizen/residence investor schemes, urban planning, risk or cases of corruption linked to the disbursement of EU funds, other), and, where applicable, list measures to prevent and address corruption committed by organised crime groups (e.g. to infiltrate the public sector)

Reference is made to the Danish contribution to the Annual Rule of Law Report 2021.

28. Any other relevant measures to prevent corruption in public and private sector

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2022.

### *C. Repressive measures*

29. Criminalisation, including the level of sanctions available by law, of corruption and related offences, including foreign bribery.

Reference is made to the Danish contribution to the Annual Rule of Law Report 2021.

30. Data on the number of investigation, prosecutions, final judgments and application of sanctions for corruption offences, (differentiated by corruption offence if possible) including for legal persons and high level and complex corruption cases) and their transparency, including as regards to the implementation of EU funds.

The Director of Public Prosecutions has updated the data regarding corruption.

Please note that the numbers are based on data from the police case management system (POLSAS). The numbers are therefore subject to some uncertainty, as POLSAS is a case management system and not an actual statistics system. It should be noted that data are dynamic which means that the numbers are not final. The numbers may change due to corrections or delayed updates of the data in POLSAS, new convictions etc. Thus, changes may occur depending on the time of extraction of the information and post-registrations.



The numbers are based on the latest conviction. The conviction may have been appealed in the meantime. Therefore, the convictions are not necessarily final. Judgments are measured by the number of charges (counts). I.e. how many people per case number that has been judged. Dismissals are measured by the number of cases, i.e. the number of unique case numbers.

Data is updated on 8 January 2024.

Section	Decision type	2016	2017	2018	2019	2020	2021	2022	2023	Total
Criminal Code section 122 (active bribery)	Dismissals	2	-	2	2	2	1	-	-	9
	Judgments	3	9	18	5	18	6	33	4	96
	Withdrawal of charge (specified conditions)	-	-	2	1	-	1	1	-	5
	Withdrawal of charge	23	2	7	21	7	15	3	1	79
Criminal Code section 144 (passive bribery)	Dismissals	1	1	3	4	1	6	3	7	26
	Judgments	-	1	6	2	14	2	90	-	115
	Withdrawal of charge	4	1	2	13	3	77	4	3	107
Criminal code section 299 (private sector bribery)	Dismissals	-	2	1	-	-	2	-	4	9
	Judgments	3	1	-	1	1	5	1	7	19
	Withdrawal of charge	7	2	-	-	2	11	2	9	33

The Special Crime Unit has received two reports of corruption offences in 2023 and is currently investigation four corruption-cases. Of those cases, a nonspecific number are international/cross-border cases.

31. Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2022.

32. Information on effectiveness of non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders.

Reference is made to the Danish contribution to the Annual Rule of Law Report 2022.

### III. Media pluralism and media freedom

33. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding media pluralism and media freedom (if applicable)

On the recommendation to continue the process geared at reforming the Access to Public Administration Files Act, reference is made to the Danish contribution to question 42.

#### *A. Media authorities and bodies*

34. Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

Reference is made to the Danish contributions to the previous Annual Rule of Law Reports.

35. Conditions and procedures for the appointment and dismissal of the head /members of the collegiate body of media regulatory authorities and bodies

Reference is made to the Danish contributions to the previous Annual Rule of Law Reports.

36. Existence and functions of media councils or other self-regulatory bodies

Reference is made to the Danish contributions to the previous Annual Rule of Law Reports.

#### *B. Safeguards against government or political interference and transparency and concentration of media ownership*

37. Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter)

Reference is made to the Danish contributions to the previous Annual Rule of Law Reports.

38. Safeguards against state /political interference, in particular:  
-safeguards to ensure editorial independence of media (private and public)  
-specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions  
- information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licences, company operation, capital entry requirements, concentration, and corporate governance

Reference is made to the Danish contributions to the previous Annual Rule of Law Reports.

39. Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners as well as any rules regulating the matter

Reference is made to the Danish contributions to the previous Annual Rule of Law Reports.

### *C. Framework for journalists' protection, transparency and access to documents*

40. Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists.

Reference is made to the Danish contribution to the Annual Rule of Law Report 2023.

Concerning alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists, one alert was raised regarding Denmark on 22 September 2023. The alert concerned that the President of the Danish Union of Journalists, Tine Johansen, received an e-mail with a screenshot of a tweet calling for attacks against her, as well as disclosing her private address. Tine Johansen reported this to the Police. The Danish Minister of Justice replied to the alert on 22 December 2023 confirming that the case is being investigated by the Police.<sup>3</sup>

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<sup>3</sup> [Platform to promote the protection of journalism and safety of journalists \(coe.int\)](https://www.coe.int/en/web/platform-to-promote-the-protection-of-journalism-and-safety-of-journalists)

41. Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

Reference is made to the Danish contribution to the Annual Rule of Law Report 2020.

42. Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021, 2022 and 2023.

With regards to the political negotiations regarding a possible revision of the Access to Public Administration Files Act, the Danish government has announced that it intends to establish an expert committee to prepare a proposal for a revised Access to Public Administrations Files Act, that will give the public better opportunities for insight into political decision-making processes. In cooperation with a number of political parties, the government has agreed to establish an expert committee to prepare a proposal for a revised Access to Public Administrations Files Act, that will give the public better opportunities for insight into political decision-making processes.

43. Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

Reference is made to the Danish contribution to the Annual Rule of Law Report 2022.

It is in general not possible for the Director of Public Prosecutions to extract data regarding charges put against specific professions, such as journalists etc.

#### **IV. Other institutional issues related to checks and balances**

44. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the system of checks and balances (if applicable)

Not applicable.

### *A. The process for preparing and enacting laws*

45. Framework, policy and use of impact assessments and evidence based policy-making, stakeholders/public consultations (including consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase.

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021 and 2023.

As mentioned in the Danish contribution to the Annual Rule of Law Report 2023, it follows from the governments joint program statement “Responsibility for Denmark” of December 2022 that the government will emphasize public consultations on bills and will have will focus on the observance of the four-week period for public consultation as the main rule.

46. Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions).

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2021 concerning the possibility of using a “fast track procedure” in cases of extreme urgency. Reference is also made to the 2021 as well as the 2022 Rule of Law Report Country Chapter on the rule of law situation in Denmark concerning the report by the Standing Orders Committee of the Parliament adopted on March 24 2021 and the proposition herein of a number of guidelines for the use of fast-track procedures.

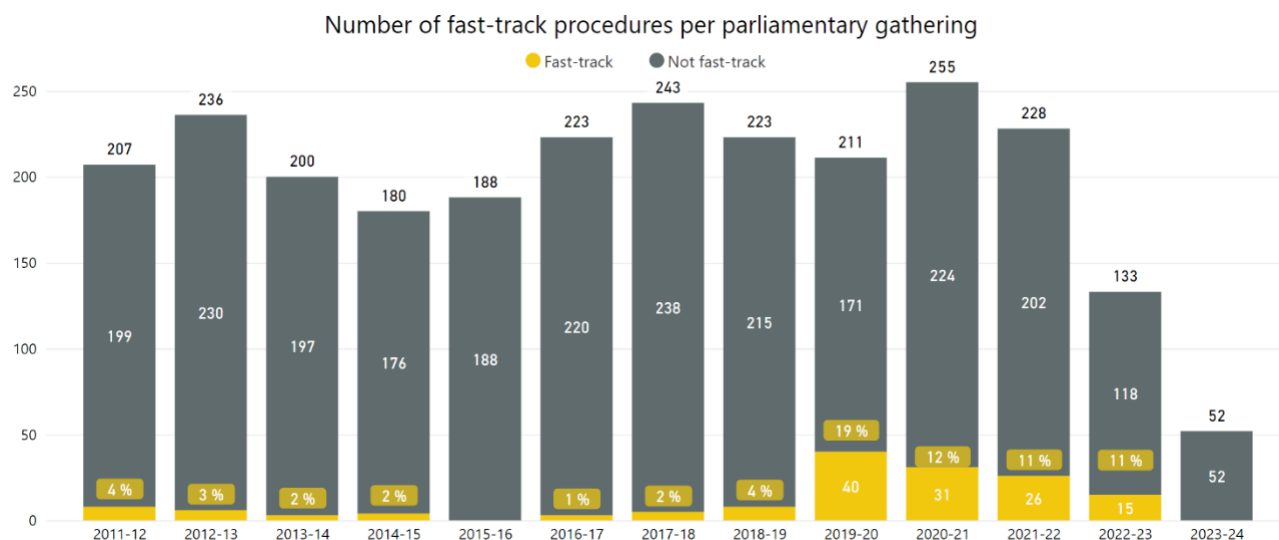
As mentioned in the Danish contribution to the Annual Rule of Law Report 2022, the rules for the Parliament’s consideration of bills are laid out in the Constitutional Act and the Standing Orders of the Parliament, including specific time limits for the legislative work.<sup>4</sup> A Bill must be read three times in the Parliament before it can be adopted. The third and final reading shall take place no earlier than 30 days after the introduction and no earlier than 2 days after the second reading has been concluded, cf. section 13 of the Standing Orders of the Parliament. In cases of extreme urgency, it is possible to derogate from the time limits of the Standing Orders of the Parliament, cf. section 42, if consent is given by at least three fourths of the voting members of the Parliament.

Reference is also made to the Danish contribution to the Rule of Law Report 2023 concerning the overnments joint program statement “Responsibility for Denmark” of December 2022 where it follows

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<sup>4</sup> The Constitution and the Standing Orders of the Parliament are available in English at [https://www.ft.dk/-/media/sites/ft/pdf/publikationer/engelske-publikationer-pdf/grundloven\\_samlet\\_2018\\_uk\\_web.ashx](https://www.ft.dk/-/media/sites/ft/pdf/publikationer/engelske-publikationer-pdf/grundloven_samlet_2018_uk_web.ashx) and [https://www.ft.dk/-/media/sites/ft/pdf/publikationer/engelske-publikationer-pdf/forretningsorden\\_engelsk\\_2018\\_samlet\\_web.ashx](https://www.ft.dk/-/media/sites/ft/pdf/publikationer/engelske-publikationer-pdf/forretningsorden_engelsk_2018_samlet_web.ashx).

that the government will provide fast track legislative proposals with a sunset clause of six months, if it serves a legitimate aim.<sup>5</sup>



**Note:** The data contains bills that have the status of ratified or adopted. Fast-track bills are defined as bills whose processing time from the day after submission to the 3rd reading is less than 30 days. Bills that have the status of ratified or adopted, but do not contain either a submission date or 3rd reading date are included in the data as "Not fast-track". If a bill is divided into sub-bills (A, B and C version), only the divided versions of the initial bill are included. Due to ft.dk's registration practice, the submission date for a bill does not appear on divided bills, but only on initial bills. For this reason, the submission date for divided bills is obtained from the initial bill. Bills are grouped by parliamentary session (first Tuesday in October to the day before the next first Tuesday of October). Data is dynamic and reflects data on ft.dk at the time data is obtained. Any registration errors and deficiencies on ft.dk are thus also represented in this statement. Source: ft.dk 2023-12-13.

The above graph illustrates the number of adopted bills since 2011, including bills where there have been less than 30 days from the bills' proposal to their adoption (see yellow marking). The graph also sets out the percentage of adopted bills by a fast-track procedure from 2011-2024. For the periods 2019-2020 and 2020-2021, the increase in bills adopted within 30 days after their proposal is in particular due to the COVID-19-crisis. The Danish rule that at least ¾ of the voting members of the Parliament have to consent to the use of the fast-track procedure as referred to above ensures that these bills are adopted faster due to a broad political backing.

Reference is also made to the Danish contribution to question 45.

47. Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight.

The overall framework for the adoption of laws during a state of emergency is found in section 23 of the Constitution. The section reads as follows:

<sup>5</sup> The governments joint program statement "Responsibility for Denmark" is available only in Danish at <https://www.stm.dk/statsministeriet/publikationer/regeringsgrundlag-2022/>

*“In an emergency the King may when the Folketing cannot assemble, issue provisional laws, provided that they shall not be at variance with the Constitution Act and that they shall always immediately on the assembling of the Folketing be submitted to it for approval or rejection “*

No provisional law has been issued under the current Constitution.

The Minister of Defence is granted certain authorities during war or other extraordinary circumstances.

According to the Defence Act (Consolidation Act 2017-05-24 No. 582 as amended) section 17 the Minister of Defence may, during war or other extraordinary circumstances, (1) without a court order, take measures as referred to in section 72 of the Danish constitution against telephone calls, postal shipments and other communications, (2) regulate and control sailing and fishing within Danish territorial waters and exercise control over sailing of Danish ships and (3) regulate and control air traffic within Danish airspace and exercise control over the air traffic of Danish aircraft. Under the mentioned circumstances, citizens must also make their property available for the defence in return for compensation.

According to the Emergency Management Act (Consolidation Act 2017-04-03 No. 314 as amended) section 38(4) during times of crises or war the Minister of Defence, or an individual authorised by the Minister, may without a court order initiate seizure with a view to expropriation.

According to certain other acts, the Minister of Defence may during times of crises or war and during other circumstances expropriate property or means of transportation in return for compensation. For example, according to Act 1992-04-08 No. 229 as amended and Act 1954-06-11 No. 225.

#### 48. Regime for constitutional review of laws.

Reference is made to the Danish contribution to the Annual Rule of Law Report 2020.

### *B. Independent authorities*

49. Independence, resources, capacity and powers of national human rights institutions (‘NHRIs’), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

#### *Danish Institute for Human Rights*

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2022.

#### *The Board of Equal Treatment*

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2022.

### *The Parliamentary Ombudsman*

Concerning the functioning of the Parliamentary Ombudsman, reference is made to the Danish contribution to the Annual Rule of Law Report 2020.

According to the Appropriation Act of 2023, Section 3, the Parliament allocated DKK 107,7 million DKK in annual funding of the Ombudsman institution in in 2023.<sup>6</sup>

50. Statistics/reports concerning the follow-up of recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years.

### *Danish Institute for Human Rights*

According to the Danish Institute for Human Rights' report to the Danish Parliament, Human Rights in Denmark 2022<sup>7</sup>, the Institute gave 51 responses to draft legislation or executive orders sent out for external consultation and published 58 reports and several research articles and contributions to books. The report further contains criticism raised by the Institute and areas where progress has been made concerning inter alia the justice system, prisons and detentions, children and elders and citizenship.

### *The Board of Equal Treatment*

The Board of Equal Treatment's annual report 2022<sup>8</sup> contains summaries of decisions that the board has made during 2022, and articles focusing on topics from the past year, e.g. obesity as a disability, dismissal of an employee with a disabled child, and whether political posts are covered by anti-discrimination laws. In addition, the annual report contains statistics on, e.g. the number of cases received in the Board of Equal Treatment, the number of decided cases in the Board of Equal Treatment and the number of cases distributed by the outcome of the case.

### *The Parliamentary Ombudsman*

According to the Ombudsman's annual report of 2022<sup>9</sup>, the institution handled a total of 5,272 cases of which 787 cases led to an investigation (217 full investigations and 570 shortened investigations). 126 of those (full) investigations led to criticism, formal or informal recommendations etc. Consolidated figures on the follow-up by public authorities of such recommendations do not exist. However, as stated in the Annual Rule of Law Report 2020, public authorities in practice adhere to the Ombudsman's recommendations.

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<sup>6</sup> The Appropriation Act of 2023 is accessible in Danish at this link: <https://fm.dk/media/27193/fl23a.pdf>

<sup>7</sup> The report is available in Danish at the website of the Institute for Human Rights: <https://menneskeret.dk/files/media/document/Beretning%20til%20Folketinget%20-%20Menneskerettigheder%20i%20Danmark%202022-a.pdf>

<sup>8</sup> The report is available in Danish at this link: <https://ast.dk/publikationer/ligebehandlingsnaevnets-arsberetning-2023>

<sup>9</sup> <https://en.ombudsmanden.dk/publications/annual-reports/annual-report-2022/>



### *C. Accessibility and judicial review of administrative decisions*

51. Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

Reference is made to the Danish contribution to the Annual Rule of Law Report 2023.

52. Judicial review of administrative decisions:  
- short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review).

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2023.

53. Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

There are no Danish acts and rules governing the application by all courts of the preliminary ruling procedure. The Public Prosecutor of Denmark has issued a notification on preliminary reference to the Court of Justice of the European Union (CJEU). The notification contains guidance and guidelines on the prosecution's handling of criminal cases where preliminary reference to CJEU is in question. Also, case law is guiding on this area.

Questions on this area in individual cases are normally introduced before the Danish EU Special Committee on Legal Affairs which is a committee of Government officials under the Danish Government's EU committee with the Ministry of Justice as chairman. The EU Special Committee on Legal Affairs assists the prosecution to identify and explain the EU legal aspects of a case, including the inclusion of relevant case law from CJEU. The Committee will also be able to give an opinion on how the preliminary questions should be formulated if there is a need for submission to CJEU.

The Danish Court Administration does not have data on the number of cases involving preliminary reference to CJEU.

54. Follow-up by the public administration and State institutions to final (national/supranational, including the European Court of Human Rights) court decisions, as well as available remedies in case of non- implementation

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2023.

*D. The enabling framework for civil society*

55. Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration and dissolution rules)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2022.

56. Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures for protection from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services.

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021, 2022 and 2023.

57. Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

Reference is made to the Danish contributions to the previous Annual Rule of Law Reports.

58. Rules and practices on the participation of civil society organisations and human rights defenders to the decision-making process (e.g. measures related to dialogue between authorities and civil society, participation of civil society in policy development and decision-making, consultation, dialogues, etc.)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2022 and 2023.

Reference is also made to the Danish contribution to question 45 and 46.

### *E. Initiatives to foster a rule of law culture*

59. Measures to foster a rule of law culture (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2021, 2022 and 2023.

The upcoming results of the negotiations regarding transparency of political party financing mentioned in the contribution to the Annual Rule of Law Report 2023 will most likely foster public debate.

In October 2022, the previous Government signed a political agreement with various political parties with the title “Agreement on examination of the political system and strengthening of the parliamentary control over the government”.

The day after the political agreement was signed, the former Danish government announced elections for the Danish Parliament. Therefore, the former government could not implement the agreement.

The new government has in its joint program statement “Responsibility for Denmark” of December 2022 decided to follow up on the agreement, and have held an initial meeting about this with the political parties represented in the Danish Parliament.

The Danish Court Administration highlights the importance of the rule of law on a number of occasions over a year, including on the Danish Constitution Day June 5. The Danish Court Administration also systematically communicate publicly about the importance of the rule of law and independence of the courts when there are relevant international reports/rankings.

The Danish Court Administration have also created a number of initiatives aiming at enhancing and supporting the knowledge of the Danish justice system and hence aid to maintain the high level of trust that the population has in the court system.

Examples of this is a learning website named [www.kenddinret.dk](http://www.kenddinret.dk), which is a modern learning universe with digital teaching courses for both high school pupils and secondary school pupils. The website is a mixture of information, videos, web-stories, audio narration, role-plays, quizzes, and tasks displayed and written in a way which should be relevant to young people's everyday life. The variety of educational tools should strengthen the students' attention and commitment, while at the same time adhering to the Ministry of Children and Education's educational goals on the Danish legal system. The learning universe is primarily aimed at students and teachers, but it is available for all citizens to explore and learn more about the court system. An important development in 2023 was that The Danish Court Administration added two new universes aimed at the two different types of vocational schools in Denmark in order also to have something for that target group.

Another initiative is a podcast series named “Thi kendes for ret” (would translate into “And the verdict is”) in which three appeal court judges talk listeners through real commercial law court cases explaining and discussing the relevant legal issues. In the podcast series, the focus is on a selection of the many important business cases that the courts deal with every day – both well-known and lesser-known cases. The podcast series aims at giving insight into the work of the courts and into legal practice with the ambition that it will increase knowledge of the work of the courts. The cases selected for the series are all commercial law cases but represent many different aspects of the law such as a trademark law infringement and a worker's compensation case.

Finally, the Danish Courts Administration developed Denmark's contribution to the Council of Europe's "European Day of Justice" on 25 October 2022. The contribution is “Domsmandsspillet” (the Court Game), which is a virtual game about guilt and punishment, in which anyone can experiment being a lay judge and assess whether a defendant is guilty or not.

In the Court Game, participants are summoned as a lay judge in a criminal case in the district court. A lay judge is an ordinary citizen who sits in court cases and, together with the legal judge, assesses whether a defendant is guilty or not. They also decide the punishment. They do this as a representative of the population to ensure that there is popular support when a decision has to be made on the most serious sanction; the deprivation of freedom from the individual human being. The latest studies show that, young people and unskilled persons are underrepresented as lay judges in the court system. The aim of the game is also to inspire those groups to sign up for possible selection as a lay judge.

There is a strong rule of law culture within the Danish court system both systemically and as regards the individual judges. The rule of law is an ever-present consideration in all the work performed at the courts. A specific example of an event at which general and more specific topics related to the rule of law are debated is the annual Democratic Festival of Denmark (Folkemødet). Every year the festival is the platform for democratic dialogue between civil society, politicians, business, media, universities, and citizens at large.

With more than 2,000 political events created by 650 different organizations the Democracy Festival of Denmark has become an important democratic event in Denmark with the purpose of creating informal meetings and dialogue between decision makers and citizens. More than 100,000 citizens,

parliamentarians, NGOs, business representatives, media and grassroots meet up and debate our society and celebrate our democracy during the three-day festival in June. There is no entrance fee to any events. At the 2023 Democratic Festival the Danish Courts/Court Administration had a wide program of debate and interaction between members of the public, decision makers, judges etc. including a mock trial and debates on EU law, constitutional hearings and the resources and general situation of the courts – all of which support the strong rule of law culture.