

**TARGETED STAKEHOLDER CONSULTATION 2023 RULE OF LAW REPORT
UN HUMAN RIGHTS REGIONAL OFFICE FOR EUROPE (OHCHR)**

DENMARK REVIEW

I. Justice System

B. Quality of justice

Training of justice professionals (including judges, prosecutors, lawyers, court staff)

In the concluding observations issued in February 2022, the UN Committee on the Elimination of Racial Discrimination expressed concern that there were very limited number of cases in which domestic courts applied the International Convention on the Elimination of All Forms of Racial Discrimination. The Committee noted that the Denmark's argument that incorporation of the Convention into the domestic legal order entailed a risk of shifting powers conferred upon Parliament and the Government to the courts was not persuasive. The Committee thereby recommended the Danish Government to fully incorporate the Convention into its domestic legal order. The Committee also recommended to disseminate the provisions of the Convention among judges, prosecutors, lawyers and law enforcement officials, and train them on these provisions, so as to facilitate the application of the Convention by domestic courts. The Committee further recommended to provide information in its next periodic report on the number of cases or decisions in which domestic courts had invoked or applied the Convention, including for interpretative purposes ([CERD/C/DNK/CO/22-24](#), paras 6, 7).

IV. Other institutional issues related to checks and balances

A. The process for preparing and enacting laws

COVID-19: provide update on significant developments with regard to emergency regimes/measures in the context of the COVID-19 pandemic

In the concluding observations issued in February 2022, the UN Committee on the Elimination of Racial Discrimination raised concern that persons from ethnic minority communities had been more vulnerable to and disproportionately affected by the COVID-19 pandemic, in terms of infection and severity of impact on their health afterwards. The Committee further noted with concern that, despite the efforts of Denmark, the vaccination uptake and testing rates had been lower in ethnic minority communities. The Committee recommended to enhance its efforts to protect ethnic minorities from the COVID-19 pandemic and its effects, in particular by increasing vaccination uptake and testing among persons from ethnic minority communities, and taking measures to build trust within these communities in the health-care measures ([CERD/C/DNK/CO/22-24](#), paras 26, 27).

B. Independent authorities

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

In the concluding observations issued in February 2022, the UN Committee on the Elimination of Racial Discrimination raised concern that Greenland had not established a competent body to deal with complaints of discrimination based on race, colour, descent, or national or ethnic origin. The Committee remained to be concerned that the Faroe Islands had not established a national human

rights institution. The Committee thereby recommended to set up a mechanism through which it can monitor hate speech and the impact of its campaign against bullying in Greenland and establish a national human rights institution in the Faroe Islands ([CERD/C/DNK/CO/22-24](#), paras 14-17).

In the concluding observations issued in February 2022, the UN Committee on the Elimination of Racial Discrimination was concerned that victims of racial discrimination did not have sufficient knowledge or willingness to bring cases to the Board of Equal Treatment. The Committee thereby recommended to raise awareness about the possibility of lodging complaints to the Board of Equal Treatment and increase its accessibility by training the interpreters in the language most commonly used by migrants and refugees ([CERD/C/DNK/CO/22-24](#), paras 36, 37).

Other – please specify

Language of legal and policy documents: In the concluding observations issued in February 2022, the UN Committee on the Elimination of Racial Discrimination expressed concern that the terms ‘Western’ and ‘non-Western’ were used in the legislation and policies of Denmark, which could lead to marginalisation and stigmatisation of those classified as ‘non-Western’. The Committee thereby recommended the Danish Government to cease using the terms ‘Western’ and ‘non-Western’ in its policy and law ([CERD/C/DNK/CO/22-24](#), paras 10, 11).