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Kontor: Stats- og Menneske-
retskontoret
Sagsbeh: Charlotte Bitsch
Junker
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Dok.: 3573595

Justitsministeriets samlede bidrag til Kommissionens retsstatsrapport for 2025

I. Justice System

A. Independence

No developments

If there have been developments related to the independence of justice, please specify which, in particular regarding topics listed below:

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the justice system (if applicable):

Recommendation 1: Complete the review of the legal aid system, taking into account European standards on legal aid.

The Ministry of Justice has requested the standing committee, the Judicial Council, to review the Danish legal aid system instead of the pre-legislative committee which was originally set up to review the existing legal aid system. The Judicial Council acts as an advisory body for the Ministry regarding civil justice. The work is therefore naturally placed here. The Judicial Council is expected to present its results by summer 2026.

Recommendation 2: Introduce rules on 'revolving doors' for ministers and on lobbying and ensure adequate control of asset declarations submitted by persons entrusted with top executive functions.

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, 2023 and 2024.

Regarding the previous 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 has a strong and continuous focus on anti-corruption and recognizes the importance of collecting data in this area. Therefore, such data is collected by the Danish National Police and the Director of Public Prosecutions. In this regard, reference is made to the answer to question regarding “official data on the number of investigations, prosecutions, final judgments, and the application of sanctions for corruption offences (differentiated by corruption offence if possible). below.

Recommendation 3: Advance with the process to reform the Access to Public Administrative Documents Act in order to strengthen the right to access documents, in particular by limiting the grounds for rejection of disclosure requests, taking into account the European standards on access to official documents.

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

In January 2024 an expert committee was established to prepare a proposal for a revised Access to Public Administration Files Act, that will give the public better opportunities for insight into political decision-making processes. It is specified in the political agreement, that the government will summon the parties of the Danish Parliament to negotiations concerning revisions of the Access to Public Administration Files Act, when the committee has published its proposal. The expert committee was established in February 2024, and the work in the committee is expected to be concluded in the first half of 2025.

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 Report 2020 and 2021.

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.

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.

Allocation of cases in courts

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

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 og 2021.

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.

Independence/autonomy of the prosecution service

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

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.

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.

B. Quality of justice

No developments

If there have been developments related to the independence of justice, please specify which, in particular regarding topics listed below:

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.

The Ministry of Justice has requested the standing committee, the Judicial Council, to review the Danish legal aid system instead of the pre-legislative committee which was originally set up to review the existing legal aid system. The Judicial Council acts as an advisory body for the Ministry regarding civil justice. The work is therefore naturally placed here. The Judicial Council is expected to present its results by summer 2026.

Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

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 2,975.1 million in 2023 and DKK 3,151.0 million in 2024. 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 (2024 price level)</i>	2023	2024
The Courts of Denmark	2,098.6	2,277.1
Payroll	1,375.3	1,460.9
Other expenses	723.3	816.2
- Rent	393.5	378.0
- Other goods and services	252.5	354.2
- Depreciation	77.3	84.0
The Director of Public Prosecutions, the three state prosecutors' offices, and the Clinic of Forensic Psychiatry	300.5	315.1
Payroll	215.2	224.5

Other expenses	85.3	90.6
- Rent	21.8	22.6
- Other goods and services	61.9	66.0
- Depreciation	1.6	2.0
The Prosecution Service in the police districts	576.0	558.8
Payroll*	576.0	558.8
Other expenses**	-	-
Total	2,975.1	3,151.0

Note: The figures are not the final accounting figures for 2024, as these will only be available later. Please note that the figures for the salaries in table 1 are based on salary payments for 2023 and budget for 2024 for both prosecutors and other personnel in the prosecution service. *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 3,489 in 2023 and 3,559 in 2024. The table also shows the distribution of employees by employee groups.

Table 2
Human resources in the Courts of Denmark and The Prosecution Service

<i>Full-time employees</i>	2023	2024
The Courts of Denmark	2,093	2,193
Judges and other legal advisors	717	762
Office staff	1,170	1,186
Other personnel	206	245
The Director of Public Prosecutions, the three state prosecutors' offices, and the Clinic of Forensic Psychiatry	315	316
Prosecutors	156	160
Other personnel	159	156
The Prosecution Service in the police districts*	1,081	1,050
Prosecutors	658	660
Other personnel	423	390
Total	3,489	3,559

Note: The figures are not the final figures for 2024, 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*), the Youth Crime Board (*Ungdomskriminalitetsnævnet*), 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 (*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.

Table 3 shows that the remuneration of judges in the Courts of Denmark was DKK 452.1 million in 2023 and DKK 470.8 million in 2024. The remuneration of prosecutors in the Director of Public Prosecutions, the three state prosecutors’ offices, and the Clinic of Forensic Psychiatry was DKK 128.5 million in 2023 and DKK 132.7 million in 2024. The remuneration of prosecutors in the Prosecution service in the police districts was DKK 431.8 million in 2023 and DKK 418.1 million in 2024.

Table 3		
Remuneration/bonuses/rewards for judges in the Courts of Denmark and prosecutors in the Prosecution Service		
<i>DKK million (2024 price level)</i>	2023	2024
Judges in the Courts of Denmark	452.1	470.8
Remuneration*	452.1	470.8
- Bonuses/rewards**	0.0	0.0
Prosecutors in the Director of Public Prosecutions, the three state prosecutors’ offices, and the Clinic of Forensic Psychiatry ***, ****	128.5	132.7
Remuneration	128.5	132.7
- Bonuses/rewards	1.5	1.5

Prosecutors in the Prosecution Service in the police districts (prosecutors)***, ****	431.8	418.1
Remuneration	431.8	418.1
- Bonuses/rewards	12.8	6.0

Note: The figures are not the final figures for 2024, as these will only be available later. The figures regarding the Director of Public Prosecutions, the three state prosecutors' offices, and the Clinic of Forensic Psychiatry (prosecutors) and The Prosecution Service in the police districts (prosecutors) are based on salary payments for 2024 as per January 21st 2025. The figures are not comparable to the figures in table 1. * Judges in equal appointments or posts receive an equal total salary. **No judges at the Courts of Denmark receive individual or collective bonuses or rewards. *** Prosecutors in the Prosecution Service are defined by the job title of lawyer in the accounting systems. **** Excluding payroll expenses of the prosecution offices in the Special Crime Unit, Bornholm Police, Faroe Islands Police and Greenland Police.

Remuneration is understood as the total compensation that judges and prosecutors receive for their work. This includes salary, paid time off, retirement plans and bonuses etc. Bonuses and rewards therefore constitute a proportion of the total remuneration.

Regarding remuneration for judges in the Courts of Denmark it is noted that judges in equal appointments or posts receive equal total salary.

Regarding bonuses and rewards for judges in the Courts of Denmark it is further noted that no judges at the Courts of Denmark receive individual or collective bonuses or rewards which is why no amount is listed.

Regarding bonuses for prosecutors in the Prosecution Service it is noted that the bonuses only include exceptional overtime efforts and lump sum bonuses for exceptional efforts or exceptional results. Lump sum bonuses for exceptional efforts or exceptional results are typically granted in connection with the annual salary negotiations for implementation of larger and longer-lasting cases, the particularly stable and competent performance of tasks, covering vacancies etc.

The above figures for prosecutors in the Prosecution Service show the total remuneration and how much of this sum relates to the payment of the one-off and overtime bonus as mentioned above. It should be noted that the figures in the table are based on actual payroll data, and not budgeted costs, contrary to the figures in table 1.

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

Reference is made to the Danish contribution to the Annual Rule of Law Reports 2021, 2022 and 2024.

As an addition to the Annual Rule of Law Reports 2021, 2022 and 2024, it is noted that in order to be a private practising lawyer, it is a requirement to hold a Bachelor's and Master's degree in Law, to have carried out practical legal work for at least 3 years, to have completed a theoretical basic education and to have passed and examination in "matters of special importance to the profession of lawyer" as well as having passed a practical exam in litigation.

The basic theoretical education consists of 20 course days spread over 8 courses. As the case is with the examination and the practical exam in litigation, the basic theoretical education is administered by the Law and Bar Society (*Advokatsamfundet*). The courses provide, among other things, knowledge of trial preparation, communication, the course of a main hearing, good legal practice, the relationship with clients, money laundering, client accounts, negotiation and accounting.

Every lawyer must continuously participate in continuing education relevant to the practice of law. There is a requirement to complete at least 54 lessons of continuous education within a period of 3 years. Each lesson must have had a duration of 45 minutes.

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

Reference is made to 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, three of seven releases – a public platform for probate cases, a system to review fines, and a system for compulsory liquidation – have been deployed. The fourth release regarding preliminary hearings will be rolled out in January 2025. The future releases will include case management systems for the rest of the estate probate cases and criminal cases.

In 2024, the Courts of Denmark's online database of court judgments and sentences ("*Domsdatabasen*") has been expanded with further rulings, and in December 2024 the database contained around 6.350 decisions. The database was deployed in 2022 and provides all citizens with free access to judgments and sentences delivered by the Courts in pseudonymized form. The database contains judgments and sentences based on criteria of relevance to the public as well as bigger 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.

Use of assessment tools and standards (e.g. ICT systems, including AI-based 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, 2023 and 2024.

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

The performance of all courts, except 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.¹

At present, the use of AI at the Courts of Denmark is limited, though the Danish Court Administration does intend to explore potential use cases further. To that effect, the Danish Court Administration has launched or is preparing to launch a number of pilot projects focused on specific applications of AI technology that might support the work of the courts without compromising their judicial independence. The aim is to gather sufficient data to develop a broader strategy for approaching AI at the Courts of Denmark. At the moment only AI that supports administrative processes is being used and not in decision making.

On the basis of a pilot project in 2024, The Danish Court Administration has decided that Microsoft Copilot can be rolled out in the entire organization. Employees can use Microsoft Copilot to produce text and images but must adhere to general guidelines for responsible use and protection of personal and organizational data.

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 contribution to the Annual Rule of Law Report 2021.

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

II. Anti-corruption framework

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the anti-corruption framework (if applicable):

Denmark has a strong and continuous focus on anti-corruption and recognizes the importance of collecting data in this area. Therefore, such data is collected by the Danish National Police and the Director of Public Prosecutions. In this regard, reference is made to the answer to question regarding “official data on the number of investigations, prosecutions, final judgments, and the application of sanctions for corruption offences (differentiated by corruption offence if possible) below.

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

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 Reports 2022 and 2024. Furthermore, all police districts and not only the Special Crime Unit (SCU) receive reports on and investigate cases of corruption. It is not possible to specify the resources that the police districts have allocated to the prevention and investigation of corruption cases.

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.

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

No developments

If there have been developments related to the prevention of corruption, please specify which, in particular regarding topics listed below:

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

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021 and 2024.

Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party financing).

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021 and 2024.

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.

Measures to prevent conflicts of interest 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).

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021 and 2024.

For the three previous points, please also provide information and figures on their application/enforcement, 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, 2021 and 2024.

Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. 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, 2023 and 2024.

Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, citizen/residence investor schemes, large-scale investments of national interest and the spending of EU funds, urban planning.

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

C. Repression

No developments

If there have been developments related to the prevention of corruption, please specify which, in particular regarding topics listed below:

The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery.

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

Official data on the number of investigations, prosecutions, final judgments, and the application of sanctions for corruption offences (differentiated by offence if possible). Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds ; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data.

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.

Dismissals, indictments and judgements are periodized after the point of time where report has been made, when charge has been pressed or when judgements have been rendered. There will be periodically shift of data as for example the amount of judgements in 2021 can relate to indictments made in 2020.

Dismissals are differentiated after the amount of cases. For clarification that means the amount of unique reference numbers that indicate individual violations of the law.

Indictments and judgements are quantified according to the number of separate offences to which one perpetrator is linked. This means that an offence with multiple perpetrators is considered as two or more offences.

Data is updated on 4 January 2025.

Section	Decision type	2016	2017	2018	2019	2020	2021	2022	2023	2024	Total
Criminal Code section 122 (active bribery)	Dismissals	2	-	2	2	2	1	-	-	1	10
	Judgments	3	9	18	5	18	6	33	6	41	139
	Withdrawal of charge (specified conditions)	-	-	2	1	-	1	1	-	1	6
	Withdrawal of charge	23	2	7	21	7	15	3	1	6	85
Criminal Code section 144 (passive bribery)	Dismissals	1	1	3	4	2	6	2	7	1	27
	Judgments	-	1	6	2	14	2	90	-	85	200
	Withdrawal of charge	4	1	2	13	3	77	4	3	-	107

Furthermore, the Danish National Police has provided information on the number of reports of corruption in the period 2016-2023 for all Danish police districts, including the Special Crimes Unit (SCU).

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. Thus, changes may occur depending on the time of extraction of the information and post-registrations.

Data is updated on 7 January 2025.

Section	Decision type	2016	2017	2018	2019	2020	2021	2022	2023	Total
Criminal Code section 122 (active bribery)	Reports	195	37	18	25	10	26	8	79	398

Criminal Code section 144 (passive bribery)	Reports	167	61	24	94	4	25	5	74	454
Criminal code section 299 (private sector bribery)	Reports	5	9	1	2	6	8	3	3	37
Total		367	107	43	121	20	59	16	156	889

As noted by the Director of Public Prosecutions and the Danish National Police, the abovementioned numbers on corruption offences is based on data from the police case management system (POLSAS), which is not an actual statistic system. A detailed account of the content of each criminal case covered by the data would therefore require an extensive manual review of all the cases. However, it can generally be stated that the numbers cover corruption offences under the Danish Criminal Code sections 122, 144 and 299, which may also include criminal cases involving among other things legal persons and the implementation of EU or national funds.

Data from POLSAS is generally not publicly available but can be made publicly available if the data is general and not personally identifiable information. Thus, data from POLSAS is regularly made available to the Danish Parliament, including for use in political and legislative work.

Potential obstacles identified in law or in practice to the investigation and prosecution 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.

Information on effectiveness of criminal and 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

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding media pluralism and media freedom (if applicable):

As stated in the contribution to the question regarding “*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.”), an expert committee was established in January 2024 to prepare a proposal for a revised Access to Public Administration Files Act, that will give the public better opportunities for insight into political decision-making processes. It is specified in the political agreement, that the government will summon the parties of the Danish Parliament to negotiations concerning revisions of the Access to Public Administration Files Act, when the committee has published its proposal. The expert committee was established in February 2024, and the work in the committee is expected to be concluded in the first half of 2025.

A. Media authorities and bodies

No developments

If there have been developments related to the prevention of corruption, please specify which, in particular regarding topics listed below:

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

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

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

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

Measures taken to ensure the fair and transparent allocation of state advertising

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 financial and 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**

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

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

No developments

If there have been developments related to the prevention of corruption, please specify which, in particular regarding topics listed below:

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 contributions to the Annual Rule of Law Reports 2020, 2023 and 2024.

In May 2022, a Media Liability Committee was set up to examine the possibilities to update and strengthen the framework for media liability with a view to strengthening legal certainty for citizens in a digital reality and to ensure that the media meets its responsibilities for the democratic conversation. The committee has been tasked with examining, among other things, the future role and responsibilities of The Danish Press Council as well as the possible establishment of a media ombudsman. The committee consists of a number of experts and representatives from the media industry, civil society and government authorities. The committee is expected to present its recommendations during 2025. It is further expected that the recommendations will provide the basis for subsequent discussions at political level.

Furthermore, section 172 of the Danish Administration of Justice Act contains the rules on press source protection, which to a certain extent protects representatives of the press from being ordered to give evidence that reveal the identity of the press' sources.

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.

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 contribution to the Annual Rule of Law Reports 2020, 2021, 2022 and 2023.

In January 2024 an expert committee was established to prepare a proposal for a revised Access to Public Administration Files Act, that will give the public better opportunities for insight into political decision-making processes. It is specified in the political agreement, that the government will summon the parties of the Danish Parliament to negotiations concerning revisions of the Access to Public Administration Files Act, when the committee has published its proposal. The expert committee was established in February 2024, and the work in the committee is expected to be concluded in the first half of 2025.

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 and 2024.

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the system of checks and balances (if applicable)

Not applicable

A. The process for preparing and enacting laws

No developments

If there have been developments related to the process for preparing and enacting laws, please specify which, in particular regarding topics listed below:

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders' /public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes, and transparency and quality of the legislative process both in the preparatory and the parliamentary phase.

Reference is made to the Danish contribution to the Annual Rule of Law Reports 2020, 2021, 2023 and 2024.

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)

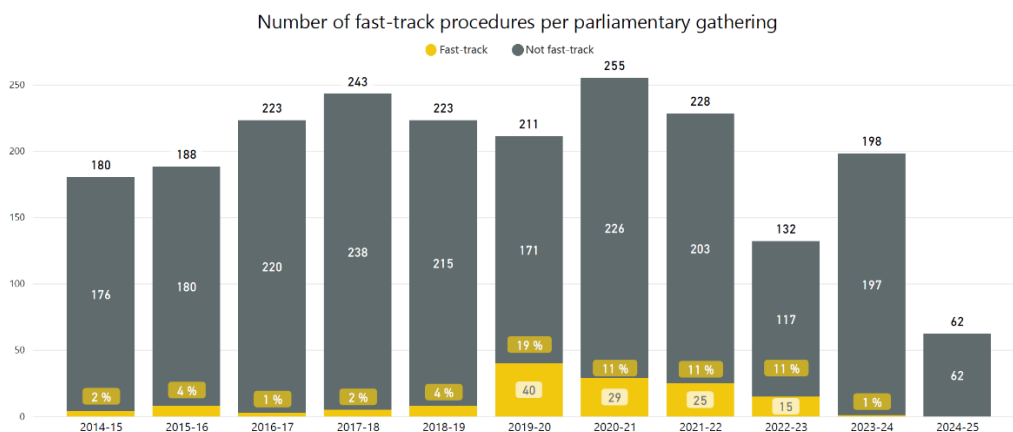
Reference is made to the Danish contribution to the Rule of Law Reports 2020 and 2021 concerning the possibility of using a “fast track procedure” in cases of extreme urgency. Reference is also made to the 2021 as well as the 2022 Rule of Law Report Country Chapter on the rule of law situation in Denmark 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 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. A bill must be read three times in Parliament before it can be adopted. In 2024 these time limits were amended in order to promote a more thorough consideration in Parliament³.

The first reading shall now take place no earlier than 7 days after the introduction, cf. section 11(1) of the Standing Orders of the Parliament. Before the amendment it was no earlier than 2 days and preferably not earlier than 5 days after the introduction. The third and final reading shall now take place no earlier than 40 days after the introduction and no earlier than 2 days after the second reading has been concluded, cf. section 13(1) of the Standing Orders of the Parliament. Before the amendment, it was no earlier than 30 days after the introduction. However, the Parliament has the right to allow by simple majority a shorter period than 40 days but not shorter than 30 days. In cases of extreme urgency, it is furthermore 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 Government’s joint program statement “Responsibility for Denmark” of December 2022 where it follows that the Government will provide fast track legislative proposals with a sunset clause of six months, if it serves a legitimate aim.

³ Parliamentary decision number B 209 as introduced on 29 May 2024 and adopted on 4 June 2024.



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 40 days in 2024-25 and less than 30 days in previously parliamentary sessions. 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 18-12-2024.

The above graph illustrates the number of adopted bills since 2014, 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 2014-2024. 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 $\frac{3}{4}$ 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.

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

Reference is made to the Danish contribution to the Annual Rule of Law Report 2024.

Regime for constitutional review of laws

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

B. Independent authorities

No developments

If there have been developments related to the process for preparing and enacting laws, please specify which, in particular regarding topics listed below:

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. However, it is corrected that in relation to the inclusion of *resources* for the Danish Institute for Human Rights, Denmark provides financial support to both the national and international work of the Institute. DIHR's national work is financed by an Appropriation Act with an allocation of DKK 43,9 million in 2025.

Further, DIHR receives an annual grant to support its international work (DKK 44.0 million are planned for 2025).⁴ In addition, DIHR receives a number of grants and funding for its international activities from the European Commission and several bilateral donors inside and outside of EU.

The Board of Equal Treatment

Reference is made to the Danish contribution 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 113,9 million DKK in annual funding of the Ombudsman institution in 2024.⁵

Statistics/reports concerning the follow-up to 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 2023⁶, the Institute gave 42 responses to draft legislation or executive orders sent out for external consultation and published 26 reports and several research articles and contributions to books. The report further contains concerns raised by the Institute, e.g. the increase in fake news and the use of AI following continued progress in digitization.

⁴ The Appropriation Act of 2025 is accessible in Danish at this link [*6-udenrigsminister-iet.pdf](#)

⁵ The Appropriation Act of 2024 is accessible in Danish at this link [PUBL](#)

⁶ [Beretning MENNESKERETTIGHEDER I DANMARK 2023](#)

The Board of Equal Treatment

The Board of Equal Treatment's annual report 2023⁷ contains summaries of decisions made by the board in 2023, and articles focusing on topics from the past year, e.g. gender identity, cases of harassment and a number of cases regarding refusal to allow people with disabilities to bring service dogs to their workplace. Furthermore, the report mentions the board's new practice regarding the loss of rights due to inaction and the statute of limitations. Following the new practice, neither the loss of rights due to inaction nor the statute of limitations on the claim for compensation precludes the complainant from having its discrimination issue tried. In addition, the annual report contains statistics, e.g. on 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 2023⁸, the institution handled a total of 6,064 cases of which 824 cases led to an investigation (199 full investigations and 625 shortened investigations). 92 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.

C. Accessibility and judicial review of administrative decisions

No developments

If there have been developments related to the process for preparing and enacting laws, please specify which, in particular regarding topics listed below:

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.

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).

⁷ The report is available in Danish at this link: [Ligebehandlingsnævnets Årsberetning 2023.pdf](#)

⁸ [Beretning 2023](#)

Reference is made to the contribution to the question above regarding transparency of administrative decisions and sanctions.

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

Reference is made to the Danish contribution to the Annual Rule of Law Report 2024.

Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation

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

D. The enabling framework for civil society

No developments

If there have been developments related to the process for preparing and enacting laws, please specify which, in particular regarding topics listed below:

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

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

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them 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, as well as available remedies.

The Danish Criminal Code's provisions on violence, threats, harassment and defamation among other things provide criminal protection against the types of attacks described in the question. In addition, the Criminal Code contains provisions in

sections 266 b and 81, no. 6, against hate crimes based on ethnic origin, faith, disability, sexual orientation and gender identity, among other things. Civil society organisations and human rights defenders working with for instance minority rights are thus also protected against hate crimes.

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 Contribution to the Annual Rule of Law Reports 2023 and 2024.

E. Initiatives to foster a rule of law culture

No developments

If there have been developments related to the process for preparing and enacting laws, please specify which, in particular regarding topics listed below:

If there have been developments related to initiatives to foster a rule of law culture, please specify which, (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 Contribution to the Annual Rule of Law Reports 2020, 2021, 2022, 2023 and 2024.

In 2024, the Danish Court Administration launched a special campaign to raise awareness about legal mediation, a part of the court system. The Danish Court Administration produced an informational video, posted updates on its channels, shared content with relevant stakeholders, and alerted the media. The campaign aimed to enhance knowledge and use of legal mediation, with a focus on education and other related issues.

The Danish Court Administration also offers several virtual games designed to educate and promote knowledge about the Danish court system. In 2024, the "Constitution Game" (*Grundlovsdysten*) was developed to raise awareness about the Danish Constitution through gamification, celebrating its 175th anniversary. The game was launched on Constitution Day, June 5, alongside events for elementary schools at two district courts in Denmark.

At the 2024 Democratic Festival, the Danish Courts/Court Administration hosted a wide range of debates and interactions, including a mock trial and discussions on topics such as climate justice, forced auctions, and the role of the Supreme Court.

With respect to the upcoming negotiations regarding the rules on transparency of political party financing and the results hereof, the negotiations are currently ongoing. As stated above under the question regarding “*Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party financing)*”, Denmark cannot give any information about the contents of the negotiations at this stage. However, it is expected that the negotiations will foster public debate.

With respect to legislative developments, the Danish Ministry of Justice has issued a draft bill on freedom of speech for public sector employees for public consultation in December 2024. The bill aims to codify the current rules on public employees' freedom of speech and create a comprehensive overview of the rules. The bill does not intend to change the rights that public employees have under current law. The act is expected to enter into force on 1 July 2025.”

Additional questionnaire on the single market dimension

Pillar I:

Quality of justice

Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases.

The Maritime and Commercial High Court in Copenhagen is a superior special court that only handles certain types of cases, such as international commercial cases, competition cases, and cases about patents, design, or trademarks. Moreover, the Maritime and Commercial High Court also deals with all cases from the Greater Copenhagen Area relating to bankruptcy, debt restructuring, reconstruction and compulsory winding-up of public and private limited companies. In the rest of the country, such cases are handled by the probate divisions of the district courts. For more information about the Maritime and Commercial High Court, reference is made to sections 15 and 225 of the Danish Administration of Justice Act.

With respect to training for the judiciary to deal with commercial cases, reference is made to the contribution to the question above regarding “training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)”.

Alternative dispute resolution mechanisms and mediation

In Denmark, mediation is a voluntary service in which a mediator is provided to facilitate the resolution of disputes between parties involved in a court case. Mediation is applicable to all types of cases, with the exception of criminal cases. Plaintiffs who initiate a civil action digitally through the portal www.minretssag.dk are automatically offered mediation, and defendants are similarly presented with this option upon receiving the case in the portal. If the parties wish to proceed with mediation, no further action is required, as the system defaults to a 'yes' for mediation.

The mediator is either a judge or a lawyer appointed for this purpose. Mediation is often less time-consuming than traditional court proceedings. Mediation concludes when the parties reach a resolution or upon the request of either party. The mediator also retains the authority to terminate the mediation process, even if both parties wish to continue. Should the parties reach an agreement through mediation, they formalize it in an agreement. If no agreement is reached, the case proceeds in court until a judgment is rendered.

Pillar II:

Prevention

Measures for the prevention of corruption in relation to the issuing of official permits (e.g. related to environment, energy and various types of construction)

Bribery is punishable under the Danish Criminal Code. It follows from section 122 of the Code that any person who unduly gives, promises or offers to someone performing a public function or office with a Danish, foreign or international public organisation a gift or another benefit to make the relevant person perform or fail to perform such function or office, is sentenced to a fine or imprisonment for a term not exceeding six years. Thus, the provision deals with so-called active bribery and imposes criminal liability on any-one who bribes a public official.

Furthermore, it follows from section 144 of the Criminal Code that any person who unduly receives, demands or agrees to receive a gift or another benefit in the exercise of a Danish, foreign or inter-national public function or office is sentenced to a fine or imprisonment for a term not exceeding six years. The provision thus contains a prohibition against so-called passive bribery and imposes criminal liability on a public official who accepts a bribe.

Reporting on the use of digital technologies to enhance transparency and oversight in public procurement

In Denmark, all contracting Authorities is required to use udbud.dk when procuring products and services covered by Title IV of the Danish Tender Act on public procurements below the threshold with cross-border interest, and where the estimated

value of the contract is at least DKK 100,000 excluding VAT. This duty to advertise follows from section 10(1) of the Danish Consolidation Act on the use of electronic communications in the procurement and advertising of public procurements under the thresholds with a clear cross-border interest as amended. Udbud.dk is a national digital platform that provides an overview of procurement procedures by the Danish public sector. Udbud.dk shows both national tenders, EU tenders and anticipated procurement (procurement plans).

Pillar IV:

The process for preparing and enacting laws

Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination. [this question complements the exiting question on rules and use of fast-track and emergency procedures]

The primary responsibility of ensuring sufficient quality of bills proposed by the Danish Government falls within the responsibility of the relevant Ministry.

All bills proposed by the Danish Government are reviewed by The Ministry of Justice. The purpose of the review is to ensure coherence with existing rules and principles that are not specifically connected to the particular legal area. First of all, the general quality of the bill is assessed with a focus on the language, structure and sufficiency of the explanatory notes. Second of all, the content of the bill is assessed with a focus on conformity with the Danish Constitution, fundamental legal principles, EU-law and certain Danish laws with a general scope such as the Criminal Code and the Public Administration Act. Furthermore, bills are assessed in light of the international human rights conventions to a relevant extent.

Independent authorities

Safeguards to ensure the effective independence of supervisory and regulatory authorities with a direct impact on economic operators

Regarding the Supervisory and Regulatory Authorities of the Ministry of Business, Industry and Financial Affairs. The Danish Competition and Consumer Authority, the Financial Supervisory Authority; the Danish Safety Technology Authority and the Danish Business Authority are all characterized by that the supervision and decision making are independent and made by independent Councils or administrative entities and by independent administrative actions of the Authorities. This includes the entity at the Danish Business Authority responsible for ex-ante regulation of electronic communications. Thereby these actions are cut off from political involvement or involvement of economic operators.

Accessibility and judicial review of administrative decisions

Respect of the good administration principle (including the obligation of the administration to give reasons for decisions) [this question complements the existing question on transparency of administrative decisions]

The obligation of the administration to give reasons for decisions is laid down in section 22 of the Public Administration Act, which states that any decision notified in writing must state the grounds for the decision unless it is in favor of all the relevant party's claims. Pursuant to section 23 any party who has received oral notification of a decision may demand that the grounds for the decision are set out in writing unless the decision is in favor of all the relevant party's claims.

Public authorities are obliged to observe the good administration principle. This generally means that authorities, among other things, should act considerately and in a manner that strengthens the trust in the public administration. The good administrative principle applies alongside the requirements established by legislation and administrative law principles.

Pursuant to section 21 of the Ombudsman Act, the Ombudsman's task is not only to assess whether authorities act in contravention of existing legislation but also whether they "otherwise commit errors or derelictions in the discharge of their duties." This specifically refers to the Ombudsman's role in ensuring that authorities have not acted in violation of good administrative practice.

Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies. [this question complements the existing question on judicial review of administrative decisions]

The institution of the Parliamentary Ombudsman functions as an appeal authority for decisions of administrative law, where it assesses whether the public administration is acting in contravention of the existing legislation or good administrative practice. Any person may lodge a complaint with the Ombudsman against the authorities as well as the Ombudsman may take up a matter for investigation on his own initiative. The Ombudsman can also inspect any institution or company and any place of employment which fall within the jurisdiction of the ombudsman.