



Economic and Social Council

Distr.: General
11 October 2019

Original: English

Committee on Economic, Social and Cultural Rights Sixty-sixth session

Summary record of the 44th meeting

Held at the Palais Wilson, Geneva, on Tuesday, 8 October 2019, at 3 p.m.

Chair: Mr. Zerbini Ribeiro Leão

Contents

Consideration of reports (*continued*)

- (a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

Sixth periodic report of Denmark

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Committee at this session will be reissued for technical reasons after the end of the session.

GE.19-17342 (E) 111019 111019



* 1 9 1 7 3 4 2 *

Please recycle A recycling symbol consisting of three chasing arrows forming a triangle.



The meeting was called to order at 3 p.m.

Consideration of reports *(continued)*

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant *(continued)*

Sixth periodic report of Denmark (E/C.12/DNK/6; E/C.12/DNK/Q/6 and E/C.12/DNK/Q/6/Add.1)

1. *At the invitation of the Chair, the delegation of Denmark took places at the Committee table.*

2. **Mr. Melgaard** (Denmark) said that Denmark had a strong and comprehensive welfare state and its society was characterized by a high level of evenly distributed wealth, a very low level of inequality and a high degree of trust both between people and in the State institutions. The newly elected Government and its supporting parties had adopted a joint understanding, entitled “A fair direction for Denmark”, addressing issues ranging from climate change to social welfare and migration, which would lead to policy changes.

3. After a period during which it had refused to accept refugees for resettlement under the programme of the Office of the United Nations High Commissioner for Refugees (UNHCR), the State party would again accept a quota from 2020 and, in 2019, would receive a small group of refugees who required immediate treatment for critical illnesses. Another recent policy change was the removal of a residency requirement for entitlement to unemployment benefit.

4. The new Government was firmly committed to fighting poverty and would reintroduce the national poverty threshold for monitoring purposes. A temporary child benefit targeted at low-income families had been introduced and a commission was developing recommendations for addressing child poverty. Improvements were to be made to the provision of early childhood education and care, and the possibility of giving all refugees with a residence permit access to free education was under consideration.

5. Mental health was another priority, with the development of a 10-year plan for psychiatry, focused on prevention, coherence, capacity and treatment and a firm commitment to reducing the use of coercion. While homelessness remained a challenge, in 2019 there had been a decline in the number of young homeless persons and the overall number of homeless persons had not increased for the first time in 10 years.

6. A new national unit, involving a number of civil society organizations, had been set up in 2017 to address the problem of domestic violence, and the 2019 fifth national action plan on domestic violence included better provision of outpatient counselling and treatment for both victims and perpetrators, with a focus on psychological violence.

7. In 2017, Parliament had approved a new human rights-based strategy for the country’s development policy and humanitarian action, and the Government would continue the efforts of all its predecessors over the previous 40 years, by allocating 0.7 per cent of gross national income to international development assistance.

8. **Ms. í Horni** (Denmark), speaking on behalf of the government of the Faroe Islands, said that recent economic growth in the Faroe Islands had helped to overcome many of the challenges that geographically remote and isolated societies faced, such as demographic problems. The population had increased by over 8 per cent in the previous 10 years, with around 1,400 persons arriving from outside the Nordic countries, including 700 from outside Europe. That had raised issues related to housing and inclusion of newcomers in society. The social housing association currently had over 300 social housing units and would be acquiring another 200 in the coming years. Funding had been allocated to implementation of the government’s recommendations on integration, including use of the Common European Framework of Reference for Languages.

9. **Ms. Hvistendahl** (Denmark), speaking on behalf of the government of Greenland, said that the government of Greenland continued to promote and protect the human rights of its citizens. Since the 2013 adoption of the Act on Gender Equality, the Greenland

parliament had ratified the International Labour Organization Equal Remuneration Convention, 1951 (No. 100), in 2018. Children's rights were also guaranteed in legislation, and older persons were entitled to a basic pension independent of the income of their partner.

10. **Ms. Shin** (Country rapporteur), welcoming the State party's timely submission of documents and clear responses to the Committee's questions, said that she did not understand why some members of Denmark's Committee of Experts in human rights had thought that incorporating the Covenant into national legislation entailed a risk of legislative powers shifting from Parliament to the courts. The courts were already required to interpret national rules to avoid conflict with the country's international obligations, and questions regarding human rights obligations were always subject to the review by the courts. The State party had been able to provide only three examples of the Covenant being invoked in the courts; that situation could only be changed by incorporating the Covenant and other treaties into national legislation. She also wished to know how the Covenant was included in the training provided to the judiciary.

11. When it had ratified the Covenant in 1972, the State party had issued a reservation to article 7 (d) on remuneration of workers for public holidays. Given that, as she understood it, Danish workers were paid on public holidays, she would like to know if the State party would consider withdrawing the reservation. In respect of its reluctance to accede to the Optional Protocol to the Covenant, the State party might also be reassured by the Committee's jurisprudence on communications, which demonstrated the extremely cautious approach adopted.

12. Noting the State party's excellent record in international development assistance, she wished to learn whether the proposal that it should contribute to the Green Climate Fund had been submitted to Parliament, and what the contribution would be. As large Danish companies were required to report on implementation of their corporate social responsibility policies, she would also be interested to hear about the practice in that respect, also in the light of the Committee's general comment No. 24 (2017) on State obligations under the International Covenant on Economic, Social and Cultural Rights in the context of business activities (E/C.12/GC/24). She wished to know what were the reference criteria in the case of the State party's extraterritorial responsibilities for infringements of labour rights by Danish companies in other countries, and whether it was considering imposing legal obligations on companies to apply human rights due diligence in their activities abroad.

13. In view of the State party's reply on anti-discrimination legislation, that enacting open-ended legislation would risk moving authority from the legislature to the judiciary, and the fact that there were no laws covering grounds of discrimination such as religion, gender expression and age outside the area of the labour market, she wished to know whether the Government intended to introduce comprehensive legislation to cover all grounds in all situations. She would also welcome information on whether the Government's "Fair direction for Denmark" policy completely replaced the previous Government's "One Denmark without parallel societies" policy, which had had particularly harsh consequences on refugees. It would be interesting to hear whether an impact assessment of the previous policy had been made and what was being done to counteract any negative effects that it might have had.

14. The State party did not seem to have any clear procedure for monitoring follow-up to the treaty bodies' concluding observations or the compliance of draft legislation with the Covenant; she would therefore welcome any relevant information in that connection, including on whether the Government was intending to adopt a national action plan for human rights.

15. Despite the requirement in the Act on Gender Equality that companies should set targets for more balanced gender representation at management level, women still accounted for only about 15 per cent of board members and 8 per cent of board chairs, with 43 per cent of company boards having no women members at all. She wished to know what was being done to remedy that situation.

16. Although the Danish population was well provided with affordable child care and elder care, it seemed that the major part of unpaid care was still carried out by women. It would be interesting to receive more information on that subject, as well as statistics on the gender distribution of parental leave taken, time spent on household chores and time spent looking after children. Lastly, she would welcome data on all forms of violence against women and information on the perception of gender stereotypes, particularly in respect of women's access to justice.

The meeting was suspended at 3.30 p.m. and resumed at 3.40 p.m.

17. **Mr. Melgaard** (Denmark) said that the Government fully recognized the importance of the Green Climate Fund, and Parliament was currently considering the annual budget, which contained a proposal to double the country's contribution to the Fund, to 8 million Danish kroner (DKr).

18. **Ms. Kisling** (Denmark) said that the country's comprehensive tax-funded social infrastructure for child and elder care meant that unpaid care work was practically non-existent in Denmark. The distribution of shared parental leave was decided by the persons concerned, but it was unfortunately still the case, perhaps because of social stereotypes, that only 10 per cent of such leave was taken by fathers. Denmark was preparing for the implementation of the European Union directive on work-life balance, under which two months' parental leave would be reserved for each parent. There was an increasing trend for all parents to spend more time with their children: 2018 figures from an independent social science survey showed that fathers spent 2.5 hours and mothers 3 hours with their children each day, compared to 1.25 and 2 hours, respectively, in 2001.

19. **Ms. Mønsted** (Denmark) said that pay, working hours and other employment conditions, including the issue of remuneration for public holidays, were regulated through collective agreements concluded by trade unions and employers' organizations. Consequently, Denmark did not intend to withdraw its reservation to article 7 (d) of the Covenant.

20. **Mr. Boesen** (Denmark) said that the Government was taking steps to eradicate parallel societies, including by conducting impact assessments, evaluating flexible living arrangements and reducing the social housing stock in so-called "hard ghettos".

21. **Mr. Morsing** (Denmark) said that the implementation of the Covenant entailed making choices with regard to the allocation and distribution of resources. If the Covenant was incorporated into the domestic legal order, there was a danger that those choices would be left to the courts, when they should, in the Government's view, be made by the democratically elected legislature. For the same reason, Denmark did not intend to accede to the Optional Protocol to the Covenant. The Government was firmly committed to ensuring that national laws were compliant with the Covenant, and judges were fully trained in the country's human rights obligations in general.

22. Denmark attached great importance to combating discrimination, as reflected in the adoption of several laws to that end. Most recently, in May 2018, Parliament had adopted a bill on the cross-sectoral prohibition of discrimination against all persons with disabilities. The risk with enacting a general, open-ended anti-discrimination law was that the power to make certain decisions would be transferred from the Government to the courts. The Government was of the opinion that existing laws provided adequate protection against discrimination but was nevertheless evaluating, on an ongoing basis, the need for further legislation.

23. Prior to the introduction of any bill before Parliament, a thorough assessment was carried out to ensure that it was in conformity with the country's international obligations. The Government had adopted several action plans on specific issues, including human trafficking, equal rights and domestic violence, as well as a range of measures to monitor the realization of the rights enshrined in the Covenant, among other international instruments. The Danish Institute for Human Rights was the body mandated by law to promote and protect human rights in Denmark.

24. **Mr. Königsfeldt** (Denmark) said that an interministerial human rights committee had been established with a view to ensuring effective coordination in the preparation of

submissions to the human rights treaty bodies and in the follow-up to the recommendations issued by those bodies. The committee worked closely with Danish civil society organizations and the Danish Institute for Human Rights. All national human rights reports, including replies to lists of issues, were shared with civil society for comment.

25. **Mr. Morsing** (Denmark) said that the Government had not identified a pressing need for a comprehensive human rights action plan but would continue to re-evaluate the situation in that regard.

26. The prevention of domestic violence had been a focus of attention in recent years. A working group was currently considering whether it would be appropriate to adopt new legislation on rape, and action plans had been put in place with regard to harassment, persecution, stalking and the handling of cases involving psychological violence.

27. **Mr. Andersson** (Denmark) said that State-funded research findings on the prevalence of various forms of violence against women were used to inform policymaking, including the development of national action plans.

28. Progress in boosting women's representation at senior management level in large companies had been slow. However, in 2017, the Government had launched a number of initiatives to supplement national gender equality legislation and had cooperated with representatives of the recruitment industry to develop guidelines promoting the balanced participation of women and men, including eight principles for diversity in recruitment. Through a campaign entitled "Lead the future", which had been launched in cooperation with Above & Beyond Group and several large Danish companies, role models were used to inspire young women to pursue an education that would enable them to reach management positions.

29. **Mr. Königsfeldt** (Denmark) said that it was the Government's ambition that companies should live up to their corporate social responsibility, domestically and abroad, and respect the Guiding Principles on Business and Human Rights and the Organization for Economic Cooperation and Development (OECD) Guidelines for Multinational Enterprises. In 2009, a law had been enacted that required the 1,100 largest enterprises in Denmark to describe their corporate social responsibility policies in their annual reports, while in 2018, Parliament had passed a bill stipulating that the enterprises had a duty to explain, in those reports, what measures, if any, they were taking to give effect to human rights, how their corporate social responsibility policies were being implemented and what due diligence processes were being applied.

30. **Mr. De Schutter** said that, although Directive 2014/95/EU of the European Parliament and of the Council of 22 October 2014 laid down an obligation on certain large undertakings and groups to report on any due diligence processes that they had implemented, it did not in itself impose due diligence requirements, as recommended by the Committee in its general comment No. 24 (2017). It should also be noted that, pursuant to the general comment and the Guiding Principles on Business and Human Rights, the duty to exercise due diligence was not limited to larger companies, it being understood, of course, that smaller companies might require support in fulfilling that duty.

31. **Mr. Abdel-Moneim** said that he would be interested to hear what position the domestic courts had taken with regard to the Covenant in the three judgments cited in paragraph 2 of the State party's replies to the list of issues ([E/C.12/DNK/Q/6/Add.1](#)). The delegation should also explain whether it was always possible for judges to apply the so-called "interpretation" and "presumption" rules mentioned in paragraph 1 of the same document, and, if it was not, provide examples. Lastly, he would be grateful for a description of how potential conflicts between the State party's various international obligations would be resolved within the domestic legal system.

32. **Mr. Windfuhr**, noting that Denmark had ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention), said that he wished to know whether the State party had established, or had considered establishing, a monitoring mechanism in accordance with the Convention. Having such a mechanism could be a way of systematically collecting data on violence against women.

33. Regarding the State party's justification for not incorporating the Covenant into its domestic legal order or ratifying the Optional Protocol thereto, it should be noted that the Covenant imposed both positive and negative obligations, and that the realization of certain economic, social and cultural rights was facilitated by interpreting the provisions of the Covenant from a human rights perspective, rather than simply from the point of view of the cost of implementation. With that in mind, incorporation of the Covenant into the domestic legal order would help the State party to meet its negative obligations thereunder.

34. **Mr. Uprimny** said that he would welcome the delegation's thoughts on whether the State party was trapped in a "cold war" mentality that distinguished between economic, social and cultural rights, which were seen as vague and as entailing only positive obligations that were costly to fulfil, and other rights. In reality, as noted by Mr. Windfuhr, the Covenant laid down both positive and negative obligations, while the International Covenant on Civil and Political Rights, for instance, in addition to containing positive obligations such as the right of defendants to have legal assistance assigned to them, established vague norms such as the prohibition of arbitrary detention, it being ultimately at a judge's discretion to decide what exactly was meant by "arbitrary". Economic, social and cultural rights, if taken seriously, should be justiciable.

35. **Mr. Kedzia** (Country Task Force), noting that the Constitution of Denmark did not protect economic, social and cultural rights, asked whether the Danish authorities had considered the need for a superior set of criteria for the evaluation of legislation and policies concerning those rights.

36. **Ms. Shin** asked whether remuneration was provided for public holidays, and, if not, why not.

The meeting was suspended at 4.15 p.m. and resumed at 4.25 p.m.

37. **Mr. Königsfeldt** (Denmark) said it was true that domestic legislation did not currently impose due diligence obligations on all companies. A decision by the Government on whether to generalize such obligations was pending.

38. **Ms. Mønsted** (Denmark) said that remuneration was provided for public holidays, and that the matter was regulated through collective agreements. Moving away from the so-called "Danish model" and regulating employment conditions by law would, in the Government's view, upset the delicate balance of negotiations between employers and employees.

39. **Mr. Morsing** (Denmark) said that the decision of Denmark not to incorporate the Covenant into its domestic legal order was a question not of drawing a distinction between economic, social and cultural rights and other rights, but of legal tradition. The approach in Denmark was to implement international law through norm harmony; in other words, by ensuring that national law was in line with international obligations. That did not mean that the rights enshrined in international instruments were deemed to be of secondary importance. In guaranteeing the full realization of human rights, money was not a consideration for the Government.

40. In the three judgments cited in paragraph 2 of the replies to the list of issues, the courts had found no violation of Covenant rights. The Government was not aware of any cases of non-concordance between two different sets of international obligations by which it was bound.

41. **Mr. Andersson** (Denmark) said that the monitoring body designated by the Government pursuant to the Istanbul Convention was the Interministerial Working Group to Combat Violence Against Women, which was tasked with coordinating policymaking, data collection and the implementation of the Convention.

42. **Mr. Kedzia** said that he would appreciate further details of the initiatives and reforms undertaken to prevent the rising employment rate from resulting in a manpower shortage. He wished to know what the social impact of those measures had been and why the rise in employment had disproportionately benefited men. Further information should be provided on the Building Bridge to Education (2013–2014) project, including whether it

had been extended, and on any impact assessments carried out with respect to the project or related initiatives.

43. It would be helpful to know how persons with disabilities had reacted to the Reform of the Disability Pension and Flexi-job Scheme (2012), how many individuals had been affected by the restrictions on pension access under the reform, and how any social problems that had ensued from those restrictions had been addressed. He wished to know whether employers did indeed observe the bar on differences of treatment based on disability in dismissal decisions, how many cases of non-compliance had been reported, and how many times sanctions had been imposed on employers.

44. He asked what factors were behind the rising percentage of newly arrived refugees who were considered “ready for a job” and what the existing targets were under the Integration Training Programme.

45. As minimum wages were set under collective agreements in Denmark, it would be useful to know to what extent the wages under the various collective agreements differed, whether minimum wages were always sufficient to guarantee an adequate standard of living, whether the agreements provided for adjustments to wages, and whether the minimum wage was problematic in sectors not covered by collective agreements. Could employees in those sectors resort to industrial action to demand a minimum wage?

46. He wished to know what type of legal aid, if any, was available to workers who wished to bring claims regarding unequal pay. The delegation should explain why there was a significant difference in the unadjusted gender pay gap between low-end and high-end earners, and indicate what measures, if any, were being taken to address the issue. He would be grateful for information on the specific measures being financed with the special funds allocated under the 2018 collective agreements to promote equal pay.

47. It was unclear whether the notices and guidelines issued by the Danish Working Environment Authority contained advice and guidance or addressed actual incidents of bullying and sexual harassment; whether penalties for violations of the Executive Order on Performance of Work were imposed on the perpetrator or on the employer; and whether the available penalty of imprisonment could be imposed by the Authority instead of by a court. Data should be provided on the number of workplace sexual harassment cases recorded during the previous three years and the number of victims who had received compensation under the Danish Workers’ Compensation Act. How many labour inspections did the Authority conduct, on average, each year, and what type of follow-up action was it empowered to take?

48. He was interested to learn how the delegation assessed the protection of the rights of workers not covered by collective agreements, as compared to those who were so covered. While industrial action could be taken in the case of disputes between social partners, he wondered whether the same was true in individual cases. What differences were there in access to remedies in labour disputes involving individuals, on the one hand, and the social partners, on the other? He wished to know whether industrial action was permissible in sectors providing essential services. The delegation should clarify the type of action that the legislature could take when it wished to intervene after negotiations between the social partners had failed.

49. Further information would be appreciated on the increase in the number of people living below the poverty line. He wondered whether the State party had made a human rights impact assessment before carrying out the reforms that had resulted in reduced income levels for many people who were dependent on social benefits. He would welcome the delegation’s assessment of those reforms in light of the reasonableness requirement under the Optional Protocol to the Covenant. Lastly, he wished to know if the State party planned to adopt a social protection floor.

The meeting was suspended at 4.45 p.m. and resumed at 4.55 p.m.

50. **Ms. Kisling** (Denmark) said that the Government had recently commissioned a 12-month study to investigate the difference between the adjusted and unadjusted gender pay gaps. The results of the study would provide a basis for the Government to begin a dialogue with the social partners, as pay was a matter regulated by the social partners. The difference

in the gender pay gap between low-end and high-end earners could perhaps best be explained by the fact that a greater percentage of high-end earners were not covered by collective agreements. As they generally negotiated their own contracts, the gender pay gap could reflect differences in negotiation skills among high-end earners.

51. The equal pay “pool” established under the 2018 public sector collective agreements was intended to provide a boost to lower-paid positions, which were largely held by women. She was unable to provide specific information on how it was used because that was a matter that fell to the various social partners.

52. **Mr. Rønsbo** (Denmark) said that he was unable to say exactly how persons with disabilities had reacted to the Reform of the Disability Pension and Flexi-job Scheme. Under the reform, persons who could work for a few hours a week and whose ability to work could realistically be expected to improve within a reasonable period of time were assigned flexi-jobs. The number of individuals employed in flexi-jobs had increased from 60,000 in 2012 to 83,000 in 2018. Persons with disabilities continued to be eligible for disability pensions, if it was determined that their ability to work was substantially and permanently reduced to such a degree that they were unable to provide for themselves through any kind of work, including a flexi-job. The employment rate of persons with disabilities had risen from 42.6 per cent in 2014 to 52.1 per cent in 2016. In that year, the employment rate for persons without disabilities was 78.9 per cent.

53. **Ms. Jensen** (Denmark) said that the delegation had no data on the number of persons with disabilities who had been dismissed from their jobs because of their disabilities. Eleven Government initiatives aimed at increasing the employment rate of persons with disabilities were planned for the period 2019–2020 and had been allocated a budget of Dkr 128 million. Legal measures had been enacted in 2019 in order to increase the employment rate of persons with disabilities, provide them greater job security and reduce the number of dismissals based on disability.

54. **Ms. Mønsted** (Denmark) said that, even when Danish workers were not covered by a collective agreement, they generally received the wages, sick leave entitlements and pensions set out in such an agreement for other workers in the same sector. In Denmark, the wage set under a collective agreement was regarded as the normal wage. Offering wages significantly below the level set in a collective agreement could make an employer vulnerable to industrial action and to being targeted by trade unions. Comparisons across Europe showed that the Danish model was effective in ensuring a relatively high wage level, as Denmark had the second highest median wage level in the European Union. Social transfers in Denmark also created a de facto basic minimum income level. Although the Government supported reasonable wages and decent living standards for workers, it feared that, by legislating on those matters, it could decrease incentives to join a trade union.

55. Certain issues, such as holidays and maternity leave, were addressed under general labour law. Employers not covered by a collective agreement were bound by the Employers’ and Salaried Employees’ (Legal Relationship) Act, which required compensation to be paid to salaried employees who had been continuously employed in the enterprise concerned for at least one year prior to notice being given of termination of employment.

56. The system of tripartite cooperation among the State, employers’ organizations and trade unions played an important role in labour market and national employment policies. In addition, there were ongoing informal contacts between the State and social partners.

57. Under the collective agreements, the minimum wage was increased annually, with the agreed overall increase being phased in over the term of the agreement. The collective agreements were negotiated every three years. The next private sector collective agreement would be negotiated in 2020 and the next public sector one in 2021. If the social partners were unable to reach a negotiated agreement, the Government would pass legislation based on the template of the collective agreement.

58. **Mr. Daugaard** (Denmark) said that the system of generous welfare benefits was largely separated from the labour market and was based on a universal right to benefits.

59. **Ms. Malmgren-Hansen** (Denmark) said that fighting poverty and creating equal opportunities for all was one of the Government's highest priorities. The Government viewed the rising level of income inequality as a threat to social cohesion and intended to introduce a new poverty threshold to monitor trends in poverty over time and inform social policy.

60. **Ms. Madsen** (Denmark) said that the Government would be creating a commission on social benefits to re-examine the balance between creating incentives to find work and providing adequate social support. In the meantime, a temporary child benefit intended to reduce child poverty would be introduced in January 2020 and remain in place while the commission prepared its recommendations.

61. **Ms. Laurberg** (Denmark) said that paragraph 59 of the State party's replies to the list of issues contained an error: the proportion of newly arrived refugees that were considered "ready for a job", had risen from 11 per cent to 71 per cent, not 17 per cent. That increase was due to a change in the criteria whereby refugees were considered job-ready; a lack of knowledge of Danish no longer prevented a person from meeting that threshold.

62. The Integration Training Programme (Integrationsgrunduddannelse), which in 2019 had been renewed for a three-year period, was aimed at refugees and reunified family members, aged between 18 and 40 years old, who had resided in Denmark for fewer than five years. The new Government viewed the programme positively and planned to widen the target group in the coming years, although such an expansion would require tripartite negotiation with social partners. The Government had announced that it would draft an integration action plan to promote a long-term, structured, comprehensive and coordinated integration effort, which would also boost the employment of refugees.

63. **Mr. Melgaard** (Denmark) said that most employees in the Danish labour market could avail themselves of the legal advice provided by trade unions, should they wish to file a complaint in connection with wage inequality. If they were not covered by the collective agreement system, there were other public bodies from which they could seek guidance.

64. **Mr. Emuze** (Country Task Force) said that he was interested to know how the State party reconciled its obligations under article 10 with the law that withheld for three years the entitlement to family reunification of refugees who had obtained temporary residence under article 7 (3) of the Aliens Act. Why were those refugees not entitled to family reunification under the same conditions as other refugees living in Denmark? The delegation should provide disaggregated statistics on the number of family reunifications that had taken place since the rule change of 1 July 2018 and on the number of unaccompanied minors who had benefited from family reunification. How did Denmark fulfil its obligations under article 10 by promoting family reunification and ensuring adequate housing for reunified families?

65. Concerning the right to an adequate standard of living, he wondered how the State party ensured that housing remained affordable, in view of the increasing trend of buildings being acquired by investors who then increased the rent. In that regard, he wished to know how the State party intended to ensure sufficient shelter capacity for homeless people. Furthermore, given reports that homeless foreign nationals were being excluded from publicly funded shelters and that harsher penalties had been introduced for conduct associated with homelessness, such as begging, he asked how the State party ensured that such measures did not specifically target homeless immigrants. Did the Government intend to repeal the laws that criminalized conduct associated with homelessness? Moreover, the Committee was concerned about the implications of the L38 bill for residents of areas termed "ghettos" and "hard ghettos" who faced eviction, and he wished to know how the State party would guarantee their right to adequate housing. He wondered how the State party reconciled the continuous reduction of social benefits to migrants who had obtained a residence permit with its constitutional provision concerning entitlements to receive public assistance.

66. He asked whether the restriction of undocumented infants' and children's access to public primary health-care services and standard childhood immunization programmes was legitimate and proportionate under international law. The same question might be asked in

respect of undocumented women's lack of access to antenatal and postnatal treatment and to vaccinations against and treatment for contagious diseases. What was the reason for the restrictions, and if such services were available to undocumented women and children, were they provided free of charge?

67. **Mr. Kedzia**, noting that a period of residence in Denmark was required in order to receive unemployment benefits and that the required residence period was being increased from 7 to 12 years, said he wondered whether that requirement was too high and would expose people who should be entitled to support, especially migrant workers, to harm. He would be grateful if the delegation could provide the Committee with disaggregated data on the number of migrant workers who would be affected by the stricter requirement.

68. With regard to the 2013 reform of the disability pension, the delegation should share its assessment of the implementation of the rehabilitation model, especially in terms of the availability and adequacy of benefits, and indicate how many persons with disabilities had been moved from the disability pension system to the rehabilitation framework. Had the State party received any individual or group complaints claiming that the loss or reduction of benefits had undermined the right of persons with disabilities to an adequate standard of living?

69. Lastly, the Committee had been informed that the integration benefit introduced in 2015 was granted mainly to people with a non-Western ethnic background and refugees who had recently arrived in Denmark, and that its value was 30 per cent lower than the previously applied welfare support, with the result that a large number of people were at risk of poverty. He would appreciate it if the delegation could provide data on the application of integration benefit and describe its social impact and implications for the implementation of Covenant rights. Did the Government plan to modify the integration benefit to ensure a life of dignity for its recipients?

70. **Mr. Windfuhr**, welcoming the Government's proposal to reintroduce a national poverty threshold, said he was interested to know whether that measure might be linked to monitoring the State party's implementation of the Sustainable Development Goals. Noting that the State party had provided little information on human trafficking or problems associated with the precarious situation of persons residing illegally in the country, he asked whether Denmark was affected by such problems and how many people were concerned.

71. **Mr. De Schutter** said that, according to the European Chemicals Agency, Denmark exported various highly toxic, hazardous pesticides to countries including Iceland, Norway and South Africa. He wished to know whether the State party carried out any monitoring to ensure that those substances, which were banned in the European Union, were not misused at the expense of the right to health in other countries.

72. **Ms. Madsen** (Denmark) said that the Government aimed to deliver an unemployment benefit system that ensured financial security for recipients and which enjoyed broad public support. For that reason, it was seeking parliamentary support to abolish the residence requirement, which was difficult to administer and enjoyed little public support. Moreover, the rules already ensured that persons must have an affiliation with the Danish labour market in order to be eligible to claim unemployment benefits. Abolishing the residence requirement would require financing in the amount of approximately Dkr 140 million.

73. **Mr. Rønsbo** (Denmark) said that the Reform of the Disability Pension and Flexi-job Scheme had been undertaken with a view to helping as many people as possible enter the labour market. The reform was focused on limiting the number of new claimants, rather than moving existing beneficiaries onto other benefits. Under the new rehabilitation model, rehabilitation teams would be established in each municipality, composed of representatives of various sectors, who would meet to discuss each case before either granting the disability pension or assigning the individual in question to an interdisciplinary rehabilitation programme, the flexi-job scheme or another initiative. Interdisciplinary rehabilitation programmes were designed so that individuals could benefit from the systematic efforts of the various sectors involved; the idea was that they would receive education and employment offers so that they did not need to rely on a disability pension.

74. **Ms. Mønsted** (Denmark) said that in certain sectors Denmark had a problem with posted and migrant workers who did precarious jobs for very low pay. In most sectors, the trade unions were able to take collective or individual actions to help such workers. However, a particular problem had arisen in the transport sector, where collective action was not possible owing to the mobile nature of the workplace. The Government had responded by establishing a special task force to tackle social dumping, as well as carrying out checks and tightening the penalties for the use of illegal labour.

75. **Ms. Laurberg** (Denmark) said that the integration benefit for single parents was over Dkr 12,000 per month, more than double the amount received by single persons with no children. In addition, recipients of the benefit were entitled to free education and health care on an equal basis with all other residents of Denmark, and they might also be granted housing and child benefits. The Government would soon introduce a bill cancelling the reduction in the integration benefit that had been planned to come into effect in January 2020.

76. **Ms. Malmgren-Hansen** (Denmark) said that in the framework of the Sustainable Development Goals, Denmark was committed to reducing the proportion of men, women and children of all ages living in poverty in all its dimensions by 2030. Follow-up on implementation of the Goals was carried out by Statistics Denmark, which used three main indicators of poverty: the proportion of the population having low income and low wealth; the proportion having below 50 per cent of the median income; and the proportion defining themselves as financially vulnerable. The follow-up efforts undertaken by Statistics Denmark in the context of the Goals would be considered as part of the ongoing effort to develop an official poverty threshold.

77. **Mr. Andersson** (Denmark) said that, in recent years, the Danish authorities had identified approximately 100 victims of human trafficking per year. Historically, the majority of victims had been trafficked into prostitution, although some people had recently been trafficked into other jobs. The Government had implemented national action plans to combat trafficking in human beings since 2002, focusing on prevention, coordination of support for victims, and prosecution and punishment of traffickers.

The meeting rose at 6 p.m.