



Convention on the Rights of Persons with Disabilities

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**Consideration of reports submitted by States parties
under article 35 of the Convention**

List of issues in relation to the initial report of Denmark

Addendum

Replies of Denmark to the list of issues*

[Date received: 30 June 2014]

A. Purpose and general obligations (arts. 1–4)

Reply to the issues raised in paragraph 1 of the list of issues (CRPD/C/DNK/Q/1)

1. The definition of disability in article 1 in the convention is integrated in the Danish disability policy.
2. The Convention on the Rights of Persons with Disabilities requires the disability policy to be aimed not only at compensating the individual person with disabilities, but also at removing barriers in the surrounding society in order to enable persons with disabilities to participate actively in community life on an equal footing with others.
3. There is no official definition of disability in Denmark, but the general definition of disability is expressed through the recognition of a person's reduced psychological and/or mental function and the person's need for compensation measures in order to access the surrounding society.
4. The Danish disability policy has, since the beginning of 1980, been based on four principles. These principles are in accordance with the Convention on the Rights of Persons with Disabilities.
5. *The principle of equal opportunities:* The Standard Rules on the Equalization of Opportunities for Persons with Disabilities were adopted as a parliamentary decision in

* The present document is being issued without formal editing.



1993. Since then, the principle of equal opportunities and equal treatment of persons with disabilities has remained a pivotal element of the Danish disability policy, with the overall objective of creating “a society for all”.

6. *The principle of solidarity:* The Danish Welfare State is based on the principle of solidarity and a high degree of redistribution. This means, inter alia, that the services offered to persons with disabilities are fully tax-financed. This principle is based on the idea that everybody shares the responsibility of ensuring that persons with disabilities have access to the necessary services. The principle of solidarity is a key element in Denmark’s disability policy.

7. *The principle of sector accountability:* The principle of sector accountability is another key element of the Danish disability policy. Sector accountability implies that the public authority responsible for an activity, a service or a product is also responsible for making it accessible to persons with reduced functional capacity. This way, activities targeted at persons with disabilities are no longer primarily a task for the social sector, but the responsibility of all relevant sectors in the Danish society, for example housing, transportation, labour market, training and education and the health sector.

8. *The principle of compensation:* The principle of compensation implies that a person with reduced functional capacity will, to the widest possible extent, be compensated for the consequences of the reduced capacity. Such compensation may be obtained by making parts of society accessible for people with reduced functional capacity. Another option is to offer individual services specifically targeting the needs of the individual person with disabilities.

9. In October 2013, the Danish Government launched an action plan; ‘A society for all’, which builds on the above mentioned principles and the relational understanding of disability as in the United Nations convention.

Reply to the issues raised in paragraph 2 of the list of issues

10. Denmark ratified the Convention on the Rights of Persons with Disabilities in 2009. The convention represents an important framework for disability policy in Denmark. The convention is not only part of the Government’s framework, but also important for the work at the local government level.

11. As mentioned above (para. 7) the principle of sector accountability is a key element of Danish disability policy. With reference to how the convention affects all national legislation, the principle of sector accountability also implies that it is the responsibility of every ministry when drafting new legislation to consider if the proposed legislation is in accordance with existing human rights conventions e.g. the Convention on the Rights of Persons with Disabilities. Furthermore The Danish Institute of Human Rights is consulted when drafting new legislation in order to make sure that new legislation complies with Denmark’s human rights obligations.

12. One example of how the convention influences Danish disability policy, is the Government’s recent action plan; “A society for all”, which was launched in October 2013. Among the main objectives in the action plan are the objectives of equal opportunities, citizenship and participation, enhanced self-determination and independency, respect for diversity and equal treatment. These objectives stem from the convention.

13. In Denmark there are 98 municipalities (local government) and 5 regions. The municipalities and the regions are responsible for social and health services to the citizens. For instance, the municipalities are responsible for offering services to persons with disabilities, including compensatory services. Such services may include e.g.: advisory and counselling services, support for necessary extra costs, personal help and care services,

citizen-controlled personal assistance (BPA), substitute or respite services, attendance, aids and consumer durables, support granted for the purchase of a car, adaptations to the home, residential accommodation, etc.

14. In the municipal accounts for 2013, the expenditure on adults, including people with disabilities and people with social problems, is approx. DKK 28.5 billion. This corresponds to approx. 27 percent of the total municipal expenditures on day care, elderly, adults and children and young people, which amounts to approx. 107.4 billion. The expenditures are excluding cash benefits.

15. The implementation of Danish disability policy at the local level is supported by state agencies that collect and disseminate knowledge. The state agencies also support local authorities in implementing legislation in different areas.

16. Over the past years the Danish government has increased its focus on implementation at the local level to ensure that citizens receive the services they are entitled to by law. One example of this is a new initiative to establish a national task force to support the municipalities in implementing the social legislation concerning disability. In addition, The National Social Appeals Board (Ankestyrelsen) aims at improving implementation by improving the legibility of appeal-decisions directed to municipalities and citizens.

17. In accordance with article 33 in the convention, The Danish Parliament has nominated The Danish Institute for Human Rights as the independent body for the monitoring of the implementation of the convention in Denmark. In addition, the Danish Parliament has set up The Danish Disability Council in 1980, which consists of an equal number of user representatives and authority representatives and has a dual role in advising public authorities, including the Danish Parliament, and monitoring the application of regulations, legislation and practice on matters related to disability.

18. Finally, the Danish Parliament has elected an Ombudsman to control the state and municipal authorities and other government authorities. The Ombudsman can investigate complaints against government authorities' decisions and their treatment of citizens of all ages and cases in all areas – including disability. The Ombudsman may also take up cases on its own initiative and carry out investigations on the case work of authorities.

19. On 13 May 2014 the Danish Parliament adopted a resolution regarding Denmark's accession to the Optional Protocol of the Convention on the Rights of Persons with Disabilities. When the Protocol has been signed by Denmark and the instrument of ratification has been deposited, the Protocol will on the 30th day enter into force pursuant to article 13 (2) of the Protocol.

Greenland

20. The Danish Parliament has delegated a wide range of policy areas to the Greenland Self-Government. Consequently, the Greenlandic Self-Government is responsible for legislation pertaining to social welfare in Greenland, including legislation regarding disability matters.

21. The aim for Greenlandic Self-Government is to ensure national legislation, which is in harmony with the Convention.

22. The civil and the human rights laid down in the Danish Constitution apply unrestrictedly in Greenland.

23. The Greenlandic Self-Government wishes for a society where children, adolescents and adults with mental or physical disabilities have the same opportunities to utilize their potential and have the same responsibility for their own lives, as any other citizen. An

inclusive and diverse society based on respect for diversity, by giving support towards the resources and opportunities of the individual.

24. The aims of social services are that the individual can improve or sustain mental, physical and social skills. The purpose is to achieve and contribute towards greater quality of life and greater self-reliance for the children and adolescents with disabilities and their families.

25. It is necessary to have a broad range of offers for persons with disability in Greenland in order to cover many different target groups. Therefore, it is important to have ongoing development to qualify the broad range of offers in Greenland.

26. The result of this development will imply a decreasing need to place persons with disability with special needs in residential care in Denmark. Furthermore, this will create opportunities to give those with special needs specialized offers in Greenland and also give those who receive services in Denmark the opportunity to be replaced in Greenland. Today, it is stated under the Act of Social Services section 108 (5) that a region or one or more municipalities must accept persons residing in Greenland in accommodation facilities covered by subsection (1) of section 108.

27. About accommodation facilities, this is an area which needs to be developed in the years to come, with the given result, which citizens with disability will gain the opportunity to stay in their own home.

28. To be a person with disability in Greenland and to gain the possibility of staying in their own home, with home care help, will increase life quality amongst the many people with disability. This will also fulfill a very deeply cherished wish amongst the people with disability.

29. The Self-Government for Greenland has also begun the establishment of a national disability center in Sisimiut, Greenland, which will service both people with disabilities and professionals working within the disability field. The realization of this center is the last part of the 1997 Social Reform Commission's recommendations regarding disabilities in Greenland. The construction and development of the national disability center is cooperation between the Ministry of Family and Justice and the Ministry of Housing. The construction of the center will commence mid-2015 and will open in the beginning of 2017.

30. The Self-Government for Greenland has granted funds for the construction of the center and the center's further operation. The national disability center will consist of training facilities, education and courses for families and relatives of people with disabilities and training, courses and counselling to professionals. The national disability research and counselling center, Innarluutit Pillugit Ilisimasaqarfik Siunnersuisarfiutigisoq (IPIS), which was established in Nuuk, Greenland, in 2009, will be an incorporated part of the national center for persons with disabilities.

31. The target group is adults, children and young people with disabilities, their families and relatives and professionals working with persons with disabilities. The center will welcome a broad target group in relations to diagnosis.

32. An important approach for the center is to operate both locally at the center but also decentralized where needed i.e. Nuuk, on the Greenlandic coast and in the Southern and Eastern parts of Greenland. The center will be a focal point for expertise in Greenland securing expertise within the field of disability in Greenland both central as well as locally.

33. The most important purpose for the center is to secure people with disabilities a higher degree of independence and ability to live as independently as possible and also to work to secure as healthy a development for children and adolescents with disabilities as

possible. Another purpose for the national disability center is to offer nationwide training, research, knowledge, counselling and education within the field of disabilities.

34. The conclusion is that Greenland Self-Government has many current tasks which will improve the living conditions for persons with disability in Greenland and is working closely with the municipalities to emphasize the human rights of the persons with disability.

35. The management and organization of the support for persons with disabilities was delegated to the municipalities of The Greenland Self-Government on the 1st of January 2011. The Ministry of Family and Justice is now carrying out visits to every municipality to inspect how the municipalities have managed this task. It has been agreed between KANOKUKA and The Self-Government of Greenland that this delegation of authority is planned to be evaluated at the end of 2014.

36. It is also important to mention, that in the coming years, the Self-Government plans to reform the legislation on disability in a way which is consistent with the convention.

Faroe Islands

37. To ensure that international conventions on human rights are implemented into new laws in the Faroe Islands and that Faroese laws are in conformity with international conventions on human rights, the Department of Legislative Affairs scrutinizes draft legislation, which is sent in from all Ministries, before a Bill is introduced into the Faroese Parliament.

38. The draft legislation is examined to determine whether it complies with the Danish Constitution, the Faroese Home Rule Law and other general rules and principles. The relationship to general international conventions on human rights is examined to the extent that circumstances may require.

39. The Department of Legislative Affairs has made a guide to the elaboration of legislation. Here it is stressed that international conventions on human rights must be considered during the elaboration. A part of the guide is also a checklist, where financial, administrative, environmental, social and human rights impact on the governmental, regional and municipal level has to be considered.

40. A number of amendments have already been carried out to implement the Convention on the Rights of Persons with Disabilities. Significant initiatives include legislation against discrimination in the labor market due to disability, the Act regarding labor initiative, the building act, the Executive Order on accessibility to buildings and the Executive Order on business training, work preparation, adjusted jobs, supervisor schemes, etc.

Reply to the issues raised in paragraph 3 of the list of issues

41. The Danish Government's long-term and multi-disciplinary action plan for the disability area 'A society for all' includes a number of long-term visions and goals for the development of Danish disability policies as well as a number of short-term initiatives. The Plan will contribute to setting up political and economic priorities for disability-policy initiatives across policy areas, and it will function as a framework for the continued work of implementing the United Nations Convention.

42. The action plan focuses on six topics, which each in their own way supports the vision of a more inclusive and equal society: 1) Citizenship and participation, 2) Education, 3) Employment, 4) More knowledge and better effect, 5) Consistency and quality and 6) Innovative solutions, new technology and increased availability. The action plan contains almost 50 initiatives across the mentioned themes.

43. The respective initiatives are rooted in different ministries and the timespan of the initiatives varies greatly. A few of them have already been completed, but for the most part they have been started up during the first months of 2014. Both the progress of the concrete initiatives and the continued focus on the long-term visions and goals will be monitored by a committee of representatives from all the Danish ministries, meeting 2-3 times a year to discuss cross-sectoral topics on the disability agenda.

44. The action plan is based on the principle of “Nothing about us without us.” To ensure involvement of organizations representing people with disabilities, the government hosted a series of dialogue meetings with relevant parties, for example Disabled Peoples Organizations Denmark, the Danish Institute for Human Rights and the Danish Disability Council. The dialogue meetings were each dedicated to specific themes in the action plan.

45. Furthermore, during the planning process there has been an ongoing dialogue with relevant NGOs on both a formal and a more informal level. The NGOs also have an important part to play in the implementation of a large number of the concrete initiatives presented in the action plan.

46. In general, civil society, specifically organisations of persons with disabilities, has a say in all matters concerning the development of policies regarding benefits to people with disabilities. The umbrella organisation Disabled Peoples Organizations Denmark is consulted on a regular basis on relevant matters and during all stages of the policy-making process.

47. In every municipality there is a local council representing the interests of people with disabilities. This council is consulted in all local policy matters concerning people with disabilities.

B. Specific rights (art. 5 and 8–30)

Equality and non-discrimination (art. 5)

Reply to the issues raised in paragraph 4 of the list of issues

48. In all areas of society, Denmark continuously aims to secure a high human rights standard in our policy making and law making. For instance, all considerations concerning the possible preparation of new legislation are carried out within the framework of Denmark’s human rights obligations which thereby determines the options in this regard, and at the later stages, before the Government introduces a bill in Parliament a thorough assessment is made in order to secure compliance with these obligations.

49. In 2008 the European Commission presented a proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation. The proposed Council Directive will, if adopted, apply to all areas of society including beyond the labour market.

50. Even if there is no overall legislation on anti-discrimination in Denmark, the courts as well as the National Appeals Board can take into consideration the concept of equality and non-discrimination pursuant to art. 5 of the convention.

51. As a very recent development on the topic of preventing discrimination the Government has established an anti-discrimination unit earlier this year. The unit will focus on discrimination based on disability as well as discrimination based on ethnicity. The unit will, inter alia, investigate the extent and nature of discrimination against persons with disabilities. They will also present initiatives to prevent and reduce discrimination against persons with disabilities

Women with disabilities (art. 6)

Reply to the issues raised in paragraph 5 of the list of issues

52. Women and men with disabilities are covered by the Act on Gender Equality, and have the same access to file complaints related to discrimination on grounds of gender tried by the Board of Equal Treatment.

53. The Danish Act on Gender Equality, adopted in 2000, regulates the area of gender equality outside the labour market and forms the basis and framework for public authorities to promote gender equality. Both the state and municipal authorities are covered by the scope of the Act. In addition, the Act applies to all commercial activities.

54. The Act aims to promote equality between women and men based on women and men's equal worth. The purpose of the Act is to counteract direct and indirect discrimination based on gender, including harassment and sexual harassment outside the labour market. The Act prohibits discrimination based on gender.

55. The Board of Equal Treatment is an independent appeals board that deals with complaints related to discrimination. The Board deals with complaints related to discrimination based on gender, race, color, religion or belief, political views, sexual orientation, age, disability or national, social or ethnic origin within the labour market. Outside the labour market, the Board deals with complaints related to discrimination based on race, ethnic origin or gender.

Reply to the issues raised in paragraph 6 of the list of issues

56. On measures taken to combat violence against women and girls with disabilities please refer to the reply to the issues raised in paragraph 17 (paras. 117–123 below).

57. With regard to the measures taken to increase the opportunities for education and employment of girls and women the Ministry of Education remarks that women and girls with disabilities have the same opportunities for education as other groups in the educational system of Denmark. The initiatives to improve the educational system apply equally to women and men as well as to citizens with and without disabilities. Consequently, there are no specific initiatives aimed for women and girls with disabilities in the educational system of Denmark.

58. The fact that there is no specific initiatives for women and girls with disabilities is to be seen in the context of the Danish education system, where neither gender nor disability are considered to be subject of discrimination in correlation with educational rights and opportunities.

59. With regard to employment, there are no specific measures to promote that especially women with disabilities find or maintain employment.

Children with disabilities (art. 7)

Reply to the issues raised in paragraph 7 of the list of issues

60. Paragraph 354 of the State party's report reads as follows:

“354. To underpin the objective of equal treatment of children and young people with disabilities, a range of initiatives has been launched and planned to pave the way for greater inclusion of boys and girls with disabilities and to help eliminate prejudice against children and young people with disabilities. As part of this effort, Denmark has decided to finance a United Nations position as a specialist in

children with disabilities. The position is scheduled to be advertised during the summer of 2011 and is with UNICEF.”

61. The Danish National Board of Social Services has carried out the project ‘Children’s Attitudes towards Disability’ followed by the publication in 2011 of a report about the project. The background for the project was a wish to gain greater knowledge with regard to developing children’s attitudes towards disability by means of targeted teaching about disability and thereby creating greater openness among children in relation to persons with disabilities. Children’s attitudes towards disability are of great significance for the possibilities for inclusion and tolerance in school and in everyday life for children with disabilities.

62. Prior to and following the training, an inquiry of children’s attitudes has been carried out. Overall the inquiry concludes that the teaching has had a positive effect in relation to creating more openness with regard to persons with disabilities. According to the survey the children’s attitudes have changed, there is still, however, a need to focus on inclusion and disability, not least in relation to creating equal opportunities and inclusion with respect to persons with disabilities.

63. The target group for the project has been pupils and teachers in the 4th to 6th grades in the basic Danish school (age ranging from 10–12 years). The training package offered to the schools includes teaching material regarding disability and a teacher’s guide. In addition to this the training package contains teaching ideas for a number of school subjects. As part of the project the so-called “HANDInauts” were trained. The HANDInauts are a corps of persons with disabilities which offers to visit the 4th and 6th grade classes in order to discuss issues concerning and attitudes towards disability. The HANDInauts were a part of a project carried out in 2010 including training of the corps and holding of sessions at about 10 schools. The project was initiated by the Danish National Board of Social Services in cooperation with The Union of Young People with Disability (Sammenslutningen af Unge med Handicap (SUMH)). Furthermore the schools have been provided with the opportunity of having a visit from a consultant from the Danish Union of Athletes with Disabilities (Dansk handicaprætsforbund) who was responsible for teaching sports including an introduction to various forms of sports for persons with disabilities.

64. Denmark financed an international disability specialist position with UNICEF for a 2-year period. The contract ended in March 2014. A new request for support was received by the Ministry of Foreign Affairs in May 2014. The Ministry will consider the request from UNICEF together with other requests for advisers to international organisations in early 2015.

65. The above mentioned initiatives support inclusion of children with disabilities and involvement of their perspectives. The initiatives are part of a process regarding inclusion of children with disabilities in society.

Awareness raising (art. 8)

Reply to the issues raised in paragraph 8 of the list of issues

66. The Danish Disability Council’s task is to monitor the situation of persons with disabilities in society in view of the Convention on the Rights of Persons with Disabilities. The Council also acts as an advisory body to Government and Parliament on issues relating to disability policy. The Council can take initiatives and propose changes in areas affecting the life of persons with disabilities and their living conditions.

67. The Danish Disability Council contributes to various campaigns which aim to raise awareness of people with disabilities in society and promote understanding and respect for

their rights. I.e. the Council contributes to the development of a long-term strategy to promote a positive attitude change in society and improve the basis for equal meetings between people with and without disabilities in all spheres of society. The strategy is developed by a working group consisting of central and relevant stakeholders and is one of the initiatives launched in the Governments action plan on disability.

68. Among new initiatives, the Council has developed a charter on user influence. The Charter is both a set of principles and a concrete checklist, on how to work with user influence. The aim is to help persons with disabilities get a greater influence on their lives. A wide range of organizations and individuals have already joined the Charter.

69. The Danish Disability Council is also working to ensure that people with disabilities get better access to voting. They work to promote electronic voting, accessible material and better dissemination of democracy for people with learning disabilities and reading difficulties. The Council has presented problems and perspectives to experts and politicians. In addition, they contacted the political parties and urged them to develop material on the parties' key issues that is accessible and easy to read.

70. Furthermore the Council has been part of a campaign called 'It is not a disability'. The campaign challenges stereotypes and focuses on the skills and resources of persons with disabilities. Everyone can tell their own stories on Facebook about living life to the fullest – regardless of disability. The stories were also shared through a campaign bus, which has been touring the country.

Accessibility (art. 9)

Reply to the issues raised in paragraph 9 of the list of issues

71. As mentioned above, the principle of sector accountability is a key element of Danish disability policy. The principle of sector accountability implies that it is the responsibility of every ministry when drafting new legislation to consider if the proposed legislation is in accordance with existing human rights obligations e.g. art. 9 of the Convention on the Rights of Persons with Disabilities. Accessibility covers a wide range of fields such as communication, technologies, information and the built environment.

72. Below there are some examples of how accessibility for persons with disabilities are dealt with in Denmark. In Denmark's first report to the Committee there is an extensive description of accessibility in, e.g. the telecommunications legislation (Specific rights, art. 9, paragraphs 104–116). To give another example please find below a description of accessibility according to the built environment.

Accessibility according to the built environment

73. Accessibility to the built environment is essential for the ability of citizens with disabilities to participate in activities in society on an equal footing with citizens without disabilities. Accessibility is therefore an important part of The Danish Building Regulations. The regulations aim to ensure that new buildings and existing buildings that are comprehensively refurbished are accessible for people with disabilities.

74. Regulation includes rules on barrier free entrance, lifts, toilets for persons with disabilities etc.

75. However, recent research conducted by The Danish Building Research Institute indicates that the regulation on accessibility in the Danish Building Regulations is not always and consistently followed in a number of new buildings. The research indicates insufficient knowledge as the main cause.

76. The Danish Ministry of Climate, Energy and Building has launched two initiatives to address the current challenge to ensure a high level of accessibility to the built environment in Denmark as part of the action plan “A society for all”.

77. The first initiative aims at conducting an intensified campaign to inform, guide and advise the relevant partners in the building industry about the current regulation. The initiatives will also collect and spread knowledge of practical and innovative ways to meet the regulations, but at the same time allowing for e.g. architectonic variation etc. This is being implemented in a dialogue with the Danish Disabled Peoples Organisation, the Danish Institute for Human Rights and other relevant parties.

78. The second initiative aims at analyzing the current regulation to determine whether this may pose a barrier to inventing and implementing new innovative solutions when creating accessibility for persons with disabilities. It is important that the regulation allows for development in this area. Building professionals e.g. architects, engineers and constructors should not consider accessibility as a barrier for creating buildings that fit the need and demand for new solutions in the built environment.

79. These initiatives are now being implemented by The Danish Ministry of Climate, Energy and Building in a close dialogue with the relevant parties in the area of accessibility to the built environment in Denmark.

Accessibility according to transport

80. The Danish Government and public transport operators share a common goal to ensure that public transport is accessible to all, and that the pedestrian and traffic environments are designed and managed to enable people to reach and use public transport safely and with confidence.

81. The Government has adopted an accessibility policy in 2013 that applies to the entire area of the Ministry of Transport, which requires accessibility to be embedded in all phases (planning, execution and operation), when new infrastructural projects are adopted and established.

82. To the extent possible, new facilities and major renovation projects must be designed to give as many persons with various types of disabilities access to infrastructural projects. This accessibility policy pivots on the efforts made to give the highest number of people access to public transport or, alternatively, provide supplementary and compensatory transport solutions.

83. The metro project in Copenhagen serves as an example in which accessibility policy was embedded from the outset. The metro project was realized in close consultation with Disabled Peoples Organisations Denmark, a contributory factor for jointly finding the optimum and most accessible solutions. As a result, the metro is physically fully accessible.

84. With regard to the purchase of new trains Denmark will secure that the needs of persons with reduced mobility will be taken into account. Also when stations are substantially modernized the needs of persons with reduced mobility will be taken into consideration.

85. Denmark is bound by regulation 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers’ rights and obligations.

86. Currently there are no plans for introducing new binding regulations or legislation in Denmark regarding accessibility to public transport.

Greenland

87. Currently, there is not as such an adopted comprehensive plan of action, including new legislative initiatives, regarding article 9. Specifically, a revision of the Building Regulations has been initiated, and in this context, requirements for accessibility in existing buildings are considered. When enacted this means that the building code requirements on accessibility are to be taken into account when revamping existing buildings.

Faroe Islands

88. There is no national plan of action for accessibility in the Faroe Islands. However, efforts are being made in various fields to provide accessibility for persons with disabilities. When it comes to the physical aspect of accessibility, general provisions are stipulated in national legislation.

89. In 2009, the Faroese Government issued Executive Order No. 149 of 3 December on accessibility. The rules lay down requirements for buildings housing public services and for buildings housing restaurants, shops and offices whose field of work targets administration and special services. For instance, requirements are laid down for lifts, doors, toilets, stairs, ramps, car parks and footpaths. In addition, the executive order stipulates rules on necessary aids such as induction loops. The executive order lays down requirements for new buildings and refurbishment and requirements regarding the lease of buildings to be used as premises for public services.

Regarding accessibility to information and communication

90. The Faroese public service covenant makes provisions for persons with impaired hearing. In the section "Services for persons with disabilities" there is emphasis on sign language interpretation. News broadcasts and other programmes of significant interest and importance to the general public must be texted or sign language interpreted, e.g. general election programmes. Kringvarp Føroya (National Broadcasting Corporation) is required to provide internet services for persons with seeing or hearing impediments.

91. The current national budget allocates funding of sign language interpretation for news broadcasts in Kringvarp Føroya (DKK 335,000 in 2014, i.e. EUR 45,000).

92. A new Faroese Text to Speech software is produced and the audio book service is currently being revised. The audio book services publish 25-30 new audio books annually in Faroese.

Situations of risk and humanitarian emergencies (art. 11)**Reply to the issues raised in paragraph 10 of the list of issues**

93. The Danish Humanitarian Strategy is implemented through a range of partners and organisations: Danish Humanitarian NGOs, United Nations organisations and others, including the International Committee of the Red Cross, the ICRC. Each of the partners or organisations help Denmark implement a part of the strategy and some organisations are specialising in protection of the vulnerable.

94. UNICEF and Save the Children have a strong mandate on child protection and both organisations do impressive work in the area of protecting children with disabilities. ICRC specifically cares for people with disabilities in emergency situations. Protection and care of the vulnerable especially people with disabilities, figures prominently in most of ICRC's programme activities.

95. Denmark does not enforce a specific set of alert systems or protocols on protection of persons with disabilities in emergencies, but encourage partners through dialogue to establish these where relevant. Currently there is an on-going debate on humanitarian standards between Humanitarian Donors (the Good Humanitarian Donorship Group) on the issue of special protocols for the security and protection of persons with disabilities and this could lead to internationally agreed standards. Denmark is welcoming the contributions from organisations advocating the rights of persons with disabilities.

Equal recognition before the law (art. 12)

Reply to the issues raised in paragraph 11 of the list of issues

96. Denmark would like to point out that the Act on Legal Incapacity and Guardianship is based on the principle that guardianship should be adjusted according to needs and should never exceed the necessary measures. The person to be placed under guardianship shall be consulted both prior to a court decision on full guardianship, where the person is deprived of his or her legal capacity, and decisions by the State Administration on other forms of guardianship. A decision on guardianship can be limited to a certain period of time if the conditions due to which the person is placed under guardianship are only temporary or if other conditions speak in favor of such a decision. As a main rule, the guardian must consult the person under guardianship before making decisions on important matters.

97. In the Government's view, the Convention on the Rights of Persons with Disabilities allows for the withdrawal of legal capacity or support in exercising legal capacity, and/or compulsory guardianship, in cases where such measures are necessary, as a last resort and subject to safeguards. Reference is made to the Government's letter of 28 February 2014, whereby the Government sent its comments to the Committee on the draft general comment on Article 12 of the Convention on the Rights of Persons with Disabilities.

Access to justice (art. 13)

Reply to the issues raised in paragraph 12 of the list of issues

98. In Denmark the Court Administration is responsible for basic training of deputy judges as well as for providing tertiary education for the judges.

99. The Court Administration is aware of the rights of persons with disabilities and the Convention but at the same time the Court Administration is focused on providing training courses that will benefit the largest group of judges and do mostly offer training courses with a subject-related juridical matter. However, the Court Administration provides a training course on how to deal with people with mental illness. The purpose of this training course has been to heighten awareness of this group of people as well as enabling the judges to be even more mindful of possible special requirements that have to be met in regard to this group of people. The Danish Court Administration continuously reflects on the need of different training courses, including courses on the rights of persons with disabilities.

100. At the Police College the police cadets attend a course called "Denmark – a democratic constitutional state". During this course the police cadets are taught the relevant provisions of the European Convention on Human Rights, associated institutions and their bearing on policing.

101. The police cadets also attend a course on "Patrolling and Major Incident Procedure" in which they are taught appropriate conduct and sound working methods in situations involving vulnerable members of the community.

102. Furthermore, the police cadets attend a course called “Vulnerable groups”. During this course the police cadets are to demonstrate detailed knowledge about and the ability to reflect on the intentions behind the Danish Police Act in terms of responsibility, protection and careful treatment of disadvantaged and vulnerable people when conducting police business. As a part of the course the police cadets are also required to demonstrate knowledge on relevant legislation in order to assess, decide on and argue for suitable policing initiatives involving disadvantaged and vulnerable people.

Liberty and security of the person (art. 14)

Reply to the issues raised in paragraph 13 of the list of issues

103. The main principles concerning all health treatment are self-determination and informed consent. These principles are enshrined in statute. When it comes to compulsion in psychiatric treatment The Psychiatric Act lays down some basic principles. The legislation stipulates that compulsory treatment is not allowed until every possible step has been taken to persuade the patient into accepting treatment. The use of compulsion must be proportionate to the goal pursued. Whenever possible, minor steps should be taken. Every instance of deprivation of liberty and use of other restraints must be noted in a special protocol at the psychiatric ward, and this information is reported to the local authority as well as to central governmental institutions. A special subcommittee of the parliament, under the Constitution’s § 71, supervises the use of administrative force.

104. In October 2014 the Danish Government will introduce a bill to change the Psychiatric Act in order to ensure better rights for psychiatric patients, who are subject to detention or coercion, including measures to reduce mechanical restraint.

Reply to the issues raised in paragraph 14 of the list of issues

105. When establishing new prisons the Prison and Probation Service is careful to observe all current building standards of disability accessibility. With reference to Denmark’s initial state report to the Committee on the Rights of Persons with Disabilities (article 9, paras. 75–76), please be informed that a number of special cells for persons with disabilities have been fitted out in existing prisons, as Danish State and local prisons are mainly housed in old building stock, which generally fails to observe today’s requirements for disability access.

106. When a patient is committed, retained or subject to compulsory treatment he or she shall always have a patients’ adviser assigned. The patients’ adviser must be assigned as soon as the decision has been taken. If the patient is strapped or exposed to other physical compulsion, the patient must be asked whether he or she requests a patients’ adviser, and in the affirmative a patients’ adviser shall be assigned. The legal representation in form of a patients’ adviser is free of charge.

107. Whenever a patient has been exposed to compulsory treatment, the patient or the patients’ adviser may demand that the case be tried in the psychiatric patients’ board of complaints. The complaint can be presented to the patients’ adviser, doctors, nurses, care assistants or other staff members at the hospital who take part in the treatment. The complaint may also be forwarded directly to the hospital authorities. The hospital authorities will have to bring the case before the psychiatric patients’ board of complaints as soon as possible. A complaint made of compulsory treatment has delaying effect. The doctor, however, may proceed with the treatment while the complaint is undecided in order to avoid exposing the patient’s life and health to substantial danger and to prevent the patient from harming other people.

108. If the patient is discontent with decisions made by the patients' board of complaints regarding compulsory commitment, detainment, and taking back, the patient or the patients' adviser can demand that the case should be brought before a court of law.

Freedom from torture (art. 15)

Reply to the issues raised in paragraph 15 of the list of issues

109. As mentioned in the answer to question 13, the legislation stipulates that compulsory treatment is not allowed until every possible step has been taken to persuade the patient into accepting treatment. The use of compulsion must be proportionate to the goal pursued, and whenever possible, minor steps should be taken.

Freedom from exploitation, violence and abuse (art. 16)

Reply to the issues raised in paragraph 16 of the list of issues

110. Danish criminal legislation contains several provisions aimed at protecting vulnerable or dependent persons, including persons with disabilities. The Danish authorities collect data concerning the violation of these provisions, however, this data is not disaggregated by what caused the state of vulnerability or dependence – be it disabilities or other circumstances.

111. Consequently, Denmark does not have ready available data illustrating to what extent persons with disabilities – in general – report violence, exploitation or abuse to the police.

112. The Danish Criminal Code does contain a specific provision concerning the sexual exploitation of persons with mental disabilities. It follows from Section 218 of the Criminal Code that any person who exploits the mental disorder or mental retardation of another person to engage in sexual intercourse is sentenced to imprisonment for a term not exceeding four years.

113. Please find below a table concerning violations of Section 218 covering the period 2009–2013 showing the number of police reports, preliminary charges, indictments and convictions etc.

	2009	2010	2011	2012	2013
Reports	20	9	14	18	15
Preliminary charges	17	9	15	17	16
Indictments	5	3	15	9	4
Withdrawal of charges etc.	7	7	4	8	8
Acquittals	2	1	0	0	0
Convictions	2	2	4	11	14

114. The Danish Independent Police Complaints Authority (IPCA) handles investigation of criminal cases against police officers and considers and decides complaints of police misconduct. IPCA was established by Act No. 404 of 21 April 2010, which entered into force on 1 January 2012.

115. IPCA has no specific registration of criminal cases or complaints concerning persons with disabilities, and can therefore not provide valid statistics on the subject. However, a survey among the employees has shown that the authority since 1 January 2012 has dealt

with at least 14 cases concerning persons with disabilities. Only in one of these cases, the complaint was lodged by a woman.

116. 7 out of 14 cases are still pending. In one of the 7 cases in which a decision has been made the IPCA has expressed criticism of the police officers involved. The other 6 cases did not result in expression of criticism.

Reply to the issues raised in paragraph 17 of the list of issues

117. According to the Act on Social Services, paragraph 109, the municipal council shall offer temporary accommodation facilities for women who have been exposed to violence, threats of violence or a corresponding crisis in relation to family or cohabitation relationships. The women may be accompanied by children and shall receive care and support during their stay. This obligation for the municipality also includes women with disabilities who are victims of violence or threats of violence.

118. According to section 110 of the Act, the municipal council shall provide temporary accommodation in facilities for persons with special problems who have no home or who cannot stay in their own home and who are in need of accommodation and activating support, care and subsequent assistance. This obligation includes men with disabilities who are victims of violence from a partner and are in need of leaving their residence.

119. With the aim of testing the possibilities of qualifying the efforts towards families with violence, including families that include persons with disabilities, a pilot-project has been established with a center of intervention where both victims and perpetrators can get advice. The center of intervention serves both the victim and the perpetrators and will assist with referrals of both parties to further assistance including to municipal services.

120. Municipalities are, pursuant to the Law on Social Services section 19, obligated to have political adopted remedies for the prevention, early detection and treatment of incidents of child and adolescent abuse, including violent abuse and violence against children and adolescents with disabilities. The municipality must therefore have a clear focus on the interventions towards the children who are subject to or at risk of violence

121. With the aim of an early intervention to ensure good and safe conditions for the upbringing of children, the legislation on social services have stated a specific obligation for citizens and professionals, including the police, to alert the municipality in cases where they become aware of violence or other kinds of child negligence. This obligation also applies in the case of children with disabilities.

122. Furthermore, Denmark has recently taken several legislative steps to improve the support and protection of victims in general. One of the initiatives is a Crime Victim Fund that will provide economic support to activities aimed at improving the situation for crime victims, initiated by researchers, NGOs, public bodies, private institutions and others who deal with problems concerning crime victims in their profession.

123. The Criminal Injuries Compensation Board has also been strengthened to enable the board to make decisions on victim compensation faster and more efficiently.

Reply to the issues raised in paragraph 18 of the list of issues

124. In order to use compulsory treatment, the patient must be insane or in a condition of mental disorder. The criterion "mental disorder" is construed restrictively, and so it must be a condition that cannot be distinguished from insanity.

Protecting the integrity of the person (art. 17)

Reply to the issues raised in paragraph 19 of the list of issues

125. Forced sterilization of persons with disabilities was abolished in Denmark in 1967 (by Act no. 234 of the 3rd of June 1967). According to § 110 and § 111 in the Danish Health Act sterilization of people with mental disabilities always requires special permission. The current rules are based on the principle that a request for sterilization must come from the person him- or herself or – under certain circumstances – the custodial parent or a specially appointed guardian.

Liberty of movement and nationality (art. 18)

Reply to the issues raised in paragraph 20 of the list of issues

126. Pursuant to section 44 of the Danish Constitution, no alien can obtain Danish nationality other than by an Act of Parliament (naturalisation). Naturalisation is therefore the exclusive prerogative of the Legislature.

127. In order to be eligible for Danish nationality a person must satisfy the conditions that are set out in the Circular Letter No. 9253 of 6th June 2013. This includes among others that the applicant documents skills in the Danish language and that the applicant documents to have passed a citizenship test. A person with disabilities can achieve permission to use facilities during the tests, including among others extended test time and use of technical tools.

128. Furthermore, a person who is diagnosed with a long-term physical, mental, intellectual or sensory impairment can be exempted from the language condition and citizenship test condition, if the person concerned – as a result of the impairment – is incapable of or does not have a reasonable prospect of satisfying these conditions. It is the Naturalisation Committee of the Danish Parliament which – by majority decision – decides whether a person can be granted exemption.

129. The application will be submitted to the Naturalisation Committee if the applicant medically documents that he or she has a long-term physical, mental, intellectual or sensory impairment and that there is a causal relation between the impairment and the lacking fulfilment of the conditions.

Living independently and being included in the community (art. 19)

Reply to the issues raised in paragraph 21 of the list of issues

130. It is a guiding principle in the Danish disability policy that the needs of the individual, and not the type of accommodation, decides what assistance should be provided. Consequently, accommodation and services are separated, and persons with disabilities live independently. In 1998 the Act on Social Services was adopted, and it states that the municipality council must ensure personal and social development for persons with disabilities. This means for example that local authorities are to provide independent living and inclusion in the surrounding community for persons with disabilities.

131. In Denmark housing units for persons with disabilities are built pursuant to the Act on Social Service or pursuant to the Act on Social Housing. Applicants who are eligible for long-term accommodation facilities under the Danish Act on Social Services or for social housing for elder people and persons with disabilities and meet the conditions for obtaining

such accommodation facilities, are entitled to choose between such facilities and to move from one facility to another.

Persons in housing units under the Act on Social Service

	<i>Temporary accommodations</i> (Act on Social Services , para. 107)	<i>Long-term accommodations</i> (Act on Social Services , para. 108)
Impairment of physical function	534	1450
Impairment of mental function	3356	4449
Mentally ill	2035	2406
Special social problems	561	116
Total	6486	8421

Person in housing units under the Act on Social Housing

	<i>Dwellings</i> (Act on Social Housing § 105)
Nursing dwellings mainly for persons with mental/physical handicaps	6771
General dwellings mainly for persons with mental/physical handicaps	1291
Total	8062

Source: Statistic Denmark 2013.

132. Additionally, the stock of dwellings which are suitable for persons also contains approx. 35,000 dwellings for elderly persons.

133. Denmark does not list if people are involuntarily confined in housing units for persons with disabilities. Under section 129 in the Act on Social Service the rules for admission to special accommodation facilities without consent are described. The municipality council may recommend that the state administration should decide that a person objecting to removal or lacking the capacity to give informed consent hereto, but see subsection 2 of section 129, shall be admitted to a specific accommodation facility. A person can only be moved from one housing to another if:

- (1) It is absolutely required in order to ensure that the person receives the necessary assistance;
- (2) The assistance cannot be provided in the person's existing home;
- (3) The person cannot understand the consequences of his/her actions;
- (4) The person risks exposing herself/himself to substantial personal injury;
- (5) It would be irresponsible not to arrange for the person to move.

134. Furthermore the municipality shall, for crime-prevention purposes supervise persons who, under a judgment or order under terms for dismissal of charges or probation, must be subjected to supervision by the social authorities.

Reply to the issues raised in paragraph 22 of the list of issues

135. As described earlier the local authorities (municipalities) are responsible for implementing and administering the legislation and provisions issued at the state level. The

decentralized organization ensures design and delivery of social services as close to the citizen as possible. The municipalities provide the help on the basis of a specific and individual assessment of a person's need for assistance. Regardless of the type of help it must be planned to be provided in respect of the self-determination, needs and resources of the individual.

136. Since 2006, each local municipality in Denmark has been obliged to set up a local disability council. The local municipality must consult the disability council on any initiatives impacting on persons with disabilities. The provisions on disability council appear in section 37a of the Act on Legal Protection and Administration in Social Matters. The disability council shall advise the local council and help communicate disability-policy viewpoints between citizens of the local authority and the local councillors. There are 3-7 members in the council from local disability associations appointed by the Danish umbrella organization for disability associations and 3-7 members appointed by the local council.

137. On 1 January 2014 a new national social supervision (Tilsynsreformen) was established. The social supervision's task is to assess and approve the quality of the e.g. long-term accommodations. For this purpose the government has developed a quality model. The quality model includes indicators for a number of themes. The accommodations are e.g. being measured on how they support persons with disabilities' independence, social relationships and network in the surrounding community, as well as in education and employment opportunities. The goal with the social supervision is to provide a systematic and focused assessment of each accommodation.

138. In the Danish Government's action plan, which has been described earlier, there are two initiatives aiming to strengthen persons with disabilities to participate equally in everyday activities and live as independently as possible.

Reply to the issues raised in paragraph 23 of the list of issues

139. It is unclear what the Committee means with the question regarding legal remedy for persons who receive less than nine hours for personal assistance. Unless otherwise provided by the Act on Social Services or by the Act on Legal Protection and Administration in Social Matters, decisions by the municipal council may be appealed to the National Social Appeals Board (Ankestyrelsen) in pursuance of the rules of Part 10 of the Act on Legal Protection and Administration in Social Matters.

140. Regarding personal assistance to children, it can be mentioned that in relation to a change made in The Public School Act in 2000 it became possible for parents to file complaints to a special complaint commission regarding decisions about extensive special needs education. Extensive special needs education was here defined as teaching in classes or schools for special needs education or as support given in the majority of the lessons.

141. In 2012, special education was defined to be teaching where pupils are given support in at least 9 hours per week. In order to make sure that the right to complain is not reduced for parents whose children receive less than 18 lessons per week it was decided that parents whose children have, for example, 16 lessons per week can file a complaint too if their child receives support for more than eight hours per week. Students who have less than 18 lessons may be students in the kindergarten class. This prevents deterioration of the previous state of justice, where it was possible to complain if parents thought their child needed support in the majority of the teaching time.

142. In light of the above, the Ministry of Education finds that the quality assurance of the education in public schools, including offers to students who receive less than 9 hours per week, is sufficient.

143. The Ministry of Education therefore does not identify a need to establish a complaint system where it can be decided whether a child receives the support and adjustment he or she needs and whether the support is given in surroundings promoting inclusion.

144. It is stated that private boarding schools as well as private primary and lower secondary schools are obliged to offer personal assistance to students in need of such, in order to help the student overcome practical difficulties in the context of their education. Subsidies of personal assistance can be provided on the basis of an application and decision from The National Agency for Quality and Supervision. These decisions are subject to the appeal system of The Legislation of Private Primary and Lower Secondary Schools and The Legislation of Private Boarding Schools.

145. The Ministry of Education finds that the quality assurance of the education in private independent schools, including offers to students who receive less than 9 hours per week, is sufficient.

146. The Ministry of Education therefore does not identify a need to establish a complaint system where it can be decided whether a child receives the support and adjustment he or she needs and whether the support is given in surroundings promoting inclusion.

147. Students in both public and private schools with need for support will be offered assistance through, for example, differentiated teaching, division of the students into smaller groups or co-teaching and use of teaching assistants for the benefit of the individual student as well as the entire class.

Freedom of expression and opinion, and access to information (art. 21)

Reply to the issues raised in paragraph 24 of the list of issues

148. On May 13 2014, the Danish parliament passed a law which establishes a Danish sign language council (Dansk Tegnsprogråd). The Danish sign language council's task is to develop principles and guidelines concerning documentation of the Danish sign language and to provide advice and information on the Danish sign language.

Respect for privacy (art. 22)

Reply to the issues raised in paragraph 25 of the list of issues

149. The Danish Health Act regulates the disclosure of health information. Special rules apply to those psychiatric patients who are assumed not wanting to seek the necessary treatment after being discharged from hospital. In these situations a voluntary agreement is made between the patient, the psychiatrist and other relevant actors if possible. If the patient does not want a voluntary agreement, a coordination plan will be established. The regulations of these two plans for the psychiatric patient's further treatment provide the basis for the exchange of the relevant personal data.

Respect for home and the family (art. 23)

Reply to the issues raised in paragraph 26 of the list of issues

150. According to the Act on Formation and Dissolution of Marriage a person under guardianship cannot get married without consent from the guardian. However, the municipality – the authority performing marriages in Denmark – may permit a person under guardianship to get married, even though the guardian has not consented to the marriage.

151. If the municipality does not permit the marriage, this decision may be appealed to the Ministry of Children, Gender Equality, Integration and Social Affairs by the person under guardianship. Such cases are very rare.

152. If the guardian abuses his or her position, the guardian can be dismissed according to the Danish Act on Legal Incapacity and Guardianship. A guardian is also dismissed if this is necessary, taking the best interests of the person under guardianship into account. Furthermore, the State Administration is competent to change or annul a decision on guardianship at any time and on its own initiative. Also, the State Administration can act upon request from a wide group of persons, including the person under guardianship.

Reply to the issues raised in paragraph 27 of the list of issues

153. The Danish Act on Social Service provides a number of opportunities to support parents of children with disabilities to be able to live together.

154. Support measures aimed at the child and family may include:

- Reimbursement of extra costs incurred as a consequence of the child's disability or illness;
- Compensation for loss of earnings if parents maintain their child with disability or long-term illness under the age of 18 in the home;
- Various types of relief, e.g. domestic help, day-care facilities, foster family care, occasional overnight stays in special day-based treatment programs etc;
- Cover expenses for aids, relocation, home layout and car purchase;
- 15 hours of attendance a month for children and young persons between 12 and 18 years with disabilities;
- Assistance such as, for instance, special day-care, a special club, a normal day-care with support or by the parents in the home;
- Practical, educational or other support in the home;
- 24-hour residential care of both the person having custody, the child or the young person and other family members;
- Relief arrangement in a foster family or at an approved place of care or 24-hour institution;
- Appointment of a personal adviser for the child or young person;
- Appointment of a permanent contact person for the child/young person and the whole family.

155. Furthermore, the Act on Social Services states that support (especially regarding the five latter points) must be provided at an early stage and on a continuous basis. Hereby any problems encountered may as far as possible be remedied in the home or the immediate environment. Where possible, the difficulties of the child or young person shall be resolved in consultation and cooperation with the family. Where this is not possible, the background, purpose and constituent features of the specific measure taken shall be explained to the custodial parent as well as to the child or young person.

156. In addition the Danish Government is currently focused on supporting families with children with disabilities so the family is able to stay together. It is reflected in the National Action Plan for people with disabilities in which the government has allocated DKK 40 million to an initiative regarding support to families with children with disabilities. The initiative aims to strengthen parents' ability to handle a child with disabilities and thereby

increasing the overall well-being of families with children with disabilities – both for parents, siblings and the child with disability.

157. Finally The Danish Government has allocated a significant amount in the period 2014–2017 to initiatives that ensure early support for vulnerable children, which also includes children with disabilities. As part of the implementation the Danish Government presented a bill in the Danish Parliament in March 2014 that highlights the importance of early, preventive support. The bill will enter into force in October 2014. Other initiatives include e.g.:

- Efforts to strengthen the parental capability of especially vulnerable parents;
- Initiatives to strengthen the early support for vulnerable children in day care;
- Efforts to promote the use of participation in leisure activities such as sports, musical training and scout associations in municipalities' early preventive support for vulnerable children.

Education (art. 24)

Reply to the issues raised in paragraph 28 of the list of issues

158. Danish teachers are trained for adopting an inclusive teaching environment both during their initial teacher education (ITE) and through various continuous professional development (CPD) programs.

The Initial Teacher Education

159. The Danish ITE program is a 4-year professional bachelor's degree that provides the student teacher with general pedagogical and didactical competences, as well as specific knowledge of (usually) three main subjects (including subject-specific didactics and pedagogy). The Danish ITE program also includes teaching practice and 'general education'.

160. The ITE program is regulated through a number of output-oriented competence objectives for each element in the educational program. 'Inclusion' is included in a number of these competence objectives, including the following mandatory objectives:

- Student learning and development;
- Teaching proficiency;
- General education;
- Teaching practice (level II);
- Teaching practice (level III).

161. In addition, 'inclusion' is a recurrent element in the competence objectives of the main subjects.

162. The Danish ITE also includes mandatory competence objectives concerning Danish as a second language and special needs and remedial training.

Continued Professional Education

163. Teachers and other professional groups can select CPD programmes from a wide range of higher educational institutions, including academies of professional higher education, university colleges, and universities.

164. Such programs include:
- Academy Profession degrees (EQF level 5), in:
 - Social pedagogy;
 - Youth and adult teaching;
 - Diploma degrees (EQF level 6) in:
 - Pedagogical and social pedagogical work;
 - Children’s language;
 - Intercultural pedagogy;
 - Supervision, mathematics;
 - Pedagogy;
 - Special needs education;
 - Master degrees (EQF level 7) in:
 - Day care and primary school didactics;
 - School teaching (primary and lower secondary);
 - Learning processes;
 - Special needs education.

165. The above listed educational programs are 60 European Credit Transfer and Accumulation System (ECTS) credits each.

166. In addition to the listed programs, other programs (including 120-credit ECTS “candidate” programs (EQF level 7)) deal with other aspects of inclusion, including Danish as a second language, pedagogy, and general and subject-specific didactics.

Greenland

167. Primary schools and thus municipalities are required to teach all children of school age. This also applies to children with severe disabilities.

168. When a person with severe disabilities has completed primary school, the municipality prepares an action plan for further education and/or work. This is regulated in the law on disability. For students in upper secondary education vocational training and higher education apply broadly the same principles as for the younger pupils.

Reply to the issues raised in paragraph 29 of the list of issues

169. Raising the achievement of all learners is an imperative in the Danish education system. The important role to be played by inclusive education is recognised in the recent political initiatives to enhance inclusion in the Danish public school and changing it to be able to challenge all students to reach their full potential.

170. Such a change requires substantial capacities to develop and utilise competences and knowledge in new ways. The Danish government is implementing a new reform of the primary and secondary school building on the already pending goals set out for inclusive education.

171. The Government and several other parties in Parliament have agreed on a reform of the public school. The reform has three focused goals:

- The public school must challenge all students to reach their full potential;

- The public school must lower significance of social background on academic results;
 - Trust in the school and student well-being must be enhanced through respect for professional knowledge and practice in the public school.
172. The reform of the public school gives a new framework for developing the public schools and to achieve the goals for inclusion.
173. The reform means:
- More time spent in school with well qualified teachers and social educators;
 - 30-hour school week for grades 0 to 3, a 33-hour school week for grades 4 to 6 and a 35-hour school week for grades 7 to 9;
 - One extra weekly lesson in both Danish and Mathematics for all pupils in grades 4 to 9;
 - English language from grade 1 with one weekly lesson in grades 1 and 2;
 - One daily lesson with physical exercise each day;
 - “Supplementary teaching/activity lessons”. These lessons will allow teachers and pedagogues to create a more varied, exciting and motivating school day for the students;
 - The Common Objectives will be qualified and simplified with a focus on the student’s learning outcome.
174. Learning environments that address all children:
- The reform of the municipal primary and lower secondary school (the Danish *folkeskole*) gives a new framework for:
 - Differentiation in teaching;
 - Temporary subdivision of class;
 - Compulsory metering of well-being;
 - Strengthening teacher competences;
 - Teachers and pedagogues must work together;
 - Strengthening of ordinary teaching as the most important focus to support the process towards greater inclusion.
175. In relation to both the goal for inclusion and the reform, supporting and building capacity in the schools and the municipalities is crucial. In order to support a targeted and better in-service training of teachers, the government has reserved 1 billion Danish kr.
176. Inclusion is one of the prioritised areas and targets for competence development.
177. In order to support improved inclusion in day-care facilities and schools the government has established a national corps of “learning consultants” that include inclusive counselling. A public school resource centre is established to support and supplement the corps of learning consultants in how to challenge all students and ensure an inclusive learning environment. The resource centre contributes to ensure utilisation of existing knowledge and to develop new knowledge, for instance in relation to children with disabilities.
178. The Government has agreed with the local government’s organisation on a range of initiatives moving towards greater inclusion.

179. The Government's goal: 96 percent of students in public schools will receive teaching in ordinary classes within 2015. Today it is 94.8 percent.

Research and development projects under the auspices of the Resource Centre for Primary school

Inclusive pedagogy – differentiated teaching and learning environments

180. One of the core principles in the Danish public school is the requirement to provide differentiated teaching. Teachers need to deliver personalised instruction and at the same time develop a learning environment where everybody has a sense of community. Knowledge is needed to organise teaching so that all pupils in the classroom can learn and develop effectively within this community and feel part of it, in spite of their different interests and needs. It is also important to explore what will generate a learning environment that supports their potential for further development – also within an inclusive community.

181. *Exemplary education courses with focus on differentiated teaching and pupils with special needs.* This project aims to develop and test exemplary education courses with focus on differentiated teaching and teaching of pupils with reading and writing difficulties and attentive deficit.

182. *Inclusion in subject areas.* This project investigates contents and methods within individual subject areas, to find out how these can support the development of inclusive learning environments for all pupils. The project will generate new projects in practical/art subjects, humanities and science.

Programme on pupils' inclusion and development

183. A comprehensive research project includes a national panel survey with approximately 9,300 pupils to be followed during the next three years, in order to gather knowledge and analyse their experiences with inclusion. Quantitative as well as qualitative studies will identify initiatives taken to support pupils' development. The panel and the analyses will focus on pupils who have moved from segregated provisions to mainstream education.

184. *Mastering learning and social integration in mainstream settings.* The Centre develops and tests learning courses for pupils with special needs to master learning and social integration in mainstream education settings. This project is part of the programme on pupils' inclusion and development.

185. *Pupils' roles in inclusive learning environments.* Another project is initiated to develop and test pupils' support of inclusive learning environments outside the classroom, e.g. classmates or older pupils to support the inclusion of pupils with special needs.

186. Regarding the post-secondary education of students with disabilities, the Ministry of Education is not aware of a high-level drop out. The secondary educations are open to everyone who has finished the compulsory primary school. The educational legislation ensures that students in need of special educational assistance are entitled to have it provided by the educational institutions through the National Agency for Quality and Supervision in the Ministry of Education.

Greenland

187. Pupils whose development requires special consideration must be offered special education or other special educational assistance. The school is committed to provide this

up to and including the tenth school year. Then there may be opportunities in the rules of leisure education.

188. Primary school is also required to ensure that the conditions for teaching students with severe disabilities are present. The school must therefore ensure that:

- The school building is designed in such a way that children with physical disabilities to can enter and move about the building according to current building regulations;
- There is support for those students who need it;
- There is the necessary special teaching materials and aids;
- There is transport between home and school;
- There is an interpreter for the deaf and hard of hearing students.

189. Regulations for those with disabilities are only in special cases used to grant special, individual devices for use in school and aids for homework at home, for example:

- Computer equipment, including laptop;
- Special furniture, for example adjustable table and chair.

Faroe Islands

190. In accordance with law of the Løgting No. 125 of 20 June 1997 on the municipal primary and lower-secondary school (*fólkaskúlin*), as revised in law No. 67 of 26 May 2011 compulsory education is 9 years. It is tradition in the Faroe Islands that public elementary and secondary school is for all, and there is only one special school, the Skúlin á Trøðni. This year, 47 pupils from around the country attend this school. The regular school system accommodates remedial classes for pupils with special needs. This system is currently being evaluated.

191. In section 38 of the Executive Order about upper secondary (high school) programmes No. 9 of 22 January 2013, student counsellors are required to offer advice to pupils regarding social, personal and financial problems. Executive Order No. 94 of 22 June 2000 about special support to pupils with physical or mental disabilities, as revised in Executive Order No. 28 of 6 March 2001, also instructs upper secondary schools to inform Sernám (an assessment, counselling and case management service for children and youth under the department for the Ministry of Culture and Education) and thus endeavour to secure that pupils requiring special attention due to mental or physical disabilities receive necessary support.

192. Efforts are also made to strengthen educational competencies in upper secondary schools. For example, student counsellor training has been introduced to enhance the quality and scope of the counsellor profession. The counsellor training is designed to reinforce the counsellor's basic competence with regard to addressing the well-being of students and to increase the general sense of motivation.

193. Regarding students in higher education it is worth mentioning that in accordance with the law for the Faroese University (*Fróðskaparsetur Føroya*) students in need of educational help or support are entitled to an offer to this effect. Also, the law stipulates that students who are prevented from following conventional tuition due to disabilities, in certain circumstances receive an offer of an extended time limit on education and special tools to facilitate completion of the education in question. In accordance with Law of the Løgting No. 62 of 15 May 2012 about upper secondary education, as revised in Law of the Løgting No. 54, of 15 May 2014, §2, section 3, the principal of the educational institution may, with the Minister's approval, establish and offer other subject paths and specially

adapted educational options for students with special needs. A similar proposal intended for vocational schools is also being considered.

Reply to the issues raised in paragraph 30 of the list of issues

194. Most deaf children in Denmark are offered the operation, Cochlear Implant (CI), which gives them the possibility to hear and develop an age-appropriate speech.

195. The Ministry of Health prescribes clinical guidelines for follow-up treatment, and afterwards the children should be given special educational assistance in both daycare and school. Specialist advice may include sign language if the child needs it.

196. In November 2013 the Government and all other parties in Parliament have agreed on the "Agreement on qualified assistance to groups with special needs". Pursuant to this agreement, the State is responsible for providing specialized consulting services to the group of children with severe hearing losses. The state will be responsible for coordinating the development of knowledge in the field.

197. After the agreement new legislation has been implemented to ensure better cooperation and coordination of the specialized efforts, which also will be supported by course descriptions.

198. If a deaf or hard of hearing person attends a secondary school, a vocational school or any higher education the student can apply for special educational assistance at the National Agency for Quality and Supervision in the Ministry of Education. The need of support for deaf or hard of hearing students is either interpreting service, live captioning or assistive technology depending on the degree of hearing loss. Further needs can, for example, be note taking support in the classroom. If the student is deaf and a sign language user, the need of support will be sign language as this is the primary language of the student. The student can have interpreting service for every course where it is necessary. There is no limit to the number of assigned hours of interpretation of academic content.

Greenland

199. It is possible to have an interpreter for the deaf and hard of hearing students.

Reply to the issues raised in paragraph 31 of the list of issues

200. To meet this challenge the Self-Government has agreed with the local government's organisation on a range of initiatives moving towards greater inclusion.

201. The Self-Government supports all municipalities' adjustments to greater inclusion. A new Public School Resource Centre and a national corps of learning consultants work with building capacity and sharing knowledge about how to challenge all students and an inclusive learning environment.

202. Together with the local government's organisation, the government monitors developments closely through annual representative surveys in 12 municipalities and nationwide data from all municipalities.

203. Regarding post-secondary education, the programs are here open to everyone who has finished the compulsory primary school without limitations regarding the students' possible disabilities. Inclusive post-secondary educations are furthermore ensured by the educational legislation which decides that students with disabilities are entitled to the necessary support. The educational institutions can provide the support through the system of special educational assistance which ensures a national standard.

Greenland

204. **Legislation.** Self-Government Order No. 23 of 30 December 2013 on assistance for persons with severe disabilities. Chapter 1. Scope and definitions:

§ 1 This notice applies to persons with severe disabilities.

§ 2 People with severe disabilities are persons who have a significant disability due to a permanent physical or mental illness, injury or defect. It is a requirement that the significant functional impairment creates a substantial loss or a significant reduction in the person's capacity to live a normal life and in the person's ability to participate in society on an equal basis with other citizens.

205. Paragraph 2: The physical or mental illness injury or lack of lasting when it is likely that the person the rest of his life will be referred to the physical or mental illness injury or defect.

Faroe Islands

206. In accordance with law of the Løgting No. 125 of 20 June 1997 about the municipal primary and lower-secondary school (*fólkaskúlin*), as revised in law No. 67 of 26 May 2011, the *fólkaskúlin* is a public educational institution, which serves to the basic purpose of taking into account and meeting the individual requirements of all pupils and supporting development and maturation of personal and social skills. The Faroese *fólkaskúlin* is centrally administered by the state and, hence, not placed with municipal authorities.

Work and employment (art. 27)**Reply to the issues raised in paragraph 32 of the list of issues**

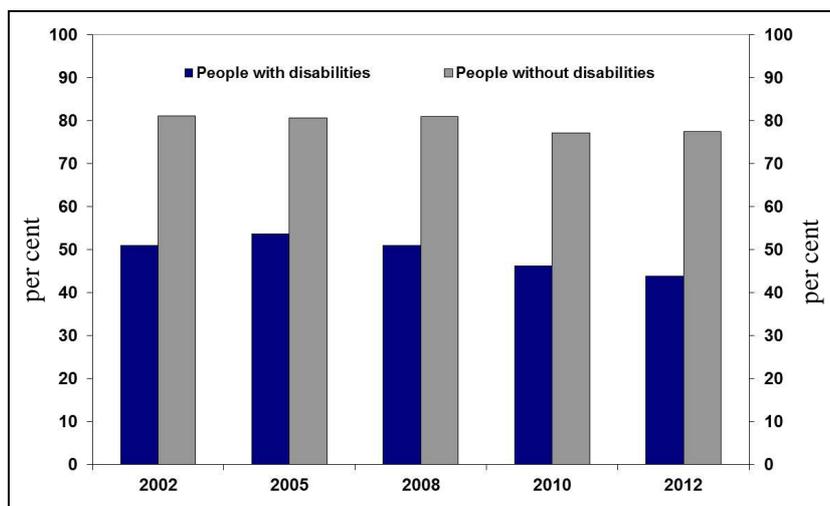
207. The Danish Government can present the following statistics.

Statistics

208. According to a report from the Danish National Centre for Social Research (SFI), the employment among people with a disability or long-term health problem is significantly lower than among people without disabilities. The data in the report and therefore the employment rates are based on a survey.

209. In 2012 the employment rate was 43.9 among people with disabilities and 77.5 percent for people without disabilities, cf. the figure below. Despite the different employment levels, the report shows that during the period 2002–2012 there was no difference in the development of the employment rates for people with and without disabilities. Both groups have experienced relatively large declines in employment during the economic crisis but no significant change from 2002 to 2012.

Employment rates among people with and without disabilities, 16-64 years, from 2002 to 2012. Seasonally adjusted employment



Source: The Danish National Centre for Social Research (SFI)

Note: The employment rate for people with disabilities includes supported employment.

210. For people with disabilities the seasonally adjusted employment rate was 46.2 percent in 2010 and 43.9 percent in 2012. For people without disabilities the employment rate was 77.2 percent in 2010 and 77.5 percent in 2012. Due to the sample size there is a statistical uncertainty associated with the results.

Initiatives

211. The starting point of the employment enhancement measures for people with disabilities is that they receive the same measures as other unemployed on the basis of the unemployed person's needs and individual challenges. If a person's disability is a barrier to obtain employment, there are certain special possibilities in the legislation which can be initiated as a supplement to the ordinary employment enhancement measures. Such measures may include a personal assistant in order to ensure a focused aid to the particular person with disabilities.

212. Besides the initiatives already mentioned in the report to the Committee on the Rights of Persons with Disabilities in 2011, the incumbent Government has e.g. launched additional relevant initiatives.

213. The Government has completed several comprehensive reforms that in different ways support the intention that more people with disabilities must be included in the labor market.

214. One of the results of the Reform of the Incapacity Benefits and Flex Jobs is that the most vulnerable persons on the labor market receive new measures and help to get further on in life. At the same time the flex job-system is especially focused on persons with a very limited ability to work. In this context, the Government has set aside 465 million Danish kroner in last year's budget in order to create more flex jobs.

215. An essential part of the Reform of Cash Benefits (includes persons on cash benefits /social assistance) is to support unemployed persons who, due to social or health problems, have difficulties finding a job or completing an education. The main goal of the Reform is that no one should be left to themselves and that everyone should have access to the help

and support they need in order to get employed or get an education and become self-supporting.

216. For example, persons who are hospitalized with a psychiatric disease will have a right to be assigned a 'discharge coordinator'. The right of a discharge coordinator exists before, during and after the person has been discharged from hospital. The coordinator will help to restore and support a normal everyday life with home, family, finances, networking and work. In addition to this, opportunities for mentoring have been strengthened and targeted those unemployed who need it the most.

217. An Action Plan for the Danish Government's disability policy was published in 2013. The Action Plan supports the coordination and prioritization of disability, including implementation of the Convention on the Rights of Persons with Disabilities.

218. The Action Plan will help to ensure more people with disabilities in both education and employment. The plan includes the following three visions:

- The Government works towards a society that respects diversity and where people with disabilities are included as citizens in all social communities;
- The Government works towards a society that supports people with disabilities to achieve greater self-determination, participation and responsibility for their own lives;
- The Government works towards a society where the focus is on the individual's resources and how people with disabilities are supported to achieve their full potential.

219. In addition to this, the Government has launched an analysis of the active employment measures for the unemployed. An important part of this investigation – conducted by an expert group – is a particular focus on citizens who are further away from the labor market. Following this analysis, the Government will consider further initiatives that will support the opportunities of marginalized citizens, including people with disabilities.

Adequate standard of living and social protection (art. 28)

Reply to the issues raised in paragraph 33 of the list of issues

220. Persons with severe injuries can be granted a public disability pension that is non-contributory. Persons with disabilities may apply for disability pension or public assistance on an equal basis with others if their functional impairment renders them unable to support themselves and their families.

221. On 1st January 2013 the reform of disability pensions was implemented. From 1st January 2013 the disability pensions system has changed. For instance, people under the age of 40 in general will no longer be granted disability pension, unless it is evident that they will never be able to take up work again. The primary tool is a new rehabilitation model. Instead of disability pension, people with substantially reduced work capacity will be offered individually tailored rehabilitation and support measures for up to 5 years.

222. Awarding of disability pension requires prior participation in at least one rehabilitation program and young people can participate in additional rehabilitation programs successively. Those people, for whom it is evident, that they will never be able to work again, are exempted from a rehabilitation program and must still be granted disability pension regardless of age.

Participation in political and public life (art. 29)

Reply to the issues raised in paragraph 34 of the list of issues

223. Electors who on account of disability, poor health or for similar reasons are unable to access a polling station or voting booth or in any other way are unable to vote in the prescribed way may, under the Danish Parliamentary Elections Act, the European Parliament Elections Act and the Local and Regional Government Elections Act, request the assistance needed to cast their vote.

224. In the sessional year 2008/09, the Danish parliament passed new rules in the election legislation, i.e. the Parliamentary Elections Act, the European Parliament Elections Act and the Local and Regional Government Elections Act, on assistance in voting on Election Day and at advance voting, which entered into force on 1 April 2009. Under these rules all voters in need of assistance in voting may demand a person of their own choice to provide such assistance together with a polling supervisor, an appointed elector or an advance vote recipient. No voter is obliged to obtain assistance in voting. In addition, voters in need of guidance regarding the content of the ballot paper or instruction on the procedure of voting may request such.

225. The rules on assistance in voting were also presented in Denmark's initial state report to the Committee on the Rights of Persons with Disabilities of 24 August 2011. There have not been any amendments to the rules subsequently.

226. The rules on assistance in voting allow persons with disabilities to request the assistance needed to cast their vote and thereby to exercise their right to vote and participate in political life. All voters in need of assistance in voting may request it, also persons with intellectual or psychological disabilities. To ensure that the voter is not exposed to undue influence, thus guaranteeing that people in need of voting assistance can vote without intimidation and are free to express their will as voters, a polling supervisor, an appointed elector or an advance vote recipient must be present, when assistance is being provided to the voter by a person of the voter's own choice. If a voter does not wish to appoint a personal assistant but requests assistance in voting, the assistance will be provided by two polling advisors, appointed electors or advance vote recipients to ensure the same purpose.

C. Specific obligations

Statistics and data collection (art. 31)

Reply to the issues raised in paragraph 35 of the list of issues

Implementation of documentation

227. Statistics Denmark has established a documentation project to collect information about municipal activities and their effects. The project is monitored by a steering committee and a working group that include Local Government Denmark (KL), Danish Regions and the Ministry of Finance.

228. The system collects basis information that can be used for status updates once a year. The work is ongoing in relation to deciding which indicators will be ready for publication. The documentation project is at a good start, but takes time to implement in all municipalities. Statistics Denmark will publish the data reported in the system in August 2014, while aggregated data at national level will be published in the fall of 2014.

Indicators and benchmark implementation of the Convention

229. The Danish Institute for Human Rights and the Danish National Center for Social Research are cooperating on identifying indicators to give a status and overview on the Danish implementation of the Convention. It is the ambition to use the indicators to focus on the significant challenges for persons with disability. The indicators will be measured on an outcome level.

230. There is also appointed an advisory group that consists of representatives from Danish interest groups, the relevant ministries and the Danish Parliamentary Ombudsman.

Greenland

231. According to the Greenlandic legislation on assistance and benefits to persons with disabilities, the local authorities must send statistical information to the Greenlandic Ministry of Family and Justice, as the local authorities is fully competent to give assistance and pay benefits to persons with disabilities. The local authorities have recently introduced an IT system for data collection on assistance and benefits to persons with disabilities, but are still feeding data into the IT system. Thereafter the collection of data will rest on a detailed and valid basis.

Faroe Islands

232. Statistics Faroe Islands collect and publish information regarding housing and help-at-home to persons with disabilities. Pensions and benefits to persons with disabilities are also collected and published each year. Recently published Census data, collected in 2011 and based on the whole of the population, gives information on disability and education, and accessibility in workplaces for persons using wheelchairs.

233. The national centre for social service is currently implementing an IT-system to improve data collection in general, including data regarding persons with disabilities.

234. The Ministry of Social Affairs has initiated collection of data from Faroese interest groups, regarding citizen contact and public use of interest groups. Among those are the two major interest groups concerning persons with disabilities.

International cooperation (art. 32)**Reply to the issues raised in paragraph 36 of the list of issues**

235. Danish development cooperation aims to achieve two equally important and interdependent aims: to reduce poverty and promote human rights. The point of departure is a human rights-based approach to development cooperation based on the internationally agreed commitments and resting on the principles of non-discrimination, participation and inclusion, transparency and accountability, cf. the strategy *The Right to a Better Life*. Part of this entails working to ensure that the rights of the most vulnerable and marginalized population groups are respected. These overall principles guide Denmark in our dialogue with development partners at national and international level as well as our concrete development engagements.

236. The Strategy for Danish Support to Civil Society in Developing Countries (2008), specifically mentions persons with disabilities as a target group. The Policy for Danish Support to Civil Society (May 2014) succeeded the strategy and builds on the human rights-based approach to Danish development assistance enshrined in the overall development strategy *The Right to a Better Life*. In the introductory chapter to the Policy for Danish Support to Civil Society, reference is made to the Charter of the United Nations,

the Universal Declaration of Human Rights and the United Nations' nine core conventions. Again, the policy mentions persons with disabilities as a target group.

National implementation and monitoring (art. 33)

Reply to the issues raised in paragraph 37 of the list of issues

237. The overall objective of the Ministries' Disability Committee (previously the Inter-ministerial Committee of Civil Servants on Disability Matters) is to help create a coherent disability policy effort in line with government goals and visions, including the coherence of government initiatives. The Committee is also acting as a forum for dealing with cross-cutting challenges, network building and knowledge sharing on current disability policy issues, including the continued implementation of the Convention on the Rights of Persons with Disabilities. Finally, the Committee provides a forum for dialogue with stakeholders and actors in civil society around the current disability policy issues.

238. The Committee's tasks are:

- To support a coherent disability policy which is based on sector responsibility, but which also supports the coordination, coherence and cooperation between sectors;
- To follow the implementation of the Government's recently launched action plan for the disability area;
- To facilitate cross-cutting interventions in different sectors and at different levels of implementation of the United Nations Convention (cf. art. 33.1) in the central administration;
- To share knowledge on specific tasks in order to create a joint management of cross-cutting issues, including non-discrimination;
- To cooperate with stakeholders and civil society concerning disability policy initiatives;
- To create contacts across ministries to help solve tasks for the government on disability matters.

239. Denmark has a sector responsibility principle, which means that the public sector providing services or a product is responsible for ensuring that the service is accessible to people with disabilities. Because of that all ministries are part of the committee. As the coordinating ministry on disability matters, the Ministry of Children, Gender Equality, Integration and Social Affairs acts as Chairman of the Committee.

240. To contribute with new perspectives in its work and provide inspiration for thematic discussions the committee may invite external stakeholders, including consumer organizations in the disability sector, to make presentations on relevant thematic priorities. The Committee may also choose to undertake relevant professional visits in Denmark, to inspire the interdisciplinary work.

Greenland

241. The Ministry of Family and Justice is in a process of establishing an inter-ministerial committee which will include all relevant ministries in the Greenlandic Government.

242. More specifically, in relation to article 33 paragraphs 1, it is the Ministry of Family and Justice who shall designate one or more focal points within government for matters relating to the implementation of the present Convention, and shall give due consideration to the establishment or designation of a coordination mechanism within government to facilitate related action in different sectors and at different levels.

243. As for paragraph 2, of the same article, the Ministry of Family and Justice is currently considering how the monitoring task will be established. There is a dialogue between the ministry, the Danish Institute for Human Rights, and the Greenland Counsel for Human Rights on how the monitoring task shall be organized, for the implementation of the Convention on the Rights of Persons with Disabilities in Greenland. The thought is to use the model of construction, based on the Paris Principles. The Paris Principles were adopted by the General Assembly in its resolution 48/134 of 20 December 1993.

244. The Government of Greenland established in 2009 The Knowledge and Advice Centre on Disability (IPIS). The Centre will accumulate, increase and communicate knowledge on disability through personal channels, data bases, books, conferences etc. Also, the Centre will offer advice to interested parties and establish networks for citizens and employees. IPIS will be one who will fulfill the role for the 3rd paragraph in the article.

Faroe Islands

245. The Prime Minister's Office of the Faroe Islands has initiated a process to examine how the obligations stated in article 33 of the Convention can be upheld in the Faroe Islands.

246. As a first step, a focal point will be established within the government. The focal point is expected to be established within the next few months. As part of the process due consideration will be given to the establishment or designation of a coordination mechanism to facilitate related action in different sectors and at different levels.
