



Office for Democratic Institutions and Human Rights

**Information Submitted to the
Office of the United Nations High Commissioner for
Human Rights
as a Stakeholder in the
Universal Periodic Review of Denmark**



WARSAW, 22 JUNE 2015

OSCE/ODIHR Submission of Information about an OSCE participating State or Partner for Co-operation under consideration in the Universal Periodic Review Process

Participating/Partner State: Denmark

UPR Session and Date of Review: 24th Session, January-February 2016

Background

Denmark is a participating State in the Organization for Security and Co-operation in Europe (OSCE) and has thus undertaken and has recently reaffirmed a wide range of political commitments in the “human dimension” of security as outlined in relevant OSCE documents.¹ The OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) has been mandated by OSCE participating States, including Denmark, to assist them in implementing their human dimension commitments. OSCE/ODIHR assistance includes election observation and assessment activities as well as monitoring and providing assessments, advice and recommendations relating to implementation of commitments in the fields of human rights, democracy, tolerance and non-discrimination, and the situation of Roma and Sinti in the OSCE area. The present submission provides publicly available country-specific information that may assist participants in the Universal Periodic Review process in assessing the situation in Denmark and its implementation of past recommendations, as well as to formulate new recommendations that may be relevant to enhancing the enjoyment of human rights and fundamental freedoms.

Election-related activities

In anticipation of early parliamentary elections to be held on 18 June 2015, the OSCE/ODIHR undertook a Needs Assessment Mission (NAM) to Denmark from 5 to 8 May 2015. According to the NAM report “all interlocutors expressed a high level of confidence in all aspects of the electoral process. Since the last elections, no new issues have been identified pertaining to the conduct of elections that would benefit from an assessment by the OSCE/ODIHR. Only issues of party and campaign finance were noted by some OSCE/ODIHR interlocutors, which could benefit from an external review. Based on this, the OSCE/ODIHR NAM did not recommend deploying an election-related activity for the upcoming early parliamentary elections”. See at <http://www.osce.org/odihr/elections/denmark/161261>

Legislation reviewed by ODIHR

NTR

Tolerance and non-discrimination issues, including incidents of and responses to hate crime

OSCE participating States have made a number of commitments to promote tolerance and non-discrimination and specifically to combat hate crime, and the OSCE/ODIHR supports states in their implementation of those commitments. In this context, the OSCE/ODIHR reports annually on hate crimes, incidents and responses in the OSCE region– to highlight the prevalence of hate crimes and good practices that participating States and civil society have adopted to tackle them. It also helps participating States to design and draft legislation that

¹ Compendium of OSCE Human Dimension Commitments, vol 1 and 2; Astana Commemorative Declaration, 2010.

effectively addresses hate crimes; provides training that builds the capacity of participating States' criminal justice systems and the law-enforcement officials, prosecutors and judges that staff them; raises awareness of hate crimes among governmental officials, civil society and international organizations; and supports the efforts of civil society to monitor and report hate crimes. Information concerning Denmark in OSCE/ODIHR's most recent hate crime reporting cycle (2013)² includes the following:

Information from the Danish authorities

For ODIHR's 2013 reporting cycle, the National Point of Contact for Denmark submitted a completed questionnaire and reported that 110 hate crimes were recorded by the police. No information on hate crime prosecutions or sentencing decisions was submitted to ODIHR. Specifically, official police figures recorded 59 racist and xenophobic crimes, out of which 17 were physical assaults, six cases of vandalism, and 36 cases of threatening behavior and harassment; 10 anti-Semitic hate crimes; 17 hate crimes motivated by bias against Muslims; three hate crimes motivated by anti-Christian bias; and 24 hate crimes motivated by bias against LGBT, out of which 11 were physical assaults, 2 cases of vandalism, and 11 cases of threatening behavior and harassment.. These data are collected by the Danish National Police and the Office of the Director of Public Prosecutions, and hate crime statistics are regularly published.³ Denmark also conducts regular victimization surveys to measure unreported hate crime.

It was also reported that hate crimes are an area of focus in the Danish prosecution service's 2012-2015 strategy. Training for prosecutors, lawyers and judges on the identification and prosecution of hate crimes is conducted annually by the Director of Prosecutions. As of 2014, training on hate crimes is being introduced as a mandatory part of the curriculum for police officers. The Danish authorities also informed ODIHR that in September 2013, the government launched a national anti-discrimination unit that is currently carrying out a comprehensive mapping of hate crimes, their victims and perpetrators. A number of key indicators are being developed to measure the current situation, and the results are expected to be submitted to ODIHR during its 2014 reporting cycle, due to be released in November 2015.

Information from civil society organizations and groups and intergovernmental organizations

Additionally, ODIHR sent requests for information on hate crime incidents in Denmark to inter-governmental organizations and to international and local civil society organizations and groups. In terms of incidents based on anti-Semitism, AKVAH reported three physical assaults, including one assault against an elderly Jewish man resulting in serious injury and in which several of his teeth were knocked out, and a series of desecrations of graves in which gravestones were overturned.

Starting with its 2012 reporting cycle, ODIHR introduced a system of key observations for all countries, based on OSCE Ministerial Commitments related to hate crime recording and monitoring. For its 2013 reporting cycle, ODIHR made the following observation in relation to Denmark: 'ODIHR observes that Denmark has not reported on the numbers of prosecuted cases or information on sentenced hate crime cases to ODIHR.'

²<http://hatecrime.osce.org/denmark>

³ <https://www.pet.dk/Publikationer/RACI-indberetning.aspx>

Roma and Sinti issues

The 2013 Status Report on the Implementation of the Action Plan on Improving the Situation of Roma and Sinti in the OSCE Area points out that Denmark is one of the Western European countries that have signed bilateral readmission agreements and has started repatriating Roma, Ashkali and Egyptians to Kosovo. See full report at <http://www.osce.org/odihr/107406>

Country-specific ODIHR monitoring, assessment, co-operation and assistance activities (other than elections)

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Other assessments and recommendations contained in ODIHR reports on thematic human issues

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