



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues prior to submission of the combined second and third periodic reports of Denmark*

1. Where not otherwise stated, the responses to the questions in each part of the present list of issues should include information in respect of Denmark and the self-governed territories within the Kingdom, namely Greenland and the Faroe Islands, as relevant.

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

2. Please provide information on:

(a) Measures to ensure the incorporation of the Convention so that it is applicable as law in the State party, including in Greenland and the Faroe Islands (CRPD/C/DNK/CO/1, para. 13), and to raise awareness among public authorities and in society about the human rights model of disability and the State party's obligations under the Convention;

(b) Measures to revise and repeal discriminatory or retrogressive legislation on the rights of persons with disabilities in all areas.

(c) Measures taken to prepare and adopt new cross-sectoral human rights-based national disability action plans, including information about targets, indicators and budget allocation at all levels, the effective involvement of organizations of persons with disabilities towards the adoption of such plans, and plans to ensure cooperation across sectors with regard to mainstreaming disabilities in legislation, public policies and practices;

(d) Legally binding frameworks and formal mechanisms to ensure close consultation with and the active involvement of organizations of persons with disabilities in decision-making processes concerning the implementation and monitoring of the Convention, including in preparatory studies about new legislation, the amendment of laws and public policies.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

3. Please provide information on:

(a) The scope of application of Act No. 688 of 2018 on the prohibition of discrimination on the grounds of disability and measures taken in Greenland and the Faroe Islands to prohibit disability-based discrimination on all the grounds set forth in the

* Adopted by the Committee at its twenty-first session (11 March–5 April 2019).



Convention and to recognize the denial of reasonable accommodation and lack of accessibility as forms of discrimination in all areas of life;

(b) Measures taken to revise current legislation on insurance to repeal discriminatory provisions concerning premiums and health, life, travel and home contents insurance coverage for persons with disabilities, and to ensure equal access to disability-related entitlements, including compensation to cover additional costs of disability regardless of age or eligibility for the national pension scheme;

(c) Available remedies and redress, including the right of persons with disabilities to lodge complaints and seek reparations and compensation in cases of disability-based discrimination, and on measures to expand the mandate of the Board of Equal Treatment to all forms of multiple and intersectional discrimination. Please also provide statistics on the number and percentage of claims of discrimination on the basis of disability, disaggregated by sex, age, barriers identified and the sector in which discrimination occurred, and on the available remedies and redress, including compensation.

Women with disabilities (art. 6)

4. Please provide information on measures to:

(a) Ensure that gender and disability perspectives are included in legislation and policies throughout the State party, in all spheres covered by the Convention, and that legislation and policies effectively address risk and marginalization factors specific to women and girls with disabilities. Please indicate how the voices of women and girls with disabilities (including any organizations of women with disabilities) are heard and given due consideration in public decision-making;

(b) Address intersectional and multiple forms of discrimination against women and girls with disabilities, in particular those with intellectual or psychosocial disabilities, and to ensure their full development, advancement and empowerment, including through affirmative actions.

Children with disabilities (art. 7)

5. Please provide information on:

(a) General legislation, public policies and programmes to uphold all rights of children with disabilities, including programmes for early development, support for inclusion in their communities and the provision of alternative means of communication;

(b) National strategies for the protection of the rights of asylum-seeking or refugee children with disabilities, including data disaggregated by age, sex and ethnic background among other factors;

(c) Progress to support and facilitate family-based care and efforts to strengthen the foster care system, as measures to prevent the institutionalization of children with disabilities who cannot stay with their families;

(d) Measures taken to ensure that all children with disabilities have support to express their views, and that their views are given due weight, in accordance with their age and maturity, in decision-making processes that affect them, and on measures to promote the establishment of organizations of children with disabilities and involve them in public decision-making processes.

Awareness-raising (art. 8)

6. Please provide information on:

(a) Awareness-raising strategies undertaken by the Danish Disability Council to combat stereotypes, stigmatization and discrimination against persons with disabilities, in particular against persons requiring high levels of support, and on the extent to which organizations of persons with disabilities across the State party are involved in the design, implementation, monitoring and evaluation processes of awareness-raising programmes;

(b) Measures taken to conduct periodic, regular and continuous campaigns targeted at public officials and private actors regarding the rights of persons with disabilities under the Convention, including in the mass media and on the Internet.

Accessibility (art. 9)

7. Please provide information on:

(a) The legislation and policies of municipalities and local authorities and their compliance with article 9 of the Convention;

(b) Comprehensive plans to ensure the accessibility of the physical environment, transportation and information and communications technologies, and on the respective goals, time frames, budget and sanctions for cases of non-compliance. Please indicate measures to ensure standardization of all train station platforms with reference to Commission Regulation (EU) No. 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility;

(c) The accessibility of all forms of transportation, including by sea and air, and the digital accessibility of public services in Greenland, and on measures to monitor the accessibility of the physical environment, transportation, information and communications in Greenland and the Faroe Islands;

(d) Accessibility requirements in all public procurement agreements;

(e) Funding and guidance to guarantee full access to facilities and services open or provided to the public, including schools, residences, restaurants and bathing beaches, and to promote research and education on accessibility through universal design;

(f) The accessibility of websites and digital communications, including mobile applications used by municipalities, in compliance with the Web Content Accessibility Guidelines, and on complaint mechanisms to ensure the enforcement of accessibility standards.

Right to life (art. 10)

8. Please report on measures to protect the right to life of persons with disabilities, in particular to prevent situations of destitution of children and adults with disabilities who have been institutionalized, and to ensure that all decisions regarding medical treatment in life-threatening situations are based on informed consent.

Situations of risk and humanitarian emergencies (art. 11)

9. Please provide information on:

(a) Measures taken to ensure that disaster risk reduction measures, especially the relevant alert systems and protocols, are fully inclusive, take into consideration the situation and requirements of persons with hearing impairments and are in line with the Sendai Framework for Disaster Risk Reduction 2015–2030;

(b) Steps taken to ensure that persons with disabilities and their representative organizations are meaningfully informed about and consulted on strategies, plans and protocols for disaster risk reduction and emergencies, and that they actively participate at all stages during their development, implementation and monitoring.

Equal recognition before the law (art. 12)

10. Please provide information on:

(a) Measures taken to repeal restrictions on legal capacity on the basis of actual or perceived impairment under the Guardianship Act (Consolidation Act No. 1015 of 20 August 2007), and to promote supported decision-making mechanisms in all areas of life;

(b) Measures to ensure that persons with disabilities have access to individualized support in decision-making, and that such support respects their individual autonomy, will and preferences;

(c) Trends regarding the number of guardianships issued and the number of persons with disabilities who have regained legal capacity since the ratification of the Convention by the State party.

Access to justice (art. 13)

11. Please provide information on:

(a) Measures taken in the justice system to provide persons with disabilities with procedural and age-appropriate accommodations, including as witnesses, in all legal proceedings;

(b) Measures to ensure access to legal aid for and representation of persons with disabilities in all areas of law, including the application of anti-discrimination, civil and criminal law, in administrative proceedings and in bringing complaints concerning social security entitlements;

(c) Capacity-building activities in the justice sector in relation to the rights of persons with disabilities under the Convention. Please explain how persons with disabilities and their representative organizations are involved in the planning and conducting of training on disability rights for police and prison officers.

Liberty and security of the person (art. 14)

12. Please report on:

(a) Measures taken to prevent the deprivation of liberty and involuntary treatment on the basis of disability, in particular that of persons with psychosocial disabilities, by means of somatic health care, as set out in Act No. 655 of 2017;

(b) Measures to review the act on the use of coercion in psychiatry (consolidation Act No. 1160 of 29 September 2015) to repeal the use of forced admission to hospitals and forced treatment for all persons with disabilities, particularly children below the age of 15;

(c) Measures to repeal provisions in the Criminal Codes of Denmark and Greenland declaring persons with disabilities unfit to plea and depriving them of their liberty in the context of criminal procedure;

(d) Statistics, disaggregated by sex and age, regarding persons with disabilities under coercive treatment and sentenced to forensic psychiatric treatment, and on measures to halt forensic psychiatric treatment.

13. Please provide information on measures taken to oppose the adoption of the draft additional protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, entitled “The protection of human rights and dignity of persons with mental disorder with regard to involuntary placement and involuntary treatment”.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

14. Please provide information on:

(a) Measures taken to completely abolish and prohibit the use of coercion and of physical restraints and the forced medication of persons with disabilities, including children with disabilities, in mental health-care settings and psychiatric institutions. Please inform the Committee about efforts made to ensure the availability of data and information regarding the treatment of children in such institutions to enable monitoring and evaluation and thus address violations of their rights that are consequences of coercion;

(b) Persons with disabilities who have been subject to coercion in psychiatric treatment, on the involuntary ambulatory treatment of persons with psychosocial disabilities since 2014;

(c) Measures to prevent involuntary treatment of persons with psychosocial disabilities, including ambulatory treatment, and measures taken to provide training to medical and non-medical staff on non-violent and non-coercive methods of treatment.

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

15. Please provide information on:

(a) Measures taken to prevent and protect persons with disabilities, in particular women and girls with disabilities, from all forms of exploitation, violence and abuse, and to ensure access to effective recovery, rehabilitation and social integration services and programmes;

(b) Measures to ensure equal protection in law for persons with disabilities in cases of rape and to eliminate differences in criminal sanctions for such offences;

(c) The number of complaints that have been received and relevant decisions that have been adopted concerning violence against and the exploitation or abuse of persons with disabilities, disaggregated by age and gender.

Protecting the integrity of the person (art. 17)

16. Please provide information on measures to review and amend the citizen-controlled personal assistance system, especially in the area of home-based supervision, which, according to information received by the Committee, is perceived by persons with disabilities to be “exceedingly intrusive and intimidating” due to such factors as round-the-clock supervision. Please also provide information about the legislative framework to prevent forced sterilization and forced abortion, and any reported cases of such practices.

Liberty of movement and nationality (art. 18)

17. Please provide information on the legislative framework applicable to family reunification for refugees, and indicate whether disability is recognized among the criteria for family reunification beyond the family unit.

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

18. Please provide information on measures taken to:

(a) Recognize the individual right of persons with disabilities to live independently and to be included in the community, and to ensure that they can freely make choices regarding their living arrangements, including in living areas and facilities that are currently under the control of public authorities and not open to the public;

(b) Prevent the development of institutionalized living environments, including measures to end the building of and investment in large-scale closed institution-like residences (CRPD/C/DNK/CO/1, para. 43);

(c) Repeal sections in the Consolidation Act on Social Services of 2015, as amended in 2017, that permit the forced relocation of persons with disabilities to assisted living facilities, thus denying them the opportunity to choose their place of residence;

(d) Provide persons with disabilities with individualized support for independent living based on individual assessments at the municipal level, with disaggregated data about access to personal assistance and in-kind or in-cash forms of support, including personal budgets;

(e) Adopt strategies and allocate resources to ensure accessible housing for persons with disabilities in all housing sectors in the Faroe Islands.

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

19. Please provide information on:

(a) Measures taken to promote the learning and use of Danish Sign Language, to recognize Braille as official written script, and to establish a Braille council for promoting, preserving and enhancing the knowledge and use of Braille (CRPD/C/DNK/CO/1, paras. 45 and 47);

(b) Measures taken to provide Easy Read information and other accessible information;

(c) Measures taken to recognize and promote the use of augmentative and alternative modes of communication and to ensure that the standards applicable to such forms of communication are known and applied.

Respect for privacy (art. 22)

20. Please report on measures to amend the act on the use of coercion in psychiatry, in line with the Committee's recommendations (CRPD/C/DNK/CO/1, para. 51).

Respect for home and the family (art. 23)

21. Please provide information on measures taken to provide appropriate support for parents with disabilities in the exercise of their parental responsibilities, to ensure that no child is separated from his or her parents because of an impairment of either the child or one or both of the parents, and to prohibit discrimination in adoption procedures based on disability. Please report on measures taken to support parents of children with disabilities when their child turns 18.

Education (art. 24)

22. Please provide information on:

(a) Measures taken to include all children with disabilities in the inclusive education system, including in compulsory education, and to provide the required support and accommodation, in particular for autistic children and children requiring high levels of support;

(b) Steps taken to train teachers and other members of school staff and to equip them with inclusive education skills, methodological knowledge and expertise to facilitate access by pupils with disabilities to inclusive education, and on the human, technical and financial resources provided to schools, including in Greenland and the Faroe Islands;

(c) Measures to tackle the low educational outcomes of persons with disabilities, including in vocational training;

(d) The number and percentage of children with disabilities with access to inclusive quality education, disaggregated by age and sex, type of impairment, type of school and municipality;

(e) Awareness-raising and the effective dissemination of the Committee's general comment No. 4 (2016) on the right to inclusive education among professionals, in close partnership with representative organizations of persons with disabilities.

Health (art. 25)

23. Please provide information on:

(a) Measures to improve access to health facilities and services used by persons with disabilities, including sexual and reproductive health-care services and cervical cancer screening for women with disabilities, women with cerebral palsy and women with intellectual disabilities;

(b) Measures to reduce the high mortality rates among persons with psychosocial disabilities, including through early detection and health checks;

(c) Measures to ensure coverage of hearing aid treatment by the health-care system;

(d) Measures taken to meet the transport requirements of persons with disabilities in accessing health-care facilities and to provide emergency facilities for persons with psychosocial disabilities in the Faroe Islands.

Habilitation and rehabilitation (art. 26)

24. Please provide information about efforts to ensure the availability of habilitation and rehabilitation services for persons with disabilities in the Faroe Islands and improvements in the quality of rehabilitation services and the availability of specialized staff in the State party.

Work and employment (art. 27)

25. Please provide:

(a) Information on measures taken to significantly increase the percentage of persons with disabilities working in the open labour market in Greenland and to close the employment gap for persons with disabilities;

(b) Information on measures to combat prejudices preventing persons with disabilities from accessing the labour market;

(c) Statistics and data for the reporting period under review, comparable on an annual basis, on the status of persons, with or without disabilities, with regard to unemployment, underemployment and multiple employment, and on persons not currently involved in any form of education, employment or training, disaggregated by sex, age, ethnicity, urban or rural residence and family status.

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

26. Please provide information on:

(a) The early retirement reform under Act No. 574 of 2014 amending the Act on Social Pensions and any impact assessments carried out on persons with disabilities under the age of 40 for accessing early retirement pension;

(b) Measures adopted to grant non-contributory pensions to persons with disabilities, including those who require more intensive support;

(c) Assessments of the impact that the ceiling on entitlements provided under the social security system has had on the living conditions of persons with disabilities, including information on disproportionate impact in relation to type of impairment, gender and age;

(d) Persons with disabilities who have been awarded early retirement pensions since the entry into force of the early retirement pension regime; on the household income levels of persons with disabilities, compared with those of the general population since 2014; and on persons with disabilities receiving compensation under the Danish unemployment insurance scheme, in the form of disaggregated data.

Participation in political and public life (art. 29)

27. Please also report on measures to ensure effective participation in electoral processes and the full accessibility of voting processes, including the use of Easy Read across the State party and particularly in Greenland and the Faroe Islands.

Participation in cultural life, recreation, leisure and sport (art. 30)

28. Please provide information on the plans to adopt a national strategy to promote and protect the right to leisure, sports and cultural activities in an inclusive manner, and on measures in place to make cultural institutions such as theatres, museums and cinemas accessible to persons with disabilities.

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

29. Please provide information on:

(a) Measures to ensure sufficient and permanent funding for carrying out the Survey of Health, Impairment and Living Conditions and to introduce data collection systems concerning the situation of children with disabilities under the age of 16 and persons with disabilities over the age of 64;

(b) Measures taken to systematically collect, analyse and disseminate data on persons with disabilities, and on how data are disseminated at all levels of government, including in Greenland and the Faroe Islands.

International cooperation (art. 32)

30. Please provide information on measures to include organizations of persons with disabilities in decision-making processes relating to international cooperation at the international and regional levels, on policies on development support for developing countries and on the resources available for organizations of persons with disabilities to become partners in projects in developing and least developed countries.

31. Please describe measures taken to include the disability rights-based approach outlined in the 2030 Agenda for Sustainable Development and its target indicators in the development policy of the State party.

National implementation and monitoring (art. 33)

32. Please provide information on:

(a) The mandate and public reports of the State party's Interministerial Committee and on the formal mechanisms to coordinate the implementation of the Convention at the national and local levels;

(b) Measures taken to establish a focal point and a coordination mechanism to implement the Convention and an independent monitoring framework for the Convention in the Faroe Islands;

(c) Legally binding frameworks and formal mechanisms for involving persons with disabilities and organizations of persons with disabilities in the independent monitoring framework for the Convention, and on the support available for organizations of persons with disabilities to foster and bring about effective change with regard to the monitoring of the Convention;

(d) Any measures taken by the State party to implement or amend legislation, policies and practices concerning the rights of persons with disabilities following the recommendations and findings of the independent monitoring framework;

(e) Measures taken to strengthen the Danish Institute for Human Rights so that it may effectively and independently discharge its mandate in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).
