



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### Concluding observations on sixth periodic report of Denmark\*

1. The Committee considered the sixth periodic report of Denmark (E/C.12/DNK/6) at its 44th and 45th meetings (see E/C.12/2019/SR.44 and 45), held on 8 and 9 October 2019, and adopted the present concluding observations at its 60th meeting, held on 18 October 2019.

#### A. Introduction

2. The Committee welcomes the timely submission of the sixth periodic report by the State party as well as the supplementary information provided in the replies to the list of issues (E/C.12/DNK/Q/6/Add.1). The Committee appreciates the constructive dialogue held with the State party's large interministerial delegation, which included representatives of the governments of the Faroe Islands and Greenland, and the additional written information provided after the dialogue.

#### B. Positive aspects

3. The Committee welcomes the legislative, institutional and policy measures taken by the State party to enhance the level of protection of economic, social and cultural rights in the State party, as referred to in the present concluding observations. It notes in particular the new human rights-based strategy for the State party's development policy and humanitarian action, the 2013 Act on equality between men and women passed by the parliament of Greenland and the establishment in 2014 of the Social Housing Association in the Faroe Islands.

#### C. Principal subjects of concern and recommendations

##### The Covenant in the domestic legal order

4. The Committee is concerned that, despite the Committee's previous recommendation (E/C.12/DNK/CO/5, para. 5), the rights of the Covenant are still not given full effect in the State party, as certain economic, social and cultural rights are not recognized in the Constitutional Act of Denmark. The Committee is also concerned that the Covenant has not been incorporated in the domestic legal order. The Committee notes the statement by the State party that its courts and authorities interpret the national rules in such a way as to avoid conflict with the State party's international obligations (art. 2 (1)).

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\* Adopted by the Committee at its sixty-sixth session (30 September–18 October 2019).



5. **The Committee reiterates its recommendation that the State party take the necessary measures to give full effect to economic, social and cultural rights, as enshrined in the Covenant, in its domestic legislation and to ensure their justiciability. In this regard, the Committee recommends that, in view of the lack of constitutional recognition of several economic, social and cultural rights, the State party reconsider its position and incorporate the provisions of the Covenant in domestic law, which would provide a basis for the direct invocation of the Covenant rights by individuals in national courts. The Committee refers the State party to its general comment No. 9 (1998) on the domestic application of the Covenant.**

6. While noting the statement by the delegation that a thorough assessment of draft laws is carried out before their introduction before Parliament, the Committee is concerned at the number of laws recently adopted by the State party, as raised in the present concluding observations, which are inconsistent with its obligations under the Covenant (art. 2 (1)).

7. **The Committee recommends that the State party ensure that effective mechanisms, such as the interministerial human rights committee, (a) scrutinize the compliance of draft laws with its Covenant obligations; (b) assess the impact of laws and policies on economic, social and cultural rights; and (c) monitor the implementation of recommendations made by the Committee and other human rights mechanisms. The Committee encourages the State party to consider integrating the related actions in a human rights action plan.**

#### **Reservation to article 7 (d)**

8. The Committee regrets that steps have not been taken to withdraw the State party's reservation to article 7 (d) of the Covenant, made at the time of ratification in 1972. The reservation appears not to be necessary, as public holidays are paid in the State party.

9. **The Committee reiterates its recommendation that the State party review its reservation to article 7 (d) of the Covenant with a view to withdrawing it.**

#### **Statistical data in Greenland and the Faroe Islands**

10. The Committee regrets the lack of statistical data on the enjoyment of the Covenant rights in Greenland and the Faroe Islands (art. 2 (2)).

11. **The Committee recommends that the State party develop appropriate indicators on the implementation of economic, social and cultural rights and collect data thereon in order to better facilitate the assessment of progress achieved in Greenland and the Faroe Islands. In this context, the Committee refers the State party to, inter alia, the conceptual and methodological framework on human rights indicators developed by the Office of the United Nations High Commissioner for Human Rights (HRI/MC/2008/3).**

#### **Retrogressive measures affecting refugees and migrants**

12. The Committee is concerned at the numerous retrogressive measures adopted by the State party, as indicated in the present concluding observations, which have directly and indirectly curtailed the rights of refugees and migrants. The Committee is concerned that certain measures have not been necessitated by a reduction in available resources or the implementation of an austerity programme, and disproportionately affect groups that are already disadvantaged and marginalized (art. 2 (1)).

13. **The Committee recommends that, in the implementation of the new political agreement entitled "A fair direction for Denmark", the State party reverse the retrogressive measures taken that do not meet the criteria of necessity, proportionality, temporariness and non-discrimination, which are elaborated in the Committee's letter dated 16 May 2012 on austerity measures.**

#### **Development assistance and cooperation**

14. The Committee commends the State party for meeting the official development assistance target of 0.7 per cent of gross national income over several decades and welcomes

the announcement by the delegation of the intention to double the amount to be proposed to Parliament for its contribution to the Green Climate Fund. However, the Committee regrets the lack of clarity as to whether the contribution would be over and above the current level of official development assistance (art. 2 (1)).

**15. The Committee recommends that the State party ensure that its contribution to the Green Climate Fund is over and above the current level of official development assistance and is not to the detriment of development assistance in other areas.**

#### **National human rights institution (Faroe Islands)**

16. The Committee regrets that the State party has not acted on the recommendations made by the task force appointed in 2017 on models of national human rights institutions that would suit Faroese society (art. 2 (1)).

**17. The Committee recommends that the State party expedite the establishment of a human rights institution in the Faroe Islands, with a mandate covering all the Covenant rights and that is compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).**

#### **Business and human rights**

18. While noting the mandate of the Mediation and Complaints-handling Institution for Responsible Business Conduct established pursuant to Act No. 546 of 2012, the Committee is concerned that the State party's legal and other regulatory framework does not impose an obligation of human rights due diligence on companies domiciled in its jurisdiction (art. 2 (1)).

**19. The Committee recommends that the State party adopt a legal and other regulatory framework that:**

- (a) Requires business entities to exercise human rights due diligence in their operations and in their business relationships, at home and abroad;**
- (b) Holds business entities liable for violations of economic, social and cultural rights;**
- (c) Enables victims to seek remedies through judicial and non-judicial mechanisms in the State party.**

**20. The Committee encourages the State party to include those elements in its second national action plan on business and human rights. It refers the State party to its general comment No. 24 (2017) on State obligations under the International Covenant on Economic, Social and Cultural Rights in the context of business activities.**

#### **Non-discrimination**

21. The Committee notes that various specific acts protect against discrimination in different areas in the State party. At the same time, the Committee is concerned at the remaining gaps in the State party's anti-discrimination legal framework, including the lack outside the labour market of prohibition of discrimination on grounds such as sexual orientation and gender identity, age and religion, as well as the lack of a legal obligation to ensure accessibility and provide reasonable accommodation for persons with disabilities (art. 2 (2)).

**22. The Committee reiterates its recommendation calling on the State party and its self-governing territories to adopt comprehensive anti-discrimination legislation prohibiting differential treatment that is directly or indirectly based on prohibited grounds of discrimination and that affects the enjoyment, on an equal footing, of the Covenant rights, in the absence of a reasonable and objective justification. Moreover, the Committee recommends that the State party ensure accessibility and impose a duty to provide reasonable accommodation for persons with disabilities in the public and private sectors. The Committee refers the State party to its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.**

23. The Committee is deeply concerned that laws that impose differential treatment on grounds such as national origin, social status and residence, many of which are raised in the present concluding observations, have been adopted in the State party in contravention of its obligations under international human rights treaties and its Constitution (art. 2 (2)).

24. **The Committee urges the State party to undertake a comprehensive review with a view to repealing legislative provisions and revising policies that discriminate or lead to discrimination, whether formal or substantive, in relation to the exercise and enjoyment of the Covenant rights. In this regard, the Committee recalls that any differential treatment based on prohibited grounds should be reasonable and objective, which requires an assessment as to whether the aim and effects of the measures or omissions are legitimate, compatible with the nature of the Covenant rights and solely for the purpose of promoting the general welfare in a democratic society (general comment No. 20, para. 13).**

#### **Refugees**

25. While noting the positive impact of initiatives such as the basic integration education programme, the Committee is concerned that some laws recently adopted by the State party have eroded the economic, social and cultural rights of refugees. They include Act No. 102 of 2016, which imposes different conditions for family reunification for some refugees; Act No. 174 of 2018, which introduces the policy of temporary stay for refugees in the State party and no longer requires municipalities to provide them with permanent housing; and Act No. 729 of 2019, which restricts entitlement to free interpretation in health services (arts. 2 (2), 10 and 12).

26. **The Committee recommends that the State party:**

(a) **Align the conditions for family reunification for all refugees with the obligation to provide the widest possible protection and assistance to the family;**

(b) **Ensure that refugees have secure residence status, and discontinue the practice of providing short-term residence permits of different durations to different categories of persons in need of international protection;**

(c) **Reinstate the obligation for the State party's authorities to provide refugees with permanent housing;**

(d) **Ensure that refugees have adequate access to health-care services, including by providing free interpretation or reimbursement of transportation costs, as needed.**

27. **More generally, the Committee encourages the State party to continue its work to ensure the effective integration of refugees into society with a focus on education and the labour market, as well as the social inclusion of refugees, in consultation with organizations providing support to them.**

#### **Equality between men and women**

28. The Committee is concerned that, despite the legal requirement to have balanced gender representation on the boards of the large-scale companies and initiatives such as the "Lead the Future" campaign, the proportion of women elected to company boards in 2017 was only 15.9 per cent, while 43 per cent of such companies did not have any women on their board (art. 3).

29. **The Committee recommends that the State party collect data and information on the development of gender balance among managers in all sectors, identify where the gaps are and take measures, including temporary special measures, to increase women's representation in corporate management.**

30. While acknowledging the State party's achievements in addressing gender stereotypes by providing paternity and parental leave, the Committee is concerned that only 10 per cent of shared parental leave is taken by fathers, and that women still bear the primary responsibility for childcare and housework (art. 3).

31. **The Committee recommends that the State party conduct comprehensive time-use surveys to identify where and to what extent the gap exists between men and women, and intensify its efforts towards equal sharing of responsibilities between men and women in their balancing of work and family life. The Committee refers the State party to its general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights.**

#### **Gender wage gap**

32. The Committee notes with concern that the gender wage gap is wider among high earners in the State party. The Committee notes the comment by the delegation that the difference may be attributable to the lack of bodies, such as trade unions, negotiating remuneration on behalf of employees at higher echelons in companies. The Committee is also concerned about the significant gender wage gap in Greenland and regrets the lack of information on the gender wage gap in the Faroe Islands (arts. 3 and 7).

33. **The Committee recommends that the root causes of the gender wage gap among high earners be included in the research to be undertaken by the National Centre for Social Research. It also recommends that specific measures, such as transparency of remuneration and cross-sectoral valuation of jobs, be implemented in the State party and its self-governing territories to ensure the effective realization of the right to equal pay for work of equal value. The Committee refers the State party to paragraphs 11 to 17 of its general comment No. 23 (2016) on the right to just and favourable conditions of work.**

#### **Right to just and favourable conditions of work**

34. While noting that conditions of work, including remuneration and paid holidays, are defined in collective agreements, the Committee is concerned at the conditions of work of the 20 per cent of the workforce that is not covered by such agreements. In this regard, the Committee notes with concern the information from the State party regarding the precarious working conditions for workers in the freight transport sector who, due to the mobile nature of their work, are not able to engage in collective action. The Committee is also concerned that the lack of statutory minimum standards with regard to conditions of work could lead to different conditions across sectors. Furthermore, while noting that industrial action is indicated by the State party as a protective measure for workers not covered by collective agreements, the Committee is still concerned that it is not sufficient to guarantee protection to individual workers (arts. 7 and 8).

35. **The Committee recommends that the State party legislate on conditions of work, such as remuneration, rest and paid leave, so as to guarantee that minimum standards are applicable to all workers, including those that are not covered by collective agreements, such as workers in the transportation sector. The Committee refers the State party to its general comment No. 23.**

#### **Right to social security**

36. While noting the State party's achievements in developing a strong and comprehensive welfare state, the Committee is concerned at exceptions, such as the strict residence requirement of 7 out of the past 12 years in the State party or another European Union or European Economic Area country for unemployment benefit, which effectively discriminates against migrant workers from non-European countries in the enjoyment of the right to social security (arts. 2 (2) and 9).

37. **The Committee recommends that, when reviewing the unemployment benefit scheme, the State party ensure that the qualifying conditions are reasonable and proportionate and that disadvantaged groups, such as migrant workers, are adequately covered. The Committee refers the State party to its general comment No. 19 (2007) on the right to social security.**

38. The Committee is concerned that the amount of the integration benefit to which individuals not eligible to receive unemployment benefit are entitled is set at a level below the welfare benefit, thus not allowing beneficiaries to realize their Covenant rights. The

Committee is concerned that instead of encouraging employment, the scheme has prevented beneficiaries from taking up integration opportunities, thereby exacerbating their marginalization (arts. 2 (1) and 9).

39. **The Committee recommends that the State party:**

(a) **Conduct an assessment of the impact of the introduction of the integration benefit (self-supporting and return benefit, as of 2020) on the right to an adequate standard of living and other Covenant rights of the beneficiaries;**

(b) **Amend or abolish the integration benefit so as to ensure the equal right to welfare benefits;**

(c) **Ensure that social security benefits, irrespective of recipients, are set at levels that ensure that beneficiaries can enjoy the right to an adequate standard of living, allowing them to enjoy their Covenant rights.**

40. **The Committee refers the State party to paragraphs 22 and 42 of general comment No. 19.**

41. The Committee notes that payment of disability pension was not suspended for eligible individuals before the entry into force of the 2012 Reform of the Disability Pension and Flexi-job Scheme, as the relevant provisions apply only to new enrolments. The Committee is nonetheless concerned that persons with disabilities might be forced to take up work. The Committee regrets that it has not received information on the assessment of the impact of the Scheme on recipients since its introduction in 2012 (art. 9).

42. **The Committee recommends that the State party assess the impact of the 2012 Reform of the Disability Pension and Flexi-job Scheme on the right to work, to an adequate standard of living and to social security, in consultation with representatives of persons with disabilities. The Committee refers the State party to its general comment No. 19.**

#### **Sexual violence**

43. The Committee notes with concern the information concerning the high incidence of sexual violence, including rape, in the State party, and at the lack of reliable statistical data thereon. It is further concerned at the inadequacy of legal provisions relating to rape and at the very low rate of prosecution of sexual violence (arts. 3, 10 and 12).

44. **The Committee recommends that, in the planned legal reform of criminal law, the State party:**

(a) **Incorporate the element of consent in the legal definition of rape;**

(b) **Address barriers to reporting, investigation and prosecution of sexual violence, including by strengthening the capacity of the police, prosecutors and judges on the relevant criminal provisions and gender-sensitive investigations of sexual violence;**

(c) **Systematically collect and generate disaggregated data in order to be able to understand the nature and scope of sexual violence in the State party;**

(d) **Strengthen preventive measures, including through wide awareness-raising campaigns targeting society at large and through school education.**

#### **Poverty**

45. While noting the State party's record on combating poverty, the Committee regrets that the State party had abolished the national poverty threshold. It is concerned at the increasing number of children living in poverty, in the wake of the social security reforms which introduced, among other elements, a "graduation principle" in relation to child benefits, which applies only to certain groups. The Committee is also concerned at the number of children affected by poverty in remote settlements in Greenland (arts. 9 and 11).

46. **Noting the State party's intention to reintroduce a national poverty threshold, the Committee recommends that the State party ensure that:**

- (a) **The national poverty threshold enables households to enjoy an adequate standard of living and other Covenant rights;**
- (b) **The temporary child benefit effectively reaches the households in need;**
- (c) **The groups, other than children, that have been disproportionately affected by social security reforms are identified and that mitigating measures targeting them are introduced;**
- (d) **The commission on the benefits system to be established to propose ways to better address child poverty also makes recommendations regarding the qualifying conditions and the form in which the benefits are to be provided so as to uphold the principles of human dignity and non-discrimination.**

#### **Right to adequate housing**

47. The Committee is concerned that the number of homeless persons in the State party had significantly increased since the examination of its fifth periodic report. The Committee is also concerned at the criminalization of begging and at the instances of criminalization of homeless people (art. 11).

48. **The Committee recommends that, in the context of the implementation of the 2018–2021 Action Plan against Homelessness, the State party:**

- (a) **Increase the capacity of shelters for homeless people and remove administrative barriers to accessing them;**
- (b) **Invest in measures that provide long-term solutions and support the social reintegration of homeless people;**
- (c) **Repeal the legal provisions criminalizing conducts associated with situations of poverty and of deprivation of the right to adequate housing, such as begging and rough sleeping.**

49. The Committee expresses concern at the shortage of affordable housing in the State party, which is exacerbated by the growing trend in property acquisition by private investors who, under the 1996 Act on Temporary Regulation of Housing Conditions, are authorized to increase rents up to the “value of the rented dwelling” (art. 11).

50. **The Committee recommends that the State party increase the stock of affordable housing units. It also recommends that the research to be undertaken on the scope and effect of housing regulation also (a) consider the impact of existing legislation on the affordability of housing, especially for disadvantaged and marginalized groups; (b) identify appropriate means to prevent unreasonable rent levels or rent increases; and (c) assess the adequacy of the amount of and eligibility requirements for housing benefits. The Committee refers the State party to its general comment No. 4 (1991) on the right to adequate housing.**

51. While appreciating that the law amending the Social Housing Act, the Social Housing Rent Act and the Rent Act (known as L38) seeks to address residential segregation and enhance social cohesion in the State party, the Committee is concerned that it infringes upon rights such as the freedom of residence and the liberty of parents to choose their children’s school. The Committee is also concerned that the law is discriminatory as it introduces the categorization of areas as “ghettos”, defined by the proportion of residents from “non-Western” countries. Thus it not only results in discrimination based on ethnic origin and nationality, but also further marginalizes those residents. In addition, the law provides for the doubling of sentences for crimes committed in “increased punishment zones”. Furthermore, the Committee is concerned that rather than providing for support, the law introduces sanctions, such as the withdrawal of child benefit if parents do not enrol their children in mandatory language programmes or develop their Danish language skills at home (arts. 2 (2), 10 and 11).

52. **The Committee urges the State party to adopt a rights-based approach to its efforts to address residential segregation and to enhance social cohesion. In this regard, it recommends that the State party:**

- (a) **Remove the definitional element of a “ghetto” with reference to residents from “non-Western” countries, a discriminator on the basis of ethnic origin and nationality;**
- (b) **Assess the impact of the “ghetto package” on affected communities;**
- (c) **Remove the coercive and punitive elements of the L38 law;**
- (d) **Repeal all provisions that have a direct or indirect discriminatory effect on refugees, migrants and residents of the “ghettos”;**
- (e) **Identify, in meaningful consultation with the concerned communities, the support needed to facilitate their integration;**
- (f) **Ensure that evictions and rehousing respect human rights standards.**

#### **Right to adequate housing in Greenland**

53. The Committee is concerned at the lack of affordable housing, including social housing, in Greenland and at reports that a high number of forced evictions are carried out due to unpaid rent, and at the resulting homelessness (art. 11).

54. **The Committee recommends that the State party:**

- (a) **Take measures to increase the availability of affordable housing, including by accelerating the renovation of vacant public housing units to make them habitable;**
- (b) **Ensure that housing subsidies are made available to disadvantaged households;**
- (c) **Ensure that its legislation provides the greatest possible security of tenure to tenants and that, in cases where evictions are justified, procedural protections are afforded and adequate alternative accommodation is provided.**

55. **The Committee refers the State party to its general comment No. 4 and to paragraph 15 of its general comment No. 7 (1997) on forced evictions.**

#### **Mental health**

56. The Committee is concerned at reports that coercive measures are used in mental health institutions, possibly not as a last resort, contrary to the provisions of the Consolidated Act No. 1160 of 2015. The Committee is also concerned that coercive measures can be used on children under 15 years of age without their consent (art. 12).

57. **The Committee reiterates the recommendations made by the Human Rights Committee on reducing the recourse to coercive measures in mental health institutions (CCPR/C/DNK/CO/6, para. 26), and calls on the State party to incorporate them in the 10-year plan for the development of Danish psychiatry. The Committee also recommends that adequate procedural safeguards and standards for children under 15 years of age be guaranteed in the review of the provisions of the Psychiatric Act relating to minors.**

58. The Committee is concerned that the rate of suicide among young people is higher in Greenland than in Denmark and regrets the lack of information on measures taken by the State party to address the situation (art. 12).

59. **The Committee calls on the State party to strengthen its efforts aimed at combating suicide in Greenland. It also recommends that the State party assess whether the services available for the prevention of suicide are effective and are accessible to individuals and groups who are at risk of suicide. The Committee requests that information on measures taken in this regard in Greenland, as well as on mental health generally, including on the coverage of ambulatory services, be included in the State party’s next periodic report.**

#### **Sexual and reproductive health**

60. The Committee is concerned that, according to the State party, only a third of seventh grade pupils have received sex education. It is also concerned that the majority of teachers

have not received adequate training to deliver sexual and reproductive health and sexuality courses (arts. 12 and 13).

**61. The Committee recommends that the State party provide age-appropriate, evidence-based, scientifically accurate comprehensive education for all on sexual and reproductive health and sexuality, including on consent in sexual relations. It also recommends that adequate pedagogical programmes for their teaching be developed.**

#### **Child, antenatal and maternal health**

62. The Committee is concerned at the negative impact on children's and pregnant women's right to health of the restrictions on free health care for individuals in irregular situations (arts. 10 and 12).

**63. The Committee recalls that the State party has a duty to respect the right to health by ensuring that all persons, including migrants, have equal access to preventive, curative and palliative health services, regardless of their legal status and documentation. The Committee thus recommends that the State party remove the restrictions on access to free health care by children and women in irregular situations. The Committee refers the State party to its 2017 statement on duties of States towards refugees and migrants under the Covenant (E/C.12/2017/1).**

#### **Intersex children**

64. The Committee is concerned that the definition of "disorders (differences) of sex development" in the State party's legislation does not contain all elements of the definition of "intersex". It is also concerned at reports that medically unnecessary procedures continue to be performed on intersex children (arts. 10 and 12).

**65. The Committee recommends that, in the implementation of the 2018–2021 National Action Plan on lesbian, gay, bisexual, transgender and intersex persons, the State party:**

(a) **Replace in its legislation the concept of "disorders (differences) of sex development" with a definition of intersex person in which differences in sex characteristics include genitals, gonads and chromosome patterns;**

(b) **Ensure that, in practice, medically unnecessary procedures on the sex characteristics of intersex children are not performed until the children are capable of forming their own views and can give their informed consent;**

(c) **Train health-care personnel on the health needs and human rights of intersex persons, including their right to autonomy and physical integrity;**

(d) **Ensure that, in addition to the information material for parents of intersex children to be published by the Danish Health Authority, intersex persons and their families receive adequate counselling and support, including from peers;**

(e) **Identify and investigate human rights violations against intersex persons in the context of the examination of the living conditions of intersex persons to be conducted in 2020;**

(f) **Ensure that intersex persons and organizations continue to be consulted and participate in the development of research, legislation and policies that impact on their rights.**

#### **Right to education**

66. The Committee is concerned that education outcomes for children from disadvantaged socioeconomic backgrounds remain lower than for the rest of the population, in spite of the measures taken by the State party, such as the facilitation of their access to high-quality day care, which provides an environment that helps develop their language skills. It is also concerned that refugee children are not automatically enrolled in school (art. 13).

**67. The Committee recommends that the State party continue to monitor the impact of initiatives aimed at reducing the impact of children's socioeconomic backgrounds on**

**their education outcomes, and adopt corrective measures as required. It also calls on the State party to immediately extend the provision of free education to refugee children, irrespective of their residence status. The Committee refers the State party to its general comment No. 13 (1999) on the right to education.**

68. The Committee notes that the State party's policy on bilingual education restricts access to students of European backgrounds only. It is concerned that the State party's approach to mother-tongue instruction differentiates between European-origin children and others, a concern that has been raised in the past by the Committee on the Elimination of Racial Discrimination. The Committee questions this discriminatory policy in integrating minorities and foreign-born students in the mainstream education system (art. 13).

**69. The Committee requests that the State party include in its next periodic report statistical data on the percentage of bilingual children from non-Western backgrounds or foreign-born students compared to the percentage of Danish-born students leaving primary school with results that qualify them to proceed to higher education.**

#### **Cultural rights**

70. The Committee is concerned that the 2003 Supreme Court ruling on the Thule tribe is in breach of the very essence of the right to self-identification (art. 15).

**71. The Committee reiterates its recommendation that the State party respect the right of the Thule tribe and other indigenous communities to self-identification and protect other elements of their culture, beyond the linguistic rights recognized in Act No. 7 of 2010 on language policy.**

72. The Committee regrets the lack of information on the State party's policy to ensure that disadvantaged and marginalized groups and individuals fully enjoy their right to take part in cultural life, as recommended by the Committee in 2013 (art. 15).

**73. The Committee requests the State party to include in its next periodic report information on recent policies that have helped marginalized groups have the freedom to enjoy certain cultural rights and religious expressions that are symbols of ethnic minorities, for example wearing a headscarf for Muslim women or a turban or a kirpan for Sikhs.**

#### **D. Other recommendations**

74. The Committee recommends that the State party consider ratifying the **Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.**

75. The Committee recommends that the State party take fully into account its obligations under the Covenant and ensure the full enjoyment of the rights enshrined therein in the implementation of the 2030 Agenda for Sustainable Development at the national level. Achievement of the Sustainable Development Goals would be significantly facilitated by the State party establishing independent mechanisms to monitor progress and treating beneficiaries of public programmes as rights holders who can claim entitlements. Implementing the Goals on the basis of the principles of participation, accountability and non-discrimination would ensure that no one is left behind. In this regard, the Committee draws the State party's attention to its statement on the pledge to leave no one behind (E/C.12/2019/1).

76. The Committee requests that the State party disseminate the present concluding observations widely at all levels of society, including at the national, provincial and municipal levels, in particular among parliamentarians, public officials and judicial authorities, and that it inform the Committee in its next periodic report about the steps taken to implement them. The Committee encourages the State party to engage with the Danish Institute for Human Rights, non-governmental organizations and other members of civil society in the follow-up to the present concluding observations and in the process of consultation at the national level prior to the submission of its next periodic report.

77. In accordance with the procedure on follow-up to concluding observations adopted by the Committee, the State party is requested to provide, within 24 months of the adoption of the present concluding observations, information on the implementation of the recommendations contained in paragraphs 13 (retrogressive measures affecting refugees and migrants), 17 (national human rights institution in the Faroe Islands) and 19 (business and human rights).

78. The Committee requests the State party to submit its seventh periodic report by 31 October 2024. For that purpose, and in view of the fact that the State party has agreed to report to the Committee under the simplified reporting procedure, the Committee will, in due course, transmit to the State party a list of issues prior to reporting. The State party's replies to that list of issues will constitute its seventh periodic report under article 16 of the Covenant.

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