

Universal Periodic Review
(24th session, January-February 2016)
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III - F, J, K, and P)

Denmark

I. BACKGROUND AND FRAMEWORK

Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

I.1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education (1960)	State party to this Convention	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education (1989)	Not state party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	25/07/1979 Ratification	<i>Declared not to be bound by the provisions of Article 16(1)</i>	N/A	Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	30/10/2009 Approval	<i>Until further notice, the Convention shall not apply to the Faroe Islands</i>	N/A	Right to take part in cultural life

Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)	18/12/2006 Ratification			Right to take part in cultural life
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II. INPUT TO PART III. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS, TAKING INTO ACCOUNT APPLICABLE INTERNATIONAL HUMANITARIAN LAW TO ITEMS F, J, K, AND P

Right to education

1. NORMATIVE FRAMEWORK

1.1. Constitutional Framework

1. The cornerstone of the Danish constitution is *Danmarks Riges Grundlov* (The **Constitutional Act of the Kingdom of Denmark**) of 5 June 1953.¹ This is the result of developments in constitutional law that began in 1849 with the introduction of a bicameral parliament, with human rights guaranteed by the Constitution. Today Denmark has a unicameral system. The Constitution has not been changed since 1953, but by way of legislation and treaties far-reaching changes have been made in the constitutional legal structure. According to **Section 76** (on compulsory schooling) “all children of school age shall be entitled to free instruction in primary schools. Parents or guardians making their own arrangements for their children or wards to receive instruction equivalent to the general primary school standard shall not be obliged to have their children or wards taught in a publicly provided school.” “**Section 70** of the Constitution contains a prohibition of differential treatment on grounds of religious faith and ethnic origin. This regulation makes it impossible to prohibit the foundation and running of free basic schools which are religiously based”.²

1.2. Legislative Framework

¹ <http://www.unesco.org/education/edurights/media/docs/5ab4f4577ee04eb3905f7bbc7427dea50a077c63.pdf>, Last accessed on 27/01/2015

² Denmark Report submitted for the seventh consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2000-2005), 2006, p. 9

➤ **Early Childhood Education**

2. The legal provisions regarding nurseries and kindergartens are laid down in the **2007 Act on Day-care and After School Activities for Children and Young People**.³

3. The Early Childhood Education legislative framework is also composed of the⁴:

- **Consolidation Act on Denmark's Evaluation Institute (EVA) of 15 September 2010** (Bekendtgørelse af lov om Danmarks Evalueringsinstitut (EVA));
- **Order on Act on Day-Care, After-School and Club Facilities etc. for Children and Young People (Day-Care Facilities Act) of 29 October 2013** (Bekendtgørelse af lov om dag-, fritids- og klubtilbud m.v. til børn og unge (dagtilbudsloven)).

➤ **Primary and Lower secondary Education**

4. The **Act on the Folkeskole** (Ministry of Education Consolidation Act No. 55 of 17 January 1995) and subsequent amendments, defines the framework of the comprehensive primary and lower secondary school system, i.e. from the pre-school class to the tenth form level. In 2003, a **new Act on the Folkeskole**⁵ came into effect introducing several amendments. The main purpose has been to strengthen pupils' subject knowledge and skills without affecting their personal development.⁶ According to the Folkeskole Act, "It shall be the responsibility of the municipal council to ensure all children in the municipality free education in the Folkeskole" (Section 2). In addition, "Any child resident in this country shall be subject to compulsory education ([...]). [...]" (Section 32). According to Section 34 (1) "The compulsory education shall commence on 1 August of the calendar year of the child's 7th birthday, and it shall terminate on 31 July, when the child has received regular instruction for 9 years, not including the pre-school class." This Act also contains provisions on pre-school education, teachers and expenditures in relation to the Folkeskole.

5. "**Act No. 313 of 19 April 2006** introduced compulsory final examination at the end of 9th form in the Folkeskole. The change was made to ensure that all young people have a good academic foundation when they leave the Folkeskole. [...] The introduction of compulsory final

³ Eurydice, Denmark, Early Childhood Education and Care, https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Denmark:Early_Childhood_Education_and_Care, Last accessed on 27/01/2015

⁴ <https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Denmark:Legislation>, Last accessed on 27/01/2015

⁵ <http://www.unesco.org/education/edurights/media/docs/db4e18f1f260d4ef8ea9ca6e1d4e08d4532fc083.pdf>, Last accessed on 27/01/2015

⁶ IBE, World Data on Education, sixth edition, 2006-2007, Denmark, p. 4, http://www.ibe.unesco.org/fileadmin/user_upload/archive/Countries/WDE/2006/WESTERN_EUROPE/Denmark/Denmark.pdf, Last accessed on 27/01/2015

examinations means that all students in the Folkeskole have to take seven examinations by the end of the 9th form.”⁷

6. The Primary and Lower secondary Education legislative framework is also composed of the⁸:

- **Regulation on the use of Tests in the Folkeskole of 26 October 2009** (Bekendtgørelse om anvendelse af test i folkeskolen mv.);
- **Regulation on continuation schools etc. of 22 June 2011** (Bekendtgørelse af lov om efterskole, husholdningsskoler og håndarbejdsskoler);
- **Act on revision of the Act on Folkeskole – inclusion of pupils with special needs in the ordinary teaching of 28 April 2012** (Lov om ændring af lov om folkeskolen, lov om friskoler og private grundskoler m.v. og lov om folkehøjskoler, efterskoler, husholdningsskoler og håndarbejdsskoler (frie kostskoler) - Inklusion af elever med særlige behov i den almindelige undervisning og tilpasning af klagereglerne til en mere inkluderende folkeskole m.v.);
- **Consolidation Act on Youth Schools of 4 April 2014** (Bekendtgørelse af lov om ungdomsskoler (ungdomsskoleloven));
- **Act on revision of the Act on Folkeskole of 28 April 2014** (Lov om ændring af lov om folkeskolen og forskellige andre love);
- **Consolidation Act on the Folkeskole of 20 June 2014** (Bekendtgørelse af lov om folkeskolen (folkeskoleloven));
- **Regulation on Digital Pupil Appraisal Plans of 23 June 2014** (Bekendtgørelse om krav til digitale elevplaner i folkeskolen);
- **Consolidation Act on Private Schools etc. of 13 August 2014** (Bekendtgørelse af lov om friskoler og private grundskoler m.v.);
- **Regulation on Final Examinations of the Folkeskole of 15 September 2014** (Bekendtgørelse om folkeskolens prøver).

➤ Upper Secondary Education

7. **Act No. 791 of 24 July 2008 on the Gymnasium** regulates general upper secondary education provided in gymnasia. Provisions concerning higher preparatory examination courses at the upper secondary education level are included in **Act no. 445 of 8 May 2007** on the higher preparatory examination.⁹

⁷ The Development of Education, National report of Denmark by the Ministry of Education submitted for the 48th ICE, 2008, p. 9, http://www.ibe.unesco.org/National_Reports/ICE_2008/denmark_NR08.pdf, Last accessed on 27/01/2015

⁸ <https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Denmark:Legislation>, Last accessed on 27/01/2015

⁹ The Development of Education, National report of Denmark by the Ministry of Education submitted for the 48th ICE, 2008, p. 25, http://www.ibe.unesco.org/National_Reports/ICE_2008/denmark_NR08.pdf, Last accessed on 27/01/2015

8. The Upper Secondary Education legislative framework is also composed of¹⁰:

- **Consolidation Act on Institutions Providing Upper Secondary Education etc. of 8 August 2011** (Bekendtgørelse af lov om institutioner for almengymnasiale uddannelser og almen voksenuddannelse m.v.);
- **Consolidation Act on vocational education of 29 April 2013** (Bekendtgørelse af lov om erhvervsuddannelser);
- **Act on study competent examination (eux) of 1 September 2014** (Bekendtgørelse af lov om studiekompetencegivende eksamen i forbindelse med erhvervsuddannelse (eux) m.v.).

➤ Vocational Education and Training

9. “In the second half of the 2000s, vocational education and training (VET) was regulated by the **Act on Vocational Education and Training No. 561 of 6 June 2007**, the **Regulation on Vocational Education and Training No. 1518 of 13 December 2007**, and the **Act on Institutions providing VET No. 136 of 1 March 2006**. (NEA, 2008). [...] The **Act on Open Education of December 1993** [Consolidated by the Consolidation Act on Open Education (Vocationally oriented Adult Education), LBK nr 952 of 02/10/2009]¹¹ started to regulate vocationally- and professionally-oriented part-time courses and single-subject studies for adults at vocational colleges and higher education institutions. The **new Act on Vocational Education and Training No. 510 of 19 May 2010** has revised the previous Act of 2007. This Act covers the entire initial VET (IVET) system, providing among others overall objectives as well as more specific frameworks concerning access, the form and content of programmes, the appointment of advisory committees, the role of enterprises offering apprenticeship placements, and students’ legal rights. Vocational colleges are regulated by the **new Act on Institutions for Vocational Education and Training No. 951 of 2 October 2009**. Among other provisions, this Act concerns frameworks for the authorization of vocational colleges, their governing boards, state subsidies, budgetary and accounting practices, monitoring and notification duties, intra-institutional cooperation and consultancy. The **Statutory Order regarding Vocational Education and Training No. 901 of 9 July 2010** translates this legislative framework into a more concrete set of rules.”¹²

➤ Higher Education

¹⁰ <https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Denmark:Legislation>, Last accessed on 27/01/2015

¹¹ Eurydice, Denmark, Legislation, <https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Denmark:Legislation>, Last accessed on 27/01/2015

¹² IBE, World Data on Education, seventh edition, 2010-2011, Denmark, pp. 3-4, http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Denmark.pdf, Last accessed on 27/01/2015

10. “The current legislative framework for the study programmes at universities is the **Act on Universities No. 1368 of 7 December 2007** which contains general provision regarding the general structure of programmes. [...] The **Ministerial Order No. 250 of 15 March 2007** introduced a seven-point grading scale for student assessment in university education. The **Ministerial Order No. 18 of 14 January 2008** includes provisions relating to doctoral degree programmes, supplemented by other provisions formulated by the individual faculties in each of their respective areas. (Eurydice, 2009/10).

11. Short- and medium-cycle non-university education programmes are regulated by the **Act No. 207 of 31 March 2008** on vocational academy and professional bachelor’s degree programmes. For institutions placed under the Ministry of Education, this Act provides the medium-cycle non-university higher education programmes with a common framework. The purpose of the new legislation has been to improve the possibilities of developing the quality of the existing programmes and to develop new programmes in order to respond to the changing needs of the employment market. (*Ibid.*).

[...] The **Act on Tertiary Artistic Education Institutions No. 889 of 21 September 2000** applies to self-governing and state institutions providing training in the arts (including fine and visual arts, architecture, music, theatre, and design) and operating under the auspices of the Ministry of Culture.”¹³

12. The Higher Education legislative framework is also composed of the¹⁴:

- **Regulation on doctoral degrees of 14 August 1996** (Bekendtgørelse om doktorgrader);
- **Act on the Accreditation institution for higher educational programmes of 27 March 2007** (Lov om Akkrediteringsinstitutionen for videregående uddannelser);
- **Regulation on PhD programmes at universities of 14 January 2008** (Bekendtgørelse om ph.d.-uddannelsen ved universiteterne);
- **Act on academy profession programmes and professional bachelor programmes of 12 June 2009** (Lov om erhvervsakademiuddannelser og professionsbacheloruddannelse);
- **Regulation on academy profession programmes and professional bachelor programmes of 29 June 2009** (Bekendtgørelse om erhvervsakademiuddannelser og professionsbacheloruddannelser);
- **Act on Academies of Professional Education for higher education of 8 September 2009** (Bekendtgørelse af lov om erhvervsakademier for videregående uddannelser);
- **Act on changing of act on higher education art educational institutions under the Ministry of Culture of 16 December 2009** (Lov om ændring af lov om videregående kunstneriske uddannelsesinstitutioner under Kulturministeriet);

¹³ IBE, World Data on Education, seventh edition, 2010-2011, Denmark, pp. 4-5, http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Denmark.pdf, Last accessed on 27/01/2015

¹⁴ <https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Denmark:Legislation>, Last accessed on 27/01/2015

- **Regulation on bachelor and master programmes at the universities of 29 June 2010** (Bekendtgørelse om bachelor- og kandidatuddannelser ved universiteterne);
- **Regulation on exams and censorship at university programmes of 1 July 2010** (Bekendtgørelse om eksamen og censur ved universitetsuddannelser);
- **Regulation on the Act on Denmark's Evaluation Institute (EVA) of 15 September 2010** (Bekendtgørelse af lov om Danmarks Evalueringsinstitut);
- **Regulation on the Bachelor of Education of 8 March 2013** (Bekendtgørelse om uddannelsen til professionsbachelor som lærer i folkeskolen);
- **Regulation on the law on the state's educational grant of 15 January 2014** (Bekendtgørelse af lov om statens uddannelsesstøtte (SU-loven));
- **Regulation on the Bachelor in Social Education of 6 March 2014** (Bekendtgørelse om uddannelsen til professionsbachelor som pædagog);
- **Act on amendment on the Act on Universities and different other acts of 25 June 2014** (Lov om ændring af universitetsloven og forskellige andre love);
- **Consolidation Act on universities of 14 August 2014** (Bekendtgørelse af lov om universiteter (universitetsloven)).

➤ **Adult Education**

13. “Continuing education for adults (AVU courses) is regulated by the **Act on General Adult Education No. 311 of 30 April 2008**. According to the Act, the aim of general adult education is to make it possible for adults to improve or supplement their general knowledge and skills and to strengthen their prerequisites for active participation in a democratic society. Adult vocational training programmes (i.e. short vocational training programmes mainly for low skilled and skilled workers on the labour market) are regulated by the **Act on Adult Vocational Training Programmes of 2003** further revised by the **Act No. 190 of 18 March 2008**. According to the Act, the aim of the training programmes is, among others, to maintain, develop and improve participants’ vocational qualifications and competences in accordance with the needs of the labour market. The further education system is regulated by the **Act on Vocationally-oriented Basic and Advanced Education for Adults**. [...]”¹⁵

14. “On 10 April 2003 the Danish Parliament adopted the **Act on Guidance in Relation to Choice of Education, Training and Career**. In accordance with this Act, a comprehensive restructuring of guidance services in the educational system was initiated. The purpose of the guidance reform has been to create a simpler and more transparent guidance system which facilitates access to high-quality professional guidance. The main target group of the reform is

¹⁵ IBE, World Data on Education, seventh edition, 2010-2011, Denmark, p. 5, http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Denmark.pdf, Last accessed on 27/01/2015

children and young people up to the age of 25, but also adults seeking enrolment in a programme of higher education are included.”¹⁶

15. The Adult Education legislative framework is also composed of the¹⁷:

- **Regulation on Act on master programmes at the universities of 7 December 2009** (Bekendtgørelse om masteruddannelser ved universiteterne (masterbekendtgørelsen));
- **Consolidation Act on Preparatory Adult Education of 19 April 2011** (Bekendtgørelse af lov om forberedende voksenundervisning (FVU-loven));
- **Act on Adult Vocational Training (AMU) of 4 September 2013** (Bekendtgørelse af lov om almen voksenuddannelse og om anerkendelse af realkompetence i forhold til fag i almen voksenuddannelse, i hf-uddannelsen og i uddannelsen til studentereksamen (avu-loven));
- **Consolidation Act on Adult Vocational Training Courses of 4 April 2014** (Bekendtgørelse af lov om arbejdsmarkedsuddannelser);
- **Consolidation Act on Open Education (Vocationally oriented Adult Education) of 4 April 2014** (Bekendtgørelse af lov om åben uddannelse (erhvervsrettet voksenuddannelse));
- **Consolidation Act of vocationally-oriented basic education and higher education for adults of 1 June 2014** (Bekendtgørelse af lov om erhvervsrettet grunduddannelse og videregående uddannelse (videreuddannelsessystemet) for voksne).

➤ **Private schools**

16. “The educational legislation of the private independent schools (“free basic schools”) is a manifestation of the spirit and tradition of liberty that is prevalent in Danish educational matters. [...] Many schools in Denmark are founded on an ethnic and religious basis, traditionally different from the Danish ones.”¹⁸ They are regulated by **Act no. 891 of 8 July 2007 on private independent schools etc.** and **Act No. 702 of 30 June 2008 on subsidies to private independent schools etc.**¹⁹

➤ **Special Education**

¹⁶ Denmark Report submitted for the seventh consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2000-2005), 2006, p.20

¹⁷ <https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Denmark:Legislation>, Last accessed on 27/01/2015

¹⁸ Denmark Report submitted for the seventh consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2000-2005), 2006, p.9

¹⁹ The Development of Education, National report of Denmark by the Ministry of Education submitted for the 48th ICE, 2008, p. 18, http://www.ibe.unesco.org/National_Reports/ICE_2008/denmark_NR08.pdf, Last accessed on 27/01/2015

17. The **Act 564 of 6 June 2008 on education for young people with special needs** “addresses primarily young persons, who are mentally handicapped or persons with special needs, who are not able to complete the mainstream education program for young people.”²⁰

➤ **Others**

18. ”An **Act on representative democracy in the education system** was adopted by the Danish Parliament in 2000 and came into effect on 1 January 2001. [...] The act strengthens and renders visibly the *formal framework of representative democracy in the education system*, which is considered to be a central starting point for establishing and strengthening a democratic culture.”²¹ According to this Act, education shall seek to develop the interest and the prerequisites for active participation in a democratic society. The legislation ensures that education in the principles of democracy takes place at all levels. The new Act also enables students to exert more direct influence on the daily school life, through student representation in the councils and committees that deal with matters of interest to them. The Ministry of Education also set up councils on several areas of education with the representation of pupils, students and other interest groups.

19. “According to **Act No. 166 of 14th March 2001 on the Educational Environment of Pupils and Students** (“Lov om undervisningsmiljø”) every pupil and student has the right to a respectable educational environment. The pupils shall contribute to and cooperate with the Head of the school in the field of furthering and developing a good and vital educational environment. Bullying is covered by the Act”.²²

1.3. Institutional Framework

20. With the passing of the **Act on The Danish Evaluation Institute in 1999**, an independent evaluation institution was established covering the entire public education system.

1.4. Policy Framework

i) General information

²⁰ The Development of Education, National report of Denmark by the Ministry of Education submitted for the 48th ICE, 2008, p. 19, http://www.ibe.unesco.org/National_Reports/ICE_2008/denmark_NR08.pdf, Last accessed on 27/01/2015

²¹ Denmark Report submitted for the seventh consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2000-2005), 2006, p. 11

²² Denmark Report submitted for the seventh consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2000-2005), 2006, p. 19

21. “The Danish Government has signed up to the EU headline targets for education set out in the Europe 2020 strategy to reduce the school drop-out rate to 10 per cent for the 18-24-year olds as well as to increase the percentage of 30-34-year-olds having completed a higher or equivalent education to at least 40 per cent. Denmark contributes to achieving the EU targets through its national targets, which are calculated according to different methods than the EU targets. With the Danish national targets a total of 95 per cent of a youth cohort must complete at least an upper secondary education and 60 per cent of a youth cohort must complete a higher education and 25 per cent must complete a long-cycle higher education.”²³

22. In August 2014, the Danish Ministry of Education reformed the standards in the public school (primary and lower secondary education). The main aspects of the reform are the following:

1. “A longer and more varied school day. Students are given more time and support in a school day, where teachers and pedagogues collaborate on learning, motivation and well-being. [...].
2. Assisted learning. The longer and more varied school day will give schools more time to teach by means of more subject-divided lessons and additional time for assisted learning. [...].
3. More PE and physical exercise and activity. [...].
4. Homework assistance. [...].
5. Better teaching. The academic standards of all children must be improved, and a focused effort will thus be made to improve the quality of the lessons and ensure measurable improvements. [...].
6. More lessons in Danish and maths. [...].
7. Strengthening of foreign languages. [...].
8. New subjects: Crafts and design and Nutrition knowledge. [...].
9. The open school. Schools are encouraged to work more closely with local sports clubs, cultural centres and other associations. [...].
10. Improved transition to higher education. [...].
11. Few and clear objectives for the Folkeskole [...]:
 - a. The Folkeskole must challenge all pupils to reach their fullest potential.
 - b. The Folkeskole must reduce the significance of pupils’ social background for academic results.
 - c. The trust in the Folkeskole and pupil well-being must be enhanced by showing respect for professional knowledge and practice. [...].
12. Competency development. The government will allocate DKK one billion between 2014-2020 to strengthen continued development of competencies among teachers and pedagogues in the Folkeskole. [...].
13. Better learning environment and quietness in class. [...].

²³ Denmark’s National Reform Programme 2012, April 2012, pp. 22-23, http://ec.europa.eu/europe2020/pdf/nd/nrp2012_denmark_en.pdf, Last accessed on 29/01/2015

14. Learning consultants. A national corps of approximately 40 learning consultants will be established to offer municipalities and schools advice on quality development. [...].
15. Stronger parental influence and increased pupil participation. [...].
16. Simplification of rules. [...].²⁴

23. From 1 August 2015, the Danish vocational education and training programmes will have effect. This “reform agreement establishes four overall objectives for vocational education and training (VET). The four objectives will be translated into measurable result targets for monitoring the development of VETs at central level and at school Level.”²⁵ The objectives are the following:

- “More students must choose to start a VET immediately following form level 9 or 10. [...].
- More people must complete a VET. [...].
- The VETs must challenge all students so they may reach their fullest potential. [...].
- The trust and well-being in the VETs must be strengthened. [...].²⁶

Thus, the Danish Ministry of Education states for instance that:

- “[...] new basic programmes of uniform duration and structure will be established across main subject areas. [...].
- VETs must first and foremost be oriented towards the job market, but young people who complete a VET must have better opportunities for continued education if they want this. [...].
- [...] a more attractive choice for young people, adults 25 years or older must be offered a more attractive, predictable and goal-oriented path from low skilled to skilled worker. This will be accomplished by the establishment of a VET for adults (EUV), which will be the future path to a VET for adults 25 years or older. [...].
- The quality of the VETs must be significantly improved through more and better teaching. This will be ensured through multi-pronged efforts such as more teaching time, a significant boost of teachers’ skills, a clearer link between schooling and internships and more varied and differentiated lessons. [...].²⁷

²⁴ The Danish Ministry of Education, Improving the Public School – overview of reform of standards in the Danish public school (primary and lower secondary education), 2014, <http://eng.uvm.dk/~media/UVM/Filer/English/PDF/140708%20Improving%20the%20Public%20School.pdf>, Last accessed on 29/01/2015

²⁵ The Danish Ministry of Education, Improving Vocational Education and Training – overview of reform of the Danish vocational education system, 2014, p. 8, <http://eng.uvm.dk/~media/UVM/Filer/English/PDF/140708%20Improving%20Vocational%20Education%20and%20Training.pdf>, Last accessed on 29/01/2015

²⁶ The Danish Ministry of Education, Improving Vocational Education and Training – overview of reform of the Danish vocational education system, 2014, p. 8, <http://eng.uvm.dk/~media/UVM/Filer/English/PDF/140708%20Improving%20Vocational%20Education%20and%20Training.pdf>, Last accessed on 29/01/2015

²⁷ The Danish Ministry of Education, Improving Vocational Education and Training – overview of reform of the Danish vocational education system, 2014,

ii) Inclusive Education

24. “The Government is still very aware of the drop-out problem and a target for 2015 is to see 95% of all young people complete a program of upper secondary vocational education (IVET). In 2008, DKK 10 million was allocated to special schemes for children and young people. The intention is for more young immigrants to complete an educational program that gives them the vocational qualifications needed to find permanent employment.”²⁸

25. “As part of the economies of municipalities for 2011 and 2012, the Danish government and Local Government Denmark agreed to work for a more inclusive general primary and lower secondary school so a larger proportion of pupils could be included. An inclusive primary and lower secondary school will free resources that can, for instance, be used for strengthening general education in primary and lower secondary school.”²⁹

26. “The Ministry of Education has prepared a guide that offers practical help with planning and carrying out the best possible case consideration process. First and foremost, the guide addresses the administrators responsible for making decisions on remedial instruction/special educational assistance, i.e. principals, children and culture directors, local caseworkers and educational-psychological guidance staff. The guide was published in December 2008 and most recently updated in February 2011.”³⁰

27. “The Government has also taken various initiatives to strengthen the quality of remedial instruction, including [for instance]:

- The trial purchase of IT rucksacks for pupils with reading/spelling difficulties. The purpose is to increase their learning and possibilities of completing a youth education programme. The project will be completed in 2013. [...].

<http://eng.uvm.dk/~media/UVM/Filer/English/PDF/140708%20Improving%20Vocational%20Education%20and%20Training.pdf> , Last accessed on 29/01/2015

²⁸ Denmark Report submitted to the Committee on Economic, Social and Cultural Rights, July 2010, p. 42, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fDNK%2f5&Lang=en, Last accessed on 29/01/2015

²⁹ Denmark Report submitted to the Committee on the Rights of Persons with Disabilities, 7 May 2013, pp. 30-31, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fDNK%2f1&Lang=en, Last accessed on 29/01/2015

³⁰ Denmark Report submitted to the Committee on the Rights of Persons with Disabilities, 7 May 2013, p. 31, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fDNK%2f1&Lang=en, Last accessed on 29/01/2015

- The Ministry of Education has started developing a dyslexia test to be used at all educational levels for the purpose of identifying pupils with dyslexia earlier in the course of education. The test is scheduled to be completed in 2013.”³¹

28. “In the Spring of 2014, the Parliament adopted a bill on vocational training, which i.e. focuses on dropout rates by increasing effort towards securing training places and alternative ways of completing a vocational education. It is expected that these amendments will benefit particularly vulnerable groups, who today face increased risk of dropping out, including students belonging to ethnic minorities.”³²

iii) Quality education

29. The Danish government has in February 2010 launched a new strategy: “Denmark 2020 Knowledge, growth, prosperity and welfare”³³. The government has listed 10 goals, which are to be met before 2020, and one of the goals is to have at least one Danish university in top 10 of European universities. Also, all Danish universities have to maintain or improve their international ranking measured in the most relevant and recognized comparisons.

iv) Financing of education

30. “With the Agreement on the implementation of the globalisation fund of 2006, a total of approximately DKK 17 billion was allocated to strengthen upper secondary education, higher education as well as adult education and continuing training in the period 2007-2012, [...]. More specifically, in the period 2007- 2012, approx. DKK 9.9 billion was allocated to strengthen upper secondary education, approx. DKK 4.8 billion was allocated for initiatives in higher education and approx. DKK 2.5 billion was allocated to strengthen adult education and continuing training. The objective of the allocations is to increase the proportion of young people with upper secondary education and/or higher education as well as to enhance the quality of education, [...].”³⁴

³¹ Denmark Report submitted to the Committee on the Rights of Persons with Disabilities, 7 May 2013, pp. 31-32, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fDNK%2f1&Lang=en, Last accessed on 29/01/2015

³² Mid-term progress report 2014 update by Denmark on follow-up of the recommendations of UNHRC under the Universal periodic review mechanism (UPR), 2014, p. 51, http://www.upr-info.org/sites/default/files/document/denmark/session_11_-_may_2011/denmark_midterm_report_2014.pdf, Last accessed on 27/01/2015

³³ http://www.stm.dk/publikationer/arbprog_10_uk/index.htm, Last accessed on 27/01/2015

³⁴ Denmark’s National Reform Programme 2012, April 2012, p. 23, http://ec.europa.eu/europe2020/pdf/nd/nrp2012_denmark_en.pdf, Last accessed on 29/01/2015

31. “The Government has launched a number of initiatives in the field of education in connection with the Budget Bill for 2012, [...]”³⁵ including for instance:

- “Flexible class-size limit of 28 students in general upper secondary education. [...] It means that every educational institution must comply with a maximum average class size of 28 students in the basic form units of every year group.
- Agreement on an enhanced effort to ensure more practical training placements in 2012. The agreement establishes the framework for concluding an additional 10,400 contracts on practical training placements in 2012 compared to the level specified in 2009, [...].
- Agreement on more than DKK 1 billion to be spent on increased activity in 2012 and 2013. The Government wants 60 per cent of a youth cohort to complete a higher education. Therefore, with the Agreement on the Budget Bill for 2012 a total of DKK 420 million has been allocated for 2012 and DKK 630 million for 2013 to be spent on increased higher education activity.”³⁶

v) Gender equality

32. “The government has financed ten different projects in 2012 and 2013 on how to get more boys to complete an education and how to reduce gender segregated educational choices. In 2011 the government completed the pilot project “More girls in Natural Sciences and Technology” where girls from the Lower Secondary Education system participated in a training fair where they made agreements about trainee service at leading companies within technical fields or natural science. An external evaluation of the pilot project concluded that it had successfully engaged girls, and 78 per cent of them responded that the project had changed positively their view on seeking a career within technical fields or natural sciences.”³⁷

33. “From 2008 to 2009, the Danish Council for Independent Research had an instrument called “Female Research Leaders”. The instrument was targeted women at minimum associate professor level. After this initiative, the Council decided to focus initiatives aimed at female researchers in the Sapere Aude programme. The program aims to strengthen talented researchers, to encourage more women to become research leaders, and also to qualify Danish researchers for European elite researcher grants. The programme was launched in 2010 and will continue in 2013.”³⁸

³⁵ Denmark’s National Reform Programme 2012, April 2012, p. 24,

http://ec.europa.eu/europe2020/pdf/nd/nrp2012_denmark_en.pdf, Last accessed on 29/01/2015

³⁶ Denmark’s National Reform Programme 2012, April 2012, p. 24,

http://ec.europa.eu/europe2020/pdf/nd/nrp2012_denmark_en.pdf, Last accessed on 29/01/2015

³⁷ Denmark Report submitted to the Committee on the Elimination of Discrimination against Women, 16 December 2013, pp. 19-20, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N13/621/60/PDF/N1362160.pdf?OpenElement>, Last accessed on 28/01/2015

³⁸ Denmark Report submitted to the Committee on the Elimination of Discrimination against Women, 16 December 2013, p. 23, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N13/621/60/PDF/N1362160.pdf?OpenElement>, Last accessed on 28/01/2015

34. “In March 2013, the Danish Council for Independent Research will organize a conference for the council members. The theme of the conference is Gender in research. An element in this conference is to follow up on the council’s initiatives for female researchers in the last decade.³⁹

2. COOPERATION

35. Denmark **is a party** to the 1960 UNESCO Convention against Discrimination in Education since 04/10/1963.

36. Denmark **reported** to UNESCO on the measures taken for the implementation of the 1960 UNESCO Convention against Discrimination in Education within the framework of the **Seventh Consultation** of Member States (covering the period 2000-2005).

37. However, Denmark **did not report** to UNESCO within the framework of the:

- **Sixth Consultation** of Member States (covering the period 1994-1999);
- **Eighth Consultation** of Member States (covering the period 2006-2011).

38. Denmark **did not report** to UNESCO on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the:

- **Fourth Consultation** of Member States (covering the period 2005-2008);
- **Fifth Consultation** of Member States (covering the period 2009-2012).

39. Denmark **reported** to UNESCO on the measures taken for the implementation of the 1976 UNESCO Recommendation on the Development of Adult Education within the framework of the:

- **First Consultation** of Member States (1993);
- **Second Consultation** of Member States (2011).

40. Denmark **is not a party** to the 1989 UNESCO Convention on Technical and Vocational Education.

Freedom of opinion and expression

³⁹ Denmark Report submitted to the Committee on the Elimination of Discrimination against Women, 16 December 2013, p. 23, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N13/621/60/PDF/N1362160.pdf?OpenElement>, Last accessed on 28/01/2015

1. CONSTITUTIONAL AND LEGISLATIVE FRAMEWORK

41. Freedom of speech is guaranteed in Section 77 of the Danish Constitution.⁴⁰

42. Defamation is regarded as a criminal offense under section 267 of the Danish Criminal Code and can be punished by fines or prison terms up to two years.

43. Access to information is provided by the Public Administration Act (1985), the Access to Public Administration Files Act (1985) and the Act on the re-use of public sector information (2005).⁴¹

2. MEDIA SELF-REGULATION

44. Self-regulatory mechanisms of the media exist through an entity such as the Danish Press Council. Its members are appointed jointly by the President of the Supreme Court and journalistic non-governmental organizations. It has adopted the code of ethics.⁴²

45. The profession is represented by The Danish Journalists' Union⁴³ and the Association for Investigative Journalism.⁴⁴

3. SAFETY OF JOURNALISTS

46. UNESCO recorded no killings of journalists in Denmark.

III. RECOMMENDATIONS

⁴⁰ See the Constitution of Denmark: <http://www.eu-oplysningen.dk/upload/application/pdf/0172b719/Constitution%20of%20Denmark.pdf%3Fdownload%3D1>.

⁴¹ See the website <http://www.legislationline.org/topics/country/34/topic/3>

⁴² See the Media Liability Act on the website of the Danish Press Council: <http://www.pressnaevnet.dk/Information-in-English/The-Media-Liability-Act.aspx>.

⁴³ See their official website:

<https://journalistforbundet.dk/Filer/DJ/Dokumenter/DJ%20English/DJ%20in%20english.pdf>.

⁴⁴ See their official website : <http://fuj.dk/>

47. **Recommendations made within the framework of the first cycle of the Working Group on the Universal Periodic Review, considered on (please check the date on the following web site: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>)**

48. In the Report of the Working Group on the Universal Periodic Review of 11 July 2011, various recommendations were made to Denmark⁴⁵.

49. *The recommendations listed below enjoyed its support:*

- i. **106.46. Continue its efforts aimed at the promotion of human rights expertise and education and public awareness about human rights protection (Azerbaijan);**
- ii. **106.111. Give equal recognition to the right of undocumented children to education (Honduras);**
- iii. **106.112. Address in particular high school dropout among students belonging to ethnic minorities (Slovakia);**

50. Analysis:

Denmark has been taking special measures to improve vocational education and training. In addition, several projects have been developed in order to further promote gender equality in natural sciences and technology and in research. Denmark has adopted several measures to further prevent the dropout of students. However, not sufficient additional special measures were taken to further include the students from minority groups.

51. Specific Recommendations:

1. Denmark should be strongly encouraged to further submit state reports for the periodic consultations of UNESCO's education related standard-setting instruments.
2. Denmark might be encouraged to take additional measures on human rights education and training.
3. Denmark could be encouraged to continue its efforts regarding the inclusion of students from minority groups and especially to further address their dropout.

⁴⁵ <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/145/41/PDF/G1114541.pdf?OpenElement>, Last accessed on 28/01/2015

Cultural rights

52. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972), the Convention for the Safeguarding of the Intangible Cultural Heritage (2003) and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)⁴⁶, Denmark is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Denmark is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

Freedom of opinion and expression

53. Denmark is recommended to decriminalize defamation and place it within a civil code that is in accordance with international standards.⁴⁷

Freedom of scientific research and the right to benefit from scientific progress and its applications

54. **Denmark**, in the framework of the 2015-2017 consultations related to the revision and monitoring of the Recommendation on the Status of Scientific Researchers, is encouraged to report to UNESCO on any legislative or other steps undertaken by it with the aim to implement this international standard-setting instrument, adopted by UNESCO in 1974. The 1974 Recommendation on the Status of Scientific Researchers sets forth the principles and norms of conducting scientific research and experimental development and applying its results and

⁴⁶ See UNESCO. 2012. Denmark Periodic Report on the 2005 Convention on the Promotion and Protection of the Diversity of Cultural Expressions:
https://en.unesco.org/creativity/sites/creativity/files/periodic_report/Denmark_Report_OwnFormat_EN_2012.pdf

⁴⁷ See for example, General Comments No 34. of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87th Session Human Rights Committee, the recommendations of the UN Special Rapporteurs on the Right to Freedom of Opinion and Expression, and Resolution 1577 (2007) of the Parliamentary Assembly of the Council of Europe.

technological innovations in the best interests of pursuing scientific truth and contributing to the enhancement of their fellow citizens' well-being and the benefit of mankind and peace. The Recommendation also provides the guidelines for formulating and executing adequate science and technology policies, based on these principles and designed to avoid the possible dangers and fully realize and exploit the positive prospects inherent in such scientific discoveries, technological developments and applications. Following-up to its 2011-2012 report on the implementation of the 1974 Recommendation, in providing a progress report in 2015-2017 on this matter, **Denmark** is kindly invited to pay a particular attention to the legal provisions and regulatory frameworks which ensure that scientific researchers have the responsibility and the right to work in the spirit of the principles enshrined in the 1974 Recommendation, such as: i) intellectual freedom to pursue, expound and defend the scientific truth as they see it, and autonomy and freedom of research, and academic freedom to openly communicate on research results, hypotheses and opinions in the best interests of accuracy and objectivity of scientific results; ii) participation of scientific researchers in definition of the aims and objectives of the programmes in which they are engaged and to the determination of the methods to be adopted which should be compatible with respect for universal human rights and fundamental freedoms, as well as ecological and social responsibility; iii) freedom of expression relating to the human, social or ecological value of certain projects and in the last resort withdraw from those projects if their conscience so dictates ; iv) freedom of movement, in particular for participation in international scientific and technological gatherings for furtherance of international peace, cooperation and understanding; v) guarantees of non-discrimination in application of rights to satisfactory and safe working conditions and avoidance of hardship; to access to educational facilities, occupational mobility, career development, participation in public life, and vi) right of association, etc.