

March 2015

## DENMARK

### 1. What is the title, rank and position of the Legal Adviser?

The title of the Legal Adviser is the Under-Secretary for Legal Affairs. The Under-Secretary for Legal Affairs is the head of the Office of Legal Affairs.

### 2. What are the principal functions of the OLA?

The OLA is comprised of three departments; the Department of EU Law, the Department of Human rights, and the Department of International Law. One of the principal functions of the OLA is thus to provide advice to the Danish government and the central administration (including the rest of the Ministry of Foreign Affairs) on questions concerning EU-law, human rights, and international law, as well as different aspects of public law, such as constitutional law and administrative law.

The OLA also plays central role in policy development in relation to areas such as the international regulation of the use of force, the Arctic, piracy, and human rights.

Furthermore, the OLA is also responsible for conducting cases for the Danish government before international courts and complaints boards such as The International Court of Justice, The European Court of Justice, the European Court of Human Rights, and different UN bodies.

Finally, the OLA also assists the central administration in connection with ratification of treaties.

### 3. Please give a brief description of staff employed by the OLA, including overseas staff. What is the distribution of posts between men and women within the OLA and what category of staff do they respectively belong to?

The Department of Human Rights is comprised of 9 people (8 women and 1 man). The Department of EU-Law is also comprised of 9 people (5 men and 4 women). The Department of International Law, including the Treaty Section, is comprised of 16 people (8 men and 8 women).

The post as Under-Secretary of Legal Affairs is held by a man. In the Department of EU-Law the posts as Head of Department and Deputy Head of Department are held by men. In the Department of Human Rights these posts are held by women. As to the Department of International law the post as Head of Department is currently occupied by a man while the Deputy Head of Department is a woman.

### 4. Are there any specific recruitment and promotion policies, provisions and/or quotas to ensure non-discrimination and equal opportunities, e.g. for the underrepresented sex, for persons with disabilities or for persons belonging to ethnic or religious minorities or of immigrant origin?

The Ministry of Foreign Affairs does not operate with quotas in its recruitment and promotion policies but bases its decisions on a careful evaluation of the candidates' qualification.

**5. Is OLA staff trained on gender equality issues and are these issues mainstreamed into the OLA's work?**

The OLA does not have a specific course on gender equality issues that employees must complete but most employees have received education on human rights, including non-discrimination prior to joining the OLA.

Additionally, the Department of Human Resources focuses on promoting gender equality within the ministry, including by promoting an equal distribution of leadership positions.

**6. Briefly describe the organisation and structure of the OLA.**

The OLA is divided into three departments; the Department of EU-Law, the Department of Human Rights and the Department of International Law which includes the Treaty Section.

**7. What is the OLA's place within the Ministry of Foreign Affairs?**

The OLA is one of the seven main offices in the Ministry of Foreign Affairs placed under the Minister, the Permanent Secretary of State for Foreign Affairs and the Board of Directors.

**8. What are the main contacts of the OLA within Government?**

Foreign governments and other Danish authorities.

**9. Please describe the relations of the OLA with lawyers in private practice, academics and legal institutions.**

The OLA sometimes employs lawyers with a private practice background, particularly in the Department of EU-Law.

Likewise the OLA also attempts to benefit from the knowledge of prominent national and international academics. Occasionally OLA has thus employed academics on specific projects such as the development of international guidelines on the handling of detainees in international military as well as Denmark's work on the promotion of the R2P doctrine. OLA also arranges monthly briefings by academics on specific topics of relevance to OLA's work.

**10. Please provide a brief bibliography on the OLA, if available.**

Such a bibliography is not presently available.