

# **Committee of the Parties**



Council of Europe Convention  
on preventing and combating violence  
against women and domestic violence  
(Istanbul Convention)

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## **Recommendation on the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence by Denmark**

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The Committee of the Parties to the Convention on Preventing and Combating Violence against Women and Domestic Violence (hereinafter referred to as “the Convention”), acting under the terms of Article 68(12) of the Convention;

Having regard to the purposes of the Convention to protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence; to contribute to the elimination of all forms of discrimination against women and promote substantive equality between women and men, including by empowering women; to design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence against women and domestic violence; to promote international co-operation with a view to eliminating violence against women and domestic violence; and to provide support and assistance to organisations and law enforcement agencies to effectively co-operate in order to adopt an integrated approach to eliminating violence against women and domestic violence;

Bearing in mind the provisions of Article 66 (1) of the Convention concerning the monitoring role of the Group of Experts on Action against Violence against Women and Domestic Violence (hereinafter referred to as “GREVIO”);

Having regard to the Rules of Procedure of the Committee of the Parties;

Having regard to the instrument of ratification deposited by Denmark on 23 April 2014;

Having examined the Baseline Evaluation Report concerning the implementation of the Convention by Denmark adopted by GREVIO at its 12th meeting (9 – 13 October 2017), as well as the comments of the Government received on 17 November 2017;

Considering the overarching priorities set out in Chapter I of the Convention (purposes and scope of the Convention, definitions, equality and non-discrimination, due diligence and gender-sensitive policies);

Bearing in mind the primordial importance of the provisions set out in Chapter II of the Convention, in particular the obligations to (1) ensure a holistic response to violence against women by devising a set of comprehensive and co-ordinated policies implemented by way of effective multi-agency co-operation; (2) institutionalise and fully mandate one or more co-ordinating bodies as required by Article 10 of the Convention; (3) adequately resource policies, measures and mandates introduced to prevent and combat all forms of violence against women, including government and non-governmental specialist support services; and (4) to collect relevant statistical data disaggregated, at a minimum, by sex, age, type of violence, relationship of the perpetrator to the victim and geographic location;

Welcoming the measures taken and progress achieved by the Danish authorities in implementing the Convention and noting in particular:

- the generally high level of equality between women and men achieved in Danish society;
- the long history of the Danish authorities in addressing violence against women through policy and legislation;
- the recent efforts undertaken to improve the response of law enforcement agencies and courts to rape, sexual violence and stalking;
- the availability of highly professional medical and forensic services offered by the centres for victims of rape and sexual violence located throughout the country;
- the pooling of services for domestic violence by the newly set-up National Unit on Domestic Violence;
- the high level of training and professionalism of staff at specialist support services, including domestic violence shelters, perpetrator programmes and specialist support services such as the rape and sexual assault centres, stalking services and others; and

- the continuing commitment to evidence-based policy-making on the basis of public research initiatives and evaluations of legislation, policies and professional practice.
- A. Recommends, in light of the considerations indicated in the preamble above, that the Government of Denmark take the following measures identified in GREVIO's report<sup>1</sup> for immediate action to:
1. increase the level of attention paid to women victims of gender-based violence in policy documents and funding choices and to ensure the full recognition of the different forms of violence against women covered by the Convention as gender-based violence (paragraph 10);
  2. take measures to ensure that the provisions of the Convention are implemented without discrimination on any of the grounds listed in Article 4, paragraph 3 (paragraph 12);
  3. develop a long-term co-ordinated plan/strategy giving due importance to all forms of violence against women and ensure that the gendered nature of all forms of violence against women, including those perpetrated within migrant communities, receives the necessary policy attention (paragraph 19);
  4. ensure that appropriate funding for state-wide effective policies and measures for women victims of violence are available and that they reflect priorities set out in a comprehensive and co-ordinated approach that addresses all forms of violence covered by the Convention as gender-based violence against women (paragraph 27);
  5. step up action to recognise, encourage and support, including financially, a greater variety of women's NGOs, including through supporting community-based and grassroots activism of black and brown women's groups and movements, to ensure diversity and to build policies around the experiences of all women in Denmark, including those of migrant and refugee women (paragraph 33);
  6. assign the role of co-ordinating body to one or more fully institutionalised entities, to equip these with clear mandates, powers and competences that are widely communicated, allocate the necessary human and financial resources to these entities and set up separate bodies for, on the one hand, the co-ordination and implementation of policies and measures, and for their monitoring and evaluation, on the other hand in order to ensure objectivity in the evaluation of policies (paragraph 39);
  7. ensure more disaggregated data is collected by the State Administration that would show to what extent reports of domestic violence and abuse are taken into account, and how the safety of all family members is ensured which would allow for an assessment of the effectiveness of the system of deciding on custody/visitation/residence of children in families marred by domestic violence (paragraph 50);
  8. introduce harmonised data categories such as the sex, age, type of violence, and type of relationship of the perpetrator with the victim to be collected at regular intervals by all sectors of the administration, including the law enforcement agencies, the judiciary, the relevant social services (including public specialist services), the State Administration, the public health sector, the Immigration Service and other relevant services and give due regard to the additional proposals made by GREVIO (paragraph 54);

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<sup>1</sup> The number of the paragraph setting out GREVIO's proposals and suggestions in the report is indicated in brackets.

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9. complete its overhaul of the nature and organisational structure of the entity in which to vest decision-making power on custody and visitation of children, make significant amendments to the Act on Parental Responsibility without undue delay (paragraph 159) and ensure respect for the key elements set out in paragraph 160 of GREVIO report (paragraph 160);
  10. recognise the power imbalances in relationships marred by violence and to ensure that parents with a history of abuse are granted separate meetings with the State Administration in order to reach a decision in the child's best interests on child custody/residence/visitation which does not jeopardise the rights and safety of the mother and her children (paragraph 186);
  11. step up efforts to implement the full range of emergency barring and protection orders available under the Act on Restraining Orders and to ensure their vigilant enforcement (paragraph 211);
  12. assess the level of implementation of the Act on Restraining Orders with a view to identifying and remedying any obstacles in the letter of the law or in its practice and end the practice of allowing for exceptions in prohibitions on contact (paragraph 212).
- B. Requests the Government of Denmark to report to the Committee of the Parties on the measures taken to improve the implementation of the Convention in the above-mentioned areas by 30 January 2021.
- C. Recommends that the Government of Denmark take measures to implement the further conclusions of GREVIO's baseline evaluation report.