

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Denmark: Amnesty International welcomes commitment to observe the principle of *non-refoulement* but regrets unwillingness to reform legislation on anti-terrorism and rape.

Human Rights Council adopts Universal Periodic Review outcome on Denmark

Amnesty International welcomes Denmark's engagement with the Universal Periodic Review. Nonetheless it is disappointed that Denmark accepted only 84 of the 133 recommendations – most of them very general in nature – and rejected many substantive recommendations aimed at strengthening the protection of human rights in the country. The organization urges the new Danish government to keep those recommendations under review with a view to accepting them at a later date.

Amnesty International appreciates Denmark's efforts to involve civil society in the preparation of the National Report. It regrets, however, that key civil society input was absent from the final version of the Report and urges the authorities to ensure that future consultations are more substantive.

Amnesty International welcomes Denmark's commitment to observe the principle of *non-refoulement* and to not resort to diplomatic assurances to circumvent it.¹ This commitment is underscored by a recent decision in the Danish courts halting an extradition to India on the grounds that diplomatic assurances provided insufficient protection against the risk of torture.

Amnesty International appreciates Denmark's commitment to use detention of refugees, migrants and asylum-seekers only as a last resort.² It takes this opportunity to urge the authorities to ensure thorough individual judicial review, increased use of alternatives to detention, and an end to detention of vulnerable groups.

Amnesty International regrets that Denmark rejected a recommendation to conduct an evidence-based review of anti-terrorism legislation.³ The organization has serious concerns about unfair procedures for individuals suspected of terrorism-related activity in deportation proceedings and weakened legal safeguards for the protection of privacy in the current legislation.

Amnesty International has repeatedly urged the government to bring legislation on rape in line with international law. It is very disappointing that Denmark has rejected related recommendations made in the review,⁴ referring to an expert review that has been pending for two years.⁵

It is also disappointing that the government rejected the creation of an Ombudsman for children's rights.⁶

¹ A/HRC/18/4 recommendation 106.118 (Switzerland).

² Ibid., recommendation 106.131 (Slovakia).

³ Ibid., 106.133 (The Netherlands).

⁴ Ibid., recommendations 106.34 (Norway), 106.35 (Switzerland), 106.36 (Belgium).

⁵ Ibid., paragraph 100.

⁶ Ibid., recommendations 106.38 (India), 106.39 (Poland), 106.40 (Norway), 106.41 (Kyrgyzstan).

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Denmark on 21 September 2011 during its 18th session. Prior to the adoption of the report of the review Amnesty International delivered the oral statement above. Amnesty International also contributed to the information basis of the review through its submission on Denmark: <http://www.amnesty.org/en/library/info/EUR18/001/2010/en>

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