

Denmark

Apie

The Danish Constitution (enacted in 1953) does not enshrine the principles of gender equality. Rather, the idea of gender mainstreaming in Denmark has been influenced by the European Union (EU) and, in particular, by the Amsterdam Treaty, which came into force in 1999. The following year, gender mainstreaming was introduced into Danish national legislation through the Gender Equality Act, which states that that ‘public authorities shall within their respective areas of responsibility seek to promote gender equality and incorporate gender equality in all planning and administration’.

From 2001-2013, gender mainstreaming was implemented through the Gender Mainstreaming Steering Committee, which was composed of executive-level representatives from all ministries. This was replaced by an Interministerial Network, made up of staff-level representatives from all ministries. The Department of Gender Equality (Ligestillingsafdelingen), various laws related to gender equality[1], the Board of Equal Treatment (2019) and the Danish Institute for Human Rights (2019) also work towards achieving gender equality and ending (gender-based) discrimination.

Denmark has adopted a number of four-year action plans on gender mainstreaming. Despite the lengthy process involved, February 2013 saw the National Strategy for Future Work with Gender Mainstreaming Assessment in the Public Sector published, ensuring that all political initiatives, including all relevant acts, are assessed to secure gender equality.

These recent efforts to advance gender mainstreaming at state and local level have been boosted by EU funding, notably through the participation of the Department of Gender Equality in a European Commission project on the development of gender mainstreaming tools and practices in central government administration, with a specific focus on web-based methods and tools.

The Committee on the Elimination of Discrimination against Women, in its concluding observations from 2015, recommended for Denmark to: '[...] establish time-bound objectives regarding educational initiatives and the involvement of the educational sector. It also recommends that the State party take measures to facilitate the development of gender mainstreaming tools for legislation and for context-specific strategy plans for gender mainstreaming at the municipal level, including in Greenland and the Faroe Islands'[2].

Legislative and policy framework

Four acts focus on gender equality: the Law on Gender Equality (first introduced in 2000 and amended in 2006, 2009, 2013; LBK nr 1678 af 19/12/2013); the Law on Equal Pay (first introduced in 1976 and amended in 1992, 2000, 2001, 2006, 2007, 2008, 2014, 2016, 2019; LBK nr 156 af 22/02/2019); the Law on Equal Treatment (first introduced in 1978 and amended in 2006, 2011; LBK nr 645 af 08/06/2011); and the Law on Maternity/Paternity/Parental Leave (first introduced in 2006 and amended in 2009, 2012, 2013, 2018, 2019; LBK nr 67 af 25/01/2019).

Since 2000, gender mainstreaming obligations have been implemented at all levels of public administration and in decision-making. The legal basis is the Law on Gender Equality, influenced by the Amsterdam Treaty[3]. The Law on Gender Equality[4] stipulates that all public institutes should conduct gender impact assessments every three years. Despite the implementation of gender mainstreaming obligations being regulated by law, there are no provisions for their enforcement nor sanctions for failing to do so.

At national level, the Strategy for Gender Mainstreaming[5] describes the Danish strategy for gender mainstreaming in the public sector and focuses on improved guidance and strengthening of gender mainstreaming in legislation and monitoring.

Gender equality action plans (published yearly since 2002, in compliance with the Law on Gender Equality) include several priorities and specific initiatives within the area of gender equality. The main vision of the 2018 action plan is that 'no one should experience discrimination based on gender, sexual orientation, or gender identity'. The action plan for 2019[6] focuses on four major areas:

- 'Rights and freedom', including the promotion of equality among ethnic minorities and the combating of online harassment, intimate partner violence, and human trafficking.
- 'Better utilisation of talents and resources', including the promotion of equality in the labour market and in the education field.

- 'Global equality', including the promotion of women's societal participation globally.
- 'Equal opportunities for LGBTQI+ persons', including the promotion of freedom and rights for LGBTQI+ persons nationally and internationally.

The gender equality action plan presents initiatives/interventions to be undertaken within these four focus areas and follows-up initiatives/interventions from the previous action pPlan but does not present specific targets to be met. The presented initiatives/interventions encompass eight out of 18 ministries.

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Structures

Government responsibilities

The Department of Gender Equality was designated for the first time in 1999. The area of gender equality/equal opportunities became part of the Ministry of Environment and Food in June 2019 (having previously been part of, variously, the Ministry of Foreign Affairs, the Ministry of Children, Education and Gender Equality, and the Ministry for Gender Equality and the Church).

The current Department of Gender Equality was appointed in June 2019 and is responsible for all government activities in the field of gender equality, promoting gender equality nationally and internationally, and coordinating the equality work of other ministers, who are themselves responsible for gender equality within their areas. These tasks are specified in the Law on Gender Equality. The current Minister of Gender Equality/Equal Opportunities is also responsible for Food, Fisheries and Nordic Cooperation[7]. In addition to the emphasis on gender equality, the Minister of Gender Equality has a special focus on gender discrimination among ethnic minorities in Denmark and on LGBTQI+-rights, thus adopting an intersectional approach to gender equality.

Independent gender equality body

In 2011, the Danish Institute for Human Rights (DIHR) was appointed as the national equal treatment body, with responsibility to promote, evaluate, monitor, and support equal treatment of women and men, without discrimination based on gender. The DIHR also covers discrimination based on race and ethnic origin, age, disability, sexual orientation, religion and beliefs, and supports victims of discrimination in filing complaints. The Institute is also responsible for conducting studies on discrimination, publishing reports and making recommendations on matters regarding discrimination. The DIHR is an independent body, funded by the state.

The legal basis for the DIHR is regulated in a specific law (Law on the Institute for Human Rights – Denmark’s national human rights institute). The Institute is an independent national human rights institution (NHRI), modelled on the UN Paris Principles. By appointing the DIHR as a national equal treatment body, the government complied with its obligation under the Equal Treatment Directive (2002/73/EC) to establish a national independent gender equality body.

The Board of Equal Treatment (established in 2009 to replace the previous Equality Board) similarly works to secure gender equality. Its legal basis is regulated in a special law (Law on the Board of Equal Treatment). The Board deals with complaints related to Danish legislation on equal treatment, which implements the various EU directives on non-discrimination. It consists of three judges and nine legal members and deals with complaints about discrimination based on gender, race, colour, religion, beliefs, political views, sexual orientation, age, disability, or national, social, or ethnic origin.

Parliamentary bodies

The legal basis for the representative elected bodies is regulated in the Danish Constitution. The parliament is divided into various committees, whose areas of responsibility are not regulated by the Constitution (with some exceptions).

Although the existence of a parliamentary committee on gender equality is not regulated in the Danish Constitution, such a committee (Ligestillingsudvalget) has been present in the Danish parliament since 2011. The purpose of a special committee on gender equality is to ensure a cross-cutting and overarching parliamentary perspective on gender equality. The main responsibilities of the committee are to examine and treat legislative proposals that may influence gender equality and to ascertain that the government respects the laws regulating gender equality. The committee asks questions of various ministries regarding the influence of new legislation or proposed policies on women and men, for instance. It also arranges public hearings and written hearings on legislative proposals, etc.

Reporting (to the parliament) on the progress of gender equality efforts primarily consists of the reporting included in the gender equality action plan (annually), the gender impact assessments of the public sector (every three years), and the gender impact assessments of legislative propositions (annually). Various commissioned reports are issued to all members of parliament, while public hearings on gender equality topics are arranged on an ad hoc basis.

Regional structures

Since 2000, gender mainstreaming obligations have been implemented at all levels of public administration and in all decision-making processes[8].

Denmark is divided into five regions and 98 municipalities. According to the Law on Gender Equality, municipalities and regions are compelled to report – separately – to the gender impact assessments of the public sector every three years. Each year, two indexes of gender equality are constructed – one on ‘staffing’ and another on ‘core services’. The results across regions show a positive development in gender equality in staffing (e.g. hiring, remuneration, training) from 2013 to 2017, whereas the development in gender equality in core services is less clear. Data by region and/or municipality is available for some of Statistics Denmark’s equality indicators via the [‘Statbank’ website](#).

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Methods and tools

Note: the methods and tools listed under this section were the focus of EIGE’s 2018-2019 assessment. If certain methods and tools are not mentioned in this section, this does not necessarily mean that they are not used at all by Denmark.

To facilitate gender mainstreaming at all levels, a special website was launched in 2013[9]. The website provides examples of best practice and offers practical examples of gender mainstreaming in a large number of areas (e.g. employment, defence, international collaboration, culture, health and education).

Training and awareness raising

Training and awareness raising of gender mainstreaming or gender equality are not regulated by law.

The Strategy for Gender Mainstreaming[10] describes actions for training on gender mainstreaming, including counselling and the exchange of experiences between public institutions to improve methods and skills. The Strategy sets out the development of an interdepartmental network to improve gender mainstreaming at ministerial level.

The annual gender equality action plan[11] describes targeted actions for gender equality training of teachers and educators to improve the situation of young LGBTQI+people, as well as several awareness-raising initiatives to promote gender equality among ethnic minorities.

A specific [webpage](#) provides practical and good practice examples of working with gender mainstreaming in various areas, such as e.g. employment, defence, international collaboration, culture, health, and education.

Gender statistics

Statistics Denmark is the body responsible for producing data on various aspects of society and is regulated by the Law on Statistics Denmark. Although the Law does not explicitly state that the statistics must be sex-disaggregated, in practice they are. This is because individual-level data are registered since 1968 via a personal identity number, which is assigned to everyone residing, working, or studying in Denmark. The personal identification number is based on an individual's date of birth, followed by a sequence of four numbers. The last digit of the sequence number is odd for males and even for females, meaning that it is always possible to identify the gender of an individual in Statistics Denmark registers.

Statistics Denmark is by far the largest statistical institute. It collects data from municipalities, regions, educational institutions, tax authorities, employers, etc.

The National Health Data Authority is responsible for producing and publishing health data, which are also collected via the personal identity number and can thus be disaggregated by sex. These health data are regularly merged with the data collected by Statistics Denmark for research purposes.

The statistics collected by Statistics Denmark are easily accessible to the public via the Stat-bank, an interactive website, where users can create custom-made tables and charts based on statistics in various areas. Statistics Denmark also has a [website](#) (Ligestilling i Danmark, Gender Equality in Denmark) devoted to statistics on gender equality. The site presents indicators on nine domains (democracy and women in decision-making, family, education, work, wages, income, health, safety, and culture). Each indicator is linked to the relevant page in the Stat-bank[12]. The statistics are updated annually. Additional indicators are underway, for instance, an indicator on Science-Technology-Engineering-Art-Mathematics (STEAM). The page also contains links to international statistics on gender equality from EIGE and the OECD, among others.

Most of the data in the Stat-bank can be disaggregated geographically, by region or municipality, for example.

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Good practices

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References

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[Ministry of Employment](#) (2019). 2019-02-27

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Endnotes

[1] Law on Gender Equality (2013), Law on Equal Pay (2008), Law on Equal Treatment (2011), Law on Maternity/Paternity/Parental Leave (2018).

[2] Committee on the Elimination of Discrimination against Women (2015). [Concluding observations. CEDAW/C/DNK/CO/8](#), p.4.

[3] Ministry for Gender Equality and the Church (2013). Strategi for ligestillingsvurdering i det offentlige (Strategy for gender mainstreaming in the public sector). Copenhagen.

[4] Ministry for Gender Equality and the Church (2013).

[5] Ministry for Gender Equality and the Church (2013).

[6] Minister for Gender Equality (2019). [Redegørelse- perspektiv- og handlingsplan for ligestilling 2019](#) (National Gender Equality Action Plan 2019).

[7] The Nordic cooperation includes (but is not limited to) the Nordic Council of Ministers. [The Minister is responsible for the entire area of Nordic Cooperation](#) (not just gender equality issues).

[8] Law on Gender Equality, 2013; Ministry for Gender Equality and the Church (2013).

[9] The [website](#) was supported by the EU Programme for Employment and Social Solidarity - PROGRESS (2007-2013).

[10] Ministry for Gender Equality and the Church (2013). Strategi for ligestillingsvurdering i det offentlige (Strategy for gender mainstreaming in the public sector). Copenhagen.

[11] Minister for Gender Equality (2019).

[12] Statistics Denmark (2018).
