II. Follow-up measures taken and progress achieved by the State party

3. ... The Committee also notes with appreciation the legislative, institutional and policy measures adopted to implement the Convention, in particular the ... amendment to the Child Welfare Act of 2014, which ensures that the child welfare administration is obliged to hear the views of the child in child welfare cases;

...  

III. Main areas of concern and recommendations

C. Civil rights and freedoms (arts. 7, 8 and 13-17)

Right to know and be cared for by parents

16. The Committee recommends that the State party ensure that children who have been separated from their parents in their best interests or given up for adoption have the right to know, as far as possible, about their origins if they so wish.

Abuse and neglect

19. The Committee recommends that the State party:
(a) Increase when necessary the capacity of municipalities to identify cases of child abuse and to promptly and adequately cater to child victims;
(b) Further strengthen awareness-raising and education programmes — including campaigns — with the involvement of children, and formulate a comprehensive strategy for preventing and combating child abuse;
(c) Provide all the support necessary to parents who may be at risk of neglecting their children, with particular emphasis on the situation in Greenland.

E. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20-21, 25 and 27 (4))

Children deprived of a family environment
26. While noting with appreciation that the State party is allocating significant resources to preventive measures to avoid out-of-home placements of children and that there has been an increase in the number of children who cannot stay with their families in foster homes, the Committee, however, is concerned that:
(a) Many children who cannot stay with their families continue to be placed in alternative care institutions, especially children with disabilities;
(b) Children placed in alternative care institutions are often required to move from one institution to another;
(c) According to recent findings, the Municipality of Copenhagen made certain decisions on placing children into alternative care without a legal basis, without party consultation, without providing instructions on making a complaint, without an assessment of the child’s right to contact and without an action plan for the child, and that such mismanagement in placing children in alternative care is, reportedly, also taking place in other municipalities;
(d) Children are not sufficiently heard in alternative care cases, including in Greenland;
(e) The living conditions in alternative care institutions may not always be in compliance with the Convention;
(f) While the use of restraint by staff in alternative care institutions may only be employed in exceptional circumstances, it is not strictly limited in practice, and children against whom restraint is used in foster homes have no access to complaints mechanisms.
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| 27. Drawing the State party's attention to the Guidelines for the Alternative Care of Children (see General Assembly resolution 64/142, annex), the Committee recommends that the State party:  
(a) Further support and facilitate family-based care and strengthen the foster care system for children who cannot stay with their families with a view to reducing their institutionalization, with particular attention being paid to children with disabilities;  
(b) Ensure that children in alternative care institutions are not frequently moved from one institution to another;  
(c) Increase the capacities of municipalities in implementing the safeguards and criteria for determining whether a child should be placed in alternative care;  
(d) Ensure that children have the opportunity to be heard in these cases and that their views are given due weight, including in Greenland;  
(e) Ensure that adequate human, technical and financial resources are allocated to relevant child protection services and alternative care centres in every municipality, in order to provide children therein with an adequate standard of living, remove any barriers to their positive development, such as overcrowding, and facilitate their rehabilitation and social reintegration of children to the greatest extent possible;  
(f) Strengthen regulations on the use of restraint and adequately train staff in alternative care facilities, and establish anonymous and accessible complaints mechanisms in institutions, such as closed complaint boxes, to enable children residing in these facilities to report the use of excessive restraint or any other form of abuse;  
(g) Increase regular, independent and unannounced checks of all types of institutions and foster homes and ensure the periodic review of the placement of children in foster care and institutions, and monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying maltreatment of children.  

F. Disability, basic health and welfare (arts. 6, 18 (3), 23-24, 26, 27 (1)-(3) and 33)

Children with disabilities  
29. With reference to its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and:  

(a) Ensure that children with disabilities, including those with psychosocial and/or intellectual disabilities, are not, under any circumstances, forcibly hospitalized or institutionalized, but provided with assistance in a community care environment, and ensure that until this aim is achieved, those children who reside in an institution or psychiatric hospital are not, under any circumstances, subjected to excessive restraint;

**G. Education, leisure and cultural activities (arts. 28-31)**

Education, including vocational training and guidance

36. With reference to its general comment No. 1 (2001) on the aims of education and taking note of target 4.1 of the Sustainable Development Goals on ensuring that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes, the Committee recommends that the State party:

(a) Ensure that children placed in alternative care have regular and adequate access to education at the same level as their peers who are not in alternative care;

**H. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d) and 38-40)**

Asylum-seeking and refugee children

39. The Committee welcomes the State party’s integration efforts with regards to refugee children and their families, and notes the challenges connected to the high number of children who have arrived in the State party and the number of asylum applications granted. It notes with serious concern, however, that:

... (f) Children aged 15 or older do not have an automatic right to family reunification and thus their parents would not benefit from international protection in the State party, and the right to family reunification is also postponed for three years for those benefiting from temporary subsidiary protection;

...

40. The Committee urges the State party to:

... (f) Take all necessary measures to guarantee the principle of family unity for children in need of international protection by, inter alia, increasing the age limit for children entitled to family reunification from 15 to 18
years, repealing the provision in the Alien Act according to which persons with temporary protection status cannot benefit from family reunification within the first three years, and providing effective access to embassies and consulates;

**Unaccompanied children**

41. The Committee notes with concern that:
(a) Unaccompanied children may, under certain circumstances, be placed in detention when awaiting deportation and, as of age 17, they are not placed in the specialized children’s asylum centres but in centres for adults. Unaccompanied siblings are accommodated according to their age and may thus be separated;
(b) Between 2014 and 2016, an increasing number of unaccompanied children went missing from asylum centres and may thus have become victims of sex trafficking;
(c) Unaccompanied children who are not found mature enough to undergo the asylum procedure do not have their applications processed until they are considered sufficiently mature.

42. The Committee recommends that the State party:
(a) Ensure that children are not, under any circumstances, placed in detention, endeavour to place children in child-friendly accommodation under the child protection authorities instead of asylum centres and, in the meantime, ensure that all unaccompanied children are placed in specialized asylum centres for children and that siblings are not separated;
(b) Establish all the necessary safeguards, including sufficient surveillance personnel that are aware of the number and names of unaccompanied children in the asylum centres, to ensure that unaccompanied children do not go missing from such centres. The State party should increase its efforts to search for children who have already gone missing from the asylum centres, provide them with adequate protection and ensure that the perpetrators are adequately prosecuted and punished;
(c) Ensure that the asylum claims of children are speedily assessed by placing the greater burden of proof in determining refugee status on the immigration authorities if the child is considered insufficiently mature.
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<td>24 Jul 2003</td>
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| CRPD            | 24 Jul 2009       | CRPD/C/DNK/CO/1
30 October 2014 |

CRC/C/DNK/5
15 September 2017
III. Principal areas of concern and recommendations

B. Specific rights (arts. 5–30)

Children with disabilities (art. 7)

20. The Committee is concerned that, according to the National Council for Children, children who are hospitalized in psychiatric hospitals can be subject to forced treatment.

21. The Committee recommends that the State party abolish forced hospitalization and treatment of children in psychiatric hospitals, and provide adequate opportunities for information and counselling to ensure that all children with disabilities have the support they need to express their views.

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**Acronyms and Abbreviations:**
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<th>Acronym</th>
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<tr>
<td>CEDAW</td>
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