



although a decision was also made to introduce similar rules on shared burden of proof in the area of the Equal Treatment Act, i.e., cases concerning discrimination outside of the labour market. With this amendment, a definition of indirect discrimination was established in law. The Act also established that sexual harassment is discrimination and an infringement of the rules concerning equal treatment, as has been established by many years of Danish case law.

Act No. 445 of 7 June 2001 amended the Equal Pay Act. This amendment contained two main elements: the right of the wage-earner to pass on information concerning wages to all and sundry; and an obligation for enterprises with more than 10 employees to draw up gender-divided wage statistics upon request. These amendments are to help create greater openness concerning wages and provide shop stewards and trade unions with better tools in the work of promoting equal pay.

Simultaneously, the Minister for Labour and the

policy, and serves the Minister for Gender Equality and the Folketing in matters concerning gender equality.

Its tasks encompass:

- Preparing legislation and administrative rules concerning gender equality;
- Coordinating efforts of public authorities towards gender equality as part of the implementation of the mainstreaming strategy;
- Drawing up the annual report on gender equality for the Folketing;
- Implementing and evaluating the Minister's perspective and action plan for gender equality;
- Responsibility for the Minister's areas of priority;
- Providing services for the Gender Equality Board;
- Following the development of the gender composition of certain public committees and boards;
- Gender equality representation in a number of international forums, including the United Nations, the European Union and the Nordic Council of Ministers.

The Departmental Unit is for the time being placed organizationally under the Ministry of Housing and Urban Affairs as the Minister for this area also serves as Minister for Gender Equality.

### **Knowledge Centre for Gender Equality**

The Knowledge Centre for Gender Equality is a non-profit institution whose objective is to promote, qualify and create debate concerning gender equality of men and women and to support endeavours to incorporate gender equality in all policies, planning and administration.

The Centre is charged with communicating information concerning gender equality to the general public.

The Centre can point to the need for and also launch studies, research, analyses and the like, which are of importance for ensuring broad-based debate on gender equality.

The Centre is headed by a board consisting of representatives from the labour market parties,

women's and men's organizations, and researchers. The Centre is to be the connecting link for organizations, authorities, researchers and others with an interest in gender equality.

The Centre has established a forum for debate, the members of which have insight into and an interest in gender equality or other relevant social conditions. Its composition reflects the breadth of the gender equality debate with reference to gender, age, occupation and ethnic origin.

At present the Centre is working on the following eight themes concerning gender equality issues:

- Reducing gender division of labour — equal pay;
- Men on their way — where? About men and gender equality;
- Well-being of parents of small children, division of responsibility, economy, working conditions and working hours;
- Gender, equal status and ethnicity;
- Mainstreaming;
- Sexualization of the public area;
- Prostitution and trafficking in women;
- Violence in families and partnerships.

### **Gender Equality Board**

The Gender Equality Board consists of a chairperson, who is a judge, and two other members who must be lawyers with expertise in the areas of gender equality and labour market conditions, respectively.

The Board handles concrete complaints about discriminatory treatment of women and men. Any citizen can appeal to the Board and the intention is to provide the citizen, free of charge and more simply, with access to acquire decisions on complaints concerning gender discrimination. If an employee is a member of a trade union and the matter that is the subject of the complaint is covered by a labour agreement, the person in question must first approach her or his trade union. If the trade union either cannot or will not submit the matter to arbitration or the Industrial Court, the Board has the competence to handle the case.

A citizen can complain about discrimination in the labour market, the education, health and social sectors, private enterprises and the finance sector.

The decisions of the Board are binding and administratively final and the Board is empowered to award compensation to the complainant if the Gender Equality Act has been violated. In very special cases the Board can overrule a dismissal unless the working relationship is regarded as spoiled.

The Board held its first meeting in July 2000 and has subsequently held 11 meetings and taken decisions in 26 cases. The Board secretariat has received approximately 55 written complaints: a settlement has been reached in 2 of those cases and 14 have become inoperative or have been rejected as not suitable for processing by the Board.

## **Article 5 — Priorities**

The Danish Government finds it important that gender equality is continuously on the political agenda. Thus, the Gender Equality Act stipulates that every two years Government institutions are to draw up reports on gender equality and that once a year the Minister for Gender Equality must present a report and a perspective and action plan for gender equality to the Folketing. The Minister presented the 2001 report to the Folketing on 2 March 2001.

Priority areas for the Minister for Gender Equality in 2001 are:

- Combating inequalities in pay;
- Cohesion between working life and family life;
- Diversity as a resource — in enterprises and the rest of society;
- Dialogue on gender equality and ethnic minorities;

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apply only to families with small children. Older staff and staff with no children or older children might need

national plan of action to combat violence against women. In general the Government wishes to strengthen endeavours against domestic violence by means of coordinated, holistic efforts which promote interdisciplinary cooperation between the groups of professionals who meet victims and practitioners of violence. Primary areas are: a nationwide campaign about interdisciplinary cooperation; an analysis of the capacity of the crisis centres; treatment services for violent men; and better information for victims of violence. To ensure the best recommendations, in December 2001 the Government will hold a public hearing concerning a proposal for an action plan, where non-governmental organizations, experts and the like will participate.

The Government has presented a bill to amend the Penal Code with a view to increasing the penalty for rape. The reason for this bill is that the present level of punishment does not adequately reflect the extent to which the integrity and sexual self-determination of the victim is violated.

#### **Trafficking in women**

The interdepartmental group mentioned in the fifth periodic report, on the basis of its discussions concerning trafficking in women and children, will draw up a status report on the situation in Denmark and a list of possible initiatives. It is the Government's plan that this should form the basis of a proposal for a national plan of action to combat trafficking in human beings. This proposal is expected to be launched at the end of 2001.

The Minister for Gender Equality, the Ministry of Social Affairs and the National Commission of the Danish Police are cooperating on an Eastern European support project with the Baltic States. The working group is considering launching information campaigns, initiating training seminars for professionals and improving repatriation possibilities in one or more of the Baltic sender countries.

Denmark participates in cooperation with the other Nordic and Baltic countries in two working groups under the Nordic Council of Ministers. A number of initiatives are being planned to combat trafficking in women, including a joint Nordic nationwide information campaign.

The Government is planning to present a bill to amend the Penal Code with a view to increasing the maximum penalty to eight years imprisonment for those convicted of trafficking in human beings.

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