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ECONOMIC AND SOCIAL COUNCIL  
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IMPLEMENTATION OF THE INTERNATIONAL COVENANT  
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Fourth periodic reports submitted by States parties  
under articles 16 and 17 of the Covenant

Addendum  
DENMARK\* \*\*

[28 March 2003]

\* The third periodic report concerning rights covered by articles 1 to 15 (E/1994/104/Add.15) was considered by the Committee on Economic, Social and Cultural Rights at its twentieth session (see E/C.12/1999/SR.11-13) in 1999.

\*\* The information submitted by Denmark in accordance with the guidelines concerning the initial part of reports of States parties is contained in the core document (HRI/CORE/1/Add.58).

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**Paragraph 67 of the guidelines: Measures taken to realize the right of everyone to enjoy the benefits of scientific progress**

481. The provisions of the Danish constitution on civil rights also serve to safeguard the right of everyone to enjoy the benefits of scientific progress and its applications.

**Paragraph 67 (a) of the guidelines: Measures taken to ensure the application of scientific progress for the benefit of everyone**

482. The Danish public scientific system has an obligation to present the results of its research to the society for use in the public sector as well as the private sector. The Danish Government has since 1993 augmented the appropriations for research and development, especially through specific programmes to solve problems in specific areas.

483. A new act of 1999 on inventions at the public research institutions should facilitate the application of scientific inventions for the benefit of society and industry.

484. The use of research results in both the public and private sectors will create progress for the benefit of the individual, for example in medical care and treatment or in the creation of new products presented to the market.

**Paragraph 67 (b) of the guidelines: Measures taken to promote the dissemination of information on scientific progress**

485. In recent years the Danish Government has concluded contracts with Danish universities and other governmental research institutes. These contracts have underlined the obligation of the institutions to promote the dissemination of information on scientific progress, e.g. by increasing the number of scientific publications.

486. The Danish Research Network is being updated to support close cooperation between scientists nationally and internationally.

**Paragraph 67 (c) of the guidelines: Measures taken to prevent the use of scientific progress for purposes contrary to human rights**

487. The purpose of the Danish Act on Scientific Ethical Committees and Biomedical Research Projects is to safeguard the physical and psychological well-being of individuals by specifying clear conditions for research undertaken on human beings.

488. An administrative regulation of 2000 concerning informed consent by individuals taking part in biomedical research projects has integrated and clarified, in a legally binding form, the totality of rules regarding informed consent by trial subjects in biomedical research projects.

489. Also in 2000, an information folder targeted at potential participants in biomedical research projects, and highlighting the rights of the trial subject, was issued.

490. Research on reproductive cloning, which involves the creation of identical individuals, is prohibited. This follows from the Danish Act on Medically Assisted Procreation in connection with medical treatment, diagnosis and research (sect. 28). It should be noted that according to section 2 of the same law medically assisted procreation may not take place unless it is performed for the purpose of fertilizing a genetically unchanged (unmodified) ovum with a genetically unchanged (unmodified) sperm cell. Furthermore, according to section 21, new methods of treatment and diagnostics, etc. shall not be employed in medically assisted procreation until the Minister for Health has approved them in terms of ethics and medical practice. The Minister for Health shall lay down rules for the registration and approval of new methods of treatment and diagnostics, etc. in relation to medically assisted procreation.

491. In 2001 a new governmental committee was established to describe new technologies in health research: gene diagnostics, gene therapy, the use of human stem cells and xenotransplantation.

492. The committee was expected to present its report to the Minister of Information Technology and Research in late 2002. The report will include recommendations for the future, based on literature studies and discussions with researchers in possession of cutting-edge knowledge on these new technologies.

**Paragraph 67 (d) of the guidelines: Restrictions upon the exercise of this right by the Individual**

493. There are no restrictions on the right of the individual to enjoy the benefits of scientific progress.

**Paragraph 68 of the guidelines: Protection of the moral and material interests resulting from scientific work**

494. A new Danish Act on Public Research IPR (Intellectual property rights) was adopted by the Danish Parliament in 1999. The act aims to ensure that research results produced by means of public funds should be utilized for the Danish society and industry. According to the new act universities are entitled to claim IPR for inventions by their own employees. Revenue from IPR contracts should be divided between the inventing researchers and the institution, thereby offering an incentive for all parties to generate and exploit scientific inventions.

495. A particular article states that special consideration should be given to ethical issues, should this be requested either by the institution or the individual researcher.

**Paragraph 69 (a) of the guidelines: Steps taken for the conservation, development and dissemination of science**

**Measures at the constitutional level**

496. There has been no change at the constitutional level.

**Within the educational system**

497. By an act of May 2000, the institutions offering medium-cycle higher education programmes will be organized in centres for higher education (CVUs). The purpose of this new form of organization is to strengthen and develop the medium-cycle programmes by spreading the research-based knowledge of the universities and other centres of higher education.

**By means of communications media**

498. The Danish Research Network, "Forskningsnettet", is a high-speed Internet supplier designed for Danish universities and research institutions. At present Forskningsnettet has approximately 110 subscribers. The Danish Ministry of Information Technology and Research financially supports Forskningsnettet. Forskningsnettet has always been a front-

runner in applying the newest Internet technology. Starting in autumn 2000, Forskningsnettet offers its subscribers a new high-speed backbone and dark fibres for test and development, connecting Lyngby and Copenhagen with Odense, Århus and Ålborg.

499. Compared to commercial Internet suppliers, Forskningsnettet offers its subscribers in the academic world a whole range of advanced features, focusing on high-speed international connection, severe IT-security and a very reliable service. Furthermore, subscribers to Forskningsnettet have the opportunity to influence the future through various working groups.

**Paragraph 69 (b) of the guidelines: Other practical steps**

500. In order to promote the development and dissemination of scientific research, libraries have been established at all universities and institutions of higher education.

501. The Danish National Research Database presents an overall picture of research in progress and published Danish research. The database has been established by the Ministry of Research and Information Technology, and is today a part of Denmark's Electronic Research Library. Since 1988, when collecting and storing information about Danish research results and research in progress began, the database has grown to include more than 150,000 research references. The Danish National Research Database is based on information delivered from universities, institutions of higher education, government research institutes, research councils and other public institutions carrying out research. The number of database suppliers grows continuously.

**Paragraph 70 (a) of the guidelines: Measures to promote enjoyment of this freedom, including creation of all necessary conditions for scientific research**

502. Basic research is mainly performed at the universities and institutions of higher learning. It is largely done from the basic appropriations, for which the institutions have the right of self-determination in accordance with the University Act that governs these institutions.

503. The individual researcher has as a general rule the freedom to choose his own subject matter of research, a free choice of scientific method and a free choice of medium for the publication of research results.

504. Many new research programmes have been initiated and more appropriations provided in recent years. It is the function of the six independent Danish research councils to distribute the funds on the basis of quality criteria alone.

505. A new strategy has been initiated to stimulate further cooperation between different institutions and different subject matters and to highlight quality and competition for new appropriations. The intention is to connect larger research groups in networks of excellence and to promote public-private relations.

**Paragraph 70 (b) of the guidelines: Measures to guarantee the freedom of exchange of scientific information between scientists**

506. As a general rule, the University Act states that the institutions of higher education shall contribute to the dissemination of knowledge of their working methods and research results.

507. In 2000, a set of guidelines was issued for securing publicity about public research financed by a private sponsor. The intention is to give the public the necessary information about the identity of the private sponsor and the extent of the financial involvement.

508. Concerning the management of research cooperation and contracts between universities and private enterprises, a committee produced a report in 2000. The committee issued a number of recommendations to secure openness and transparency and set up a checklist for the formulation of cooperation contracts. It stated that results from this form of research are always to be published.

**Paragraph 70 (c) of the guidelines: Measures to support learned societies, professional associations, etc.**

509. The Government grants financial support to learned societies such as The Royal Danish Academy of Sciences and Letters, The Learned Society and others. The Danish tax system allows employees to deduct contributions to professional associations from their income tax. This constitutes indirect support for the professional associations.

**Paragraph 71 of the guidelines: Measures to develop international contacts and cooperation in the scientific field**

510. The Danish Government strongly encourages international contact and cooperation in the scientific field and also encourages scientists to participate regularly in international conferences, seminars, symposia, etc. Internationalization is a goal of the national policy of research training.

**Paragraph 71 (a) of the guidelines: The fullest utilization of facilities**

511. Denmark is a member of a number of international organizations for research cooperation e.g. the European Organization for Nuclear Research (CERN), the European Space Agency (ESA), the European Southern Observatory (ESO), the European Molecular Biology Laboratory (EMBL), and others. In this way Danish scientists are stationed at the international research centres and able to make full use of the international facilities.

512. Denmark is also strongly engaged in the research cooperation within the European Union as well as the regional cooperation among the Nordic countries.

**Paragraph 71 (b) of the guidelines: Participation by scientists in international conferences, etc.**

513. The universities receive basic funding that enables scientists to take part in international conferences. The research councils also give grants for this purpose. The Danish Research Training Council offers three-year grants for particularly promising PhD students who want to conduct their studies abroad together with the best research groups. Other PhD students are mostly secured financial support for study abroad for a number of months: 49 per cent of Danish PhD students have a stay abroad of at least three months.