

Family, Gender and Rights in Denmark



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Ligestilling



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It can also be downloaded at www.lige.dk

Introduction

Men and women have equal standing in Denmark and it is unlawful to treat members of the two genders differentially.

Everyone has the same obligations and the same rights. The right to make decisions regarding their own life, their own body and to earn their own livelihood and the obligation to provide for their family, bear responsibility for their children, pay taxes and participate in society.

We also have ethnic equality and this means that everyone, regardless of background, beliefs and skin color, participates equally in the Danish society.

This leaflet is intended for you, who wish to know more about equality and rights in Denmark. In the leaflet you can read, among other things, about finances, marriage, sexual rights, divorce and child custody.

Sources of supplementary information are indicated where applicable. On the back of the leaflet are additional references to useful websites, associations and authorities.

Your Finances

You have the right to manage your own finances - that is to say, you have the right to your own money and to a bank account that you have access to. You may have your own account in any bank.

Having a job makes it possible for you to provide for yourself and for your family. You must make an active effort to get work. For example, you can apply for jobs you see advertised in the newspapers or you can apply for jobs at the employment agency – the AF. You can find the nearest AF office through their website at www.af.dk. You can also get assistance from your municipality.

If you have work, your employer will usually transfer your salary to your bank account. Your employer will also provide you with a pay slip.

When you work you must also pay taxes. Your taxes are usually withheld from your pay before payment is made to you.

Should you encounter serious economic difficulties due to divorce, losing your job or a similar problem, you can obtain help from your municipality. The kind of help you can receive depends, among other things, on how long you have resided in Denmark.

Marriage

Both men and women have the right to choose for themselves whom they wish to marry. Forcing someone into marriage is a punishable offence.

If you are forced into marriage or are in the process of terminating a forced marriage, there are numerous places at which you can receive counseling, support and help in finding a place to live. You can contact the municipality or Landsorganisationen af Kvindekrisecentre – LOKK (The National Organization of Women's Crisis Centers). LOKK has a counseling service for youngsters of non-Danish ethnic background. You can call tel. 70 27 03 06 or visit their website at www.lokk.dk. If you are in an acute crisis and need immediate help you can call the 24-hour Hotline For Battered Women at tel. 70 20 30 82.

Immigrant Counseling offers, for example, mediation in cases of forced marriage. You can call tel. 86 13 27 63 or 26 22 36 11 or visit their website at www.indvanderraadgivning.dk. You can also contact Kvinderådgivningen for etniske minoriteter (Women's Counseling For Ethnic Minorities) at tel. 70 20 49 09 or visit their website at www.kvinderaadgivningen.dk.

Ultimately you can contact Rehabiliteringscenter for Etniske Kvinder i Danmark - R.E.D. (Rehabilitation Center For Ethnic Women in Denmark)

R.E.D. provides a temporary residence for young women of non-Danish ethnic origin who are between 18 and 25 years of age and without children. Here you can be provided with a place to live, for up to 2 years, if you are escaping from a forced marriage. Residence is free of charge. You must, however, pay for food, drink, laundry and personal necessities.

Family Unification

If you marry a foreigner who lives abroad, he or she can come to Denmark only if a number of conditions are met. Among other things, your marriage must be voluntary. Both of you must be more than 24 years old. You must have a sufficiently large residence. And you must earn sufficiently to provide for your foreign spouse.

You can call Udlændingestyrelsen (The Danish Immigration Service) at tel. 35 36 66 00 for additional information concerning family unification. You can also visit the Udlændingestyrelsen website www.udlst.dk.

Contraception and Pregnancy

Decisions regarding your body are yours alone. It is also you who decides whether you wish to become pregnant, decides to have child or chooses which method of contraception you wish to use to avoid pregnancy. If you wish, your doctor can advise you regarding choice of contraception.

Should you become pregnant and do not wish to give birth, you have the right to an abortion – to removal of the fetus by a physician. This is free of charge. The abortion must take place prior to the 12th week of pregnancy. Contact your doctor if you desire an abortion.

For additional information regarding family planning, your sexual rights, contraception, etc. talk to your doctor or call the association 'Sex og Samfund' (Sex and Society) at tel. 33 13 91 13 or visit their website at www.sexogsamfund.dk.

If you are pregnant or have children and need help you can contact Mødrehjælpen (Help to Mothers). This is an organization that offers counseling and

help to pregnant women and to families with children. Mødrehjælpen has counseling centers in Copenhagen, Århus and Odense as well as local units in a number of other cities. You can call Mødrehjælpen in Copenhagen at tel. 33 12 11 21 or visit their website at www.mhj1983.dk.

Familial Violence

Violence is a punishable offence and it is forbidden to strike one's spouse or one's children. Help is, therefore, available if your husband is violent towards you or towards your children. If you are subjected to violence, you can always contact the police. You can also call Landsorganisationen af Kvindekrisecentre – LOKK (The National Organization of Women's Crisis Centers). You can call 24 hours to tel. 70 20 30 82 or visit their website at www.lokk.dk. You can also call Kvindekrisecentrenes sekretariat (The Secretary for The Women's Crisis Centers) at tel. 32 95 90 19.

There are a number of crisis centers in Denmark at which you and your children can reside safely for a period. The crisis center is a 24 hour service for women who have been subjected to violence or threats of violence. The centers offer trauma counseling and can, among other things, help you to contact the police, a doctor, the casualty ward and the social services department. You can apply in person at a crisis center or be referred by your municipality, by the police or by another social service agency. If you lack money to pay for your stay at the crisis center, your municipality will pay for you.

For additional information, visit the National Association of Women's Crisis Centers website www.lokk.dk. Here you can also find a reference to counseling for young foreign women.

Divorce

You have a right to divorce regardless of whether your husband or wife also wishes it. As a general rule, a spouse has the right to divorce following a 1-year separation. If spouses agree to divorce, it is only necessary to be separated for 6 months. This enforced waiting period, however, does not apply in cases of marital infidelity or violence in the marriage. In such cases the aggrieved spouse can be granted a divorce immediately.

Divorce is initiated by sending an application to the County Court (Statsamt) in the area in which you reside. Additional information regarding the County Courts and how to contact them is available on their website at www.statsamt.dk. When the County Court has received the application, you and your spouse will be summoned to a meeting. Here you will, among other things, enter into agreements regarding alimony, division of property, visitation rights to children and child support.

For additional information about the rules for divorce call Familiestyrelsen (The National Family Agency) at tel. 33 92 22 02 or visit the website at www.familiestyrelsen.dk.

Child Custody

If you have one or more children you have a responsibility as well as a number of obligations. Custody of a child means having the obligation to provide for the child and the right to make decisions about things concerning the child. This can include naming the child, deciding where it is to live and which school it will attend. Custody includes the obligation to participate in parent-meetings at the child's day care institutions and at schools and other activities in the child's everyday life. If you are married you automatically have joint custody and must together make decisions concerning the child.

You can continue to have joint custody even though you are divorced. You can also agree to change custody from the one parent to the other. It is your decision, but the agreement must be approved by the County Court. The County Court can assist if you cannot agree as to where the child is to reside or as to who is to have custody. If you still cannot agree, the case will be decided in court. The judge takes into consideration what is best for the child. Emphasis will be placed on numerous aspects – for example, on who provided most for the child.

Visitation With The Child

A child has a right to be together with both parents, even if the parents do not reside together.

It is best if you can agree as to how visitation is to function. In other words, how often and how long the child is to be together with the parent it is not living with. If you cannot agree, the County Court can assist you. Additional information regarding the County Courts and how to contact them is available on their website at www.statsamt.dk.

There are no standard rules for how much visitation a parent can have. It depends on what is best for the child. In particular instances the County Court can decide that visitation must be under surveillance or must be cancelled.

For additional information about the rules for divorce, visitation and custody, visit the websites at www.statsamt.dk or www.familiestyrelsen.dk. You can also call Familiestyrelsen (The National Family Agency) at tel. 33 92 33 02.

Residence Permit

A residence permit in Denmark is temporary, to begin with. A spouse who is a resident in Denmark by dint of family unification is normally eligible for permanent residency if he or she:

- **has resided in Denmark for longer than the past seven years and**
- **has completed an introduction program and**
- **has passed a special Danish examination and**
- **has not been sentenced to more than two years imprisonment for a serious offence and**
- **has no public debt.**

If you do not have permanent residency and you move away from your spouse, you risk losing the right to remain in Denmark. But if termination of your marital relations is due to violence on the part of your spouse, the Danish Immigration Service can rule that you maintain your residency permit. This requires, however, that you can substantiate that you have been subjected to violence – for example through police reports or medical journals from a doctor or a hospital.

The Danish Immigration Service will also consider your attachment to Denmark, that is to say, how long you have been here, how well you speak the language and the extent of your network.

If you leave your spouse on account of violence and you wish to remain in this country, it is important that you begin Danish instruction, that you enroll your children in a day-care institution and that you get a job. Additional information is available from The Danish Immigration Service at tel. 35 36 66 00 or on their website at www.udlst.dk.

Child Support Payments

Financial aid for families with young children (børnechecken):

A family allowance – commonly known as “børnepenge” – is paid to all families with children and youngsters under the age of 18. You receive a subsidy for each child.

The funds are automatically paid to the mother, unless a request is lodged for the payments to be made to another person.

Additional information is available at the website www.danmark.dk or the website of the The Danish Ministry of Taxation www.skm.dk.

Child support (børnebidrag):

Parents are responsible for providing for their children. If a parent does not fulfill his obligation to his child, the County Court can rule that one must make child support payments.

If you wish to establish or to change the amount of child support payments, you must apply to the County Court. If you desire more information regarding child support payments you can call the National Family Agency (Familiestyrelsen) at tel. 33 92 22 02 or visit their website at www.familiestyrelsen.dk.

Child Benefits (børnetilskud):

Child benefits are extra payments made to parents who are alone in providing for their children or to parents who have great expenses. There are various kinds of child benefits. If you wish to receive child benefits you can apply to your municipality. If you desire more information you can call the National Family Agency (Familiestyrelsen) at tel. 33 92 22 02 or visit their website at www.familiestyrelsen.dk.

Public assistance

If you cannot provide for yourself and for your family and if you do not have an income or other assets, you can receive cash assistance (kontanthjælp) provided you meet certain requirements. To receive assistance you must accept offers of work, activation (aktivering) or offers of education or training.

If you entered Denmark after July 1st 2002, you are not eligible for cash assistance. If you cannot provide for yourself and for your family you can receive starting aid (starthjælp). To receive starting aid you must accept offers of work, activation (aktivering) or offers of education or training. You must apply to your municipality for both, cash assistance and starting aid. Here you can also receive additional information regarding your rights and obligations.

For questions regarding payment of taxes you can contact the tax office in your municipality.

Residence

If you are a tenant, you may apply to your municipality for economic assistance. For example, you can apply for a housing subsidy to help pay rent or for a loan to make a down payment to the landlord. The municipality can also help

you to find a residence if you do not have a place to live. For questions regarding residence you can contact your municipality.

The National Tenants Association (Lejernes Landsorganisation - LLO) is a national organization that looks after the interests of tenants. You can call the LLO at tel. 33 86 09 10 or visit their website at www.lejerneslo.dk if you require assistance.

Other Useful Addresses

Public Authorities

www.inm.dk (Ministry of Refugee, Immigration and Integration Affairs)

Here you can, among other things, read about the rules for integration and for residency in Denmark.

www.udlst.dk (The Danish Immigration Service)

Information regarding residence in Denmark by foreigners. Telephone 35 36 66 00.

www.medborger-i-danmark.dk A reference book about the Danish society published by the Ministry of Refugee, Immigration and Integration Affairs. The book is available in 17 languages and can be downloaded or ordered via the Internet at www.danmark.dk/netboghandel. The book costs 20 kroner plus shipping.

www.danmark.dk (a directory of public authorities)

Provides a quick overview of the Danish public sector and gives directions to the relevant authorities and sources of information.

www.lige.dk (Ligestillingsafdelingen).

The secretary for the Ministry for Social Affairs and Gender Equality.

Additional information is available here regarding equality for women and men, rights and obligations.

www.ligenaevn.dk (Ligestillingsnævnet).The Gender Equality Board.

Handles complaints of unequal treatment based upon gender differences.

Telephone 33 92 33 11.

www.familiestyrelsen.dk (Ministeriet for familie- og forbrugeranliggender).

The National Family Agency.

www.social.dk (Socialministeriet) Ministry of Social Affairs.

For information regarding economics, rates and the like.

www.skat.dk (Skat, Skatteministeriet). The Danish Ministry of Taxation.

For information regarding taxes, rates, income tax returns and the like.

Advisors and Associations etc.

www.finfo.dk Information for foreigners regarding, among other things, asylum, residence, work, education, politics and culture.

www.HOTLINE-raadgivning-for-indvandrere.dk.

Website concerning forced marriages.

www.kvinderaadgivningen.dk (Kvinderådgivning for etniske minoriteter)

Counseling for women of ethnic minorities. Counseling is subsidized by the Ministry of Refugee, Immigration and Integration Affairs and assists in matters of education, work, family relations, integration and discrimination. Telephone: 70 20 49 09.

www.etniskligestilling.dk An association that works for ethnic equality and for combating discrimination.

www.ms.dk (Mellemløst Samvirke). The Danish Association for International Co-operation. At the website you can find, among other things, a chat room for young women of other ethnic backgrounds.

www.kvininfo.dk (KVINFO)

The Danish Centre for Information on Women and Gender. A country-wide information, documentation and culture center. KVINFO has, among other things, an extensive mentor program that helps and supports women from ethnic minorities with schooling, training and work.

www.flygtning.dk (Dansk Flygtningehjælp)

The Danish Refugee Council has a network of volunteers throughout Denmark that help refugees and immigrants with integration and language training. The Danish Refugee Council can also advise applicants for asylum regarding procedures for asylum, the Danish Aliens Act, rules regarding expulsion and rejection, etc.

www.kvinderaadgivningen.dk

www.dannerhuset.dk

www.voldmodkvinder.dk

www.lokk.dk

www.etniskligestilling.dk

www.sexogsamfund.dk

www.abortnet.dk



Engelsk

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