



EUROPEAN COURT OF HUMAN RIGHTS  
COUR EUROPÉENNE DES DROITS DE L'HOMME

Press Unit  
Unité de la Presse

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# Denmark

## Ratified the European Convention on Human Rights in 1953

**National Judge: Anne Louise Bormann (13 April 2023 – )**

[Judges' CVs](#) are available on the ECHR Internet site

Previous Judges: Alf Niels Christian Ross (1959-1971), Helga Pedersen (1971-1980), Max Sørensen (1980-1981), Jørgen Gersing (1982-1988), Isi Foighel (1989-1998), Peer Lorenzen (1998-2014), Jon Fridrik Kjølbro (2014-2022)

[List of judges of the Court since 1959](#)

The Court dealt with 104 applications concerning Denmark in 2022, of which 100 were declared inadmissible or struck out. It delivered 4 judgments (concerning 4 applications), one of which found at least one violation of the European Convention on Human Rights.

Applications processed in	2021	2022	2023*
Applications allocated to a judicial formation	67	97	46
Communicated to the Government	6	22	8
Applications decided:	55	104	40
- Declared inadmissible or struck out (Single Judge)	45	89	35
- Declared inadmissible or struck out (Committee)	2	7	5
- Declared inadmissible or struck out (Chamber)	0	4	0
- Decided by judgment	8	4	0

\* January to July 2023

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#).  
Statistics on interim measures can be found [here](#).

Applications pending before the court on 01/07/2023	
Applications pending before a judicial formation:	42
Single Judge	12
Committee (3 Judges)	3
Chamber (7 Judges)	27
Grand Chamber (17 Judges)	0

## Denmark and ...

### The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **643** Registry staff members.

## Noteworthy cases, judgments delivered

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### Grand Chamber

#### [Savran v. Denmark](#)

07.12.2021

The case concerned a Turkish national who had been resident in Denmark for most of his life. He was deported in 2015 following a 2008 expulsion order given for violent crimes he had committed in the 2000s.

[No violation of Article 3 \(prohibition on inhuman and degrading treatment\)](#)

[Violation of Article 8 \(right to respect for private life\)](#)

#### [M.A. v. Denmark](#)

09.07.2021

The case concerned a delay of three years imposed in 2016 pursuant to Danish law on the applicant's right to family reunification owing to his temporary protection status.

[Violation of Article 8 \(right to respect for private and family life\)](#)

#### [S., V. and A. v. Denmark](#)

22.10.2018

The case concerned the applicants' detention on 10 October 2009 for over seven hours when they were in Copenhagen to watch a football match between Denmark and Sweden. The authorities detained the applicants in order to prevent hooligan violence. The applicants unsuccessfully sought compensation before the Danish courts.

[No violation of Article 5 § 1 \(right to liberty and security\)](#)

[The Court was satisfied that the Danish courts had struck the right balance between the applicants' right to liberty and the importance of preventing hooliganism.](#)

#### [Biao v. Denmark](#)

24.05.2016

The case concerned the complaint by a naturalised Danish citizen of Togolese origin, Ousmane Biao, and his Ghanaian wife that they could not settle in Denmark. Notably, the Danish authorities refused to grant them family reunion as the couple did not comply with the requirement under the relevant domestic law (the Aliens Act) that they must not have stronger ties with

another country, Ghana in their case, than with Denmark (known as the "attachment requirement"). The applicants also complained that an amendment to the Aliens Act in December 2003 – lifting the attachment requirement for those who held Danish citizenship for at least 28 years – resulted in a difference in treatment between those born Danish nationals and those, like Mr Biao, who had acquired Danish citizenship later in life.

[Violation of Article 14 \(prohibition of discrimination\) read in conjunction with Article 8 \(right to respect for private and family life\)](#)

[The Court further held that there was no need to examine the application separately under Article 8 of the Convention taken alone.](#)

#### [Sorensen & Rasmussen v. Denmark](#)

11.01.2006

Concerned the applicants' complaint about closed-shop agreements in Denmark.

[Violation of Article 11 \(freedom of association\)](#)

### Freedom of expression cases (Article 10)

#### [Pedersen and Baadsgaard v. Denmark](#)

17.12.2004

Conviction for defamation of the applicants, journalists, for programmes concerning the police's handling of a murder case.

[No violation of Article 6 \(right to a fair trial within a reasonable time\)](#)

[No violation of Article 10](#)

#### [Jersild v. Denmark](#)

23.09.1994

Conviction of a journalist for aiding and abetting the dissemination of racist remarks through an interview on national television of the "Green jackets" (an extremist youth group).

[Violation of Article 10](#)

## Chamber

### Cases on Article 3 (prohibition of inhuman or degrading treatment)

#### [Aggerholm v. Denmark](#)

15.09.2020

The case concerned a complaint by a schizophrenic man about being strapped to a restraint bed in a psychiatric hospital for nearly 23 hours, one of the longest periods of such immobilisation ever examined by the European Court.

[Violation of Article 3](#)

#### [T.N. v. Denmark, T.N. and S.N. v. Denmark, S.S. and Others v. Denmark, P.K. v. Denmark and N.S. v. Denmark](#)

20.01.2010

The five cases concerned applications from nine Tamils claiming they risked persecution and ill-treatment by the authorities &/or the "Tamil Tigers" if deported from Denmark to Sri Lanka.

[No violation of Article 3 if orders to deport the applicants to Sri Lanka were to be implemented.](#)

### Cases concerning the right to liberty and security (Article 5)

#### [Vasileva v. Denmark](#)

25.09.2003

Concerned the detention in police custody overnight of the applicant, a 67 year old woman in poor health, after she had had a dispute with a ticket collector on public transport and refused to disclose her identity.

[Violation of Article 5 § 1](#)

### Cases dealing with Article 6

#### Right to a fair trial

#### [Hauschildt v. Denmark](#)

24.05.1989

Concerned the impartiality of tribunals which had convicted the applicant, where certain of the judges involved had also made pre-trial decisions ordering his detention on remand (Administration of Justice Act was subsequently amended).

[Violation of Article 6](#)

#### Right to a fair hearing/trial within a reasonable time

Length of civil proceedings cases:

#### [Valentin v. Denmark](#)

26.03.2009

Violation of Articles 6 (right to a fair trial within a reasonable time) and 13 (right to an effective remedy) and Article 1 of Protocol No. 1 (protection of property)

#### [Christensen v. Denmark](#)

22.01.2009

[Violation of Articles 6 and 13](#)

#### [Iversen v. Denmark](#)

28.09.2006

[Violation of Article 6 §1](#)

#### [Kurt Nielsen v. Denmark](#)

15.02.2000

[Violation of Article 6 § 1](#)

#### [A and Others v. Denmark](#)

08.02.1996

[Violation of Article 6](#)

Length of criminal proceedings in "tax asset stripping" cases ("*selskabstmmersager*"):

#### [Hasslund v. Denmark](#)

11.12.2008

#### [Moesgaard Petersen v. Denmark](#)

11.12.2008

[Violations of Article 6 § 1 \(right to fair trial within a reasonable time\)](#)

### Article 7 (no punishment without law)

#### [Mørck Jensen v. Denmark \(no. 60785/19\)](#)

18.10.2022

The case concerned a Danish citizen's conviction for a stay in a conflict zone in an area of Syria where the Danish State had restricted travel.

[No violation of Article 7](#)

[No violation of Article 2 of Protocol No. 4 \(freedom of movement\)](#)

#### [Custers, Deveaux and Turk v. Denmark](#)

03.05.2007

Members of Greenpeace complained about their conviction by the Danish courts of

trespassing for taking part in a campaign in 2001 near the American "Thule Air Base" in North-West Greenland (an act which they alleged, at the time it had been committed, had not amounted to a criminal offence under Danish law).

[No violation of Article 7](#)

### **Cases concerning private and family life (Article 8)**

#### **[K.K. and Others v. Denmark \(no. 25212/21\)](#)**

06.12.2022

The case concerned the refusal to allow the applicant K.K. to adopt the applicants C1 and C2 (twins) as a "stepmother" in Denmark. The twins were born to a surrogate mother in Ukraine who was paid for her service under a contract concluded with K.K. and her partner, the biological father of the children. Under Danish law, adoption was not permitted in cases where payment had been made to the person who had to consent to the adoption.

[No violation of Article 8 - finding in particular that there had been no damage to the family life of the applicants, who lived together with the children's father unproblematically](#)

[No violation of Article 8 as regards the mother's right to respect for her private life as the domestic authorities had been correct in ruling so, in order to protect the public interest in controlling paid surrogacy, over K.K.'s Article 8 rights](#)

[Violation of Article 8 as regards the right to respect for the private lives of the two applicant children. The Danish authorities had failed to strike a balance between the interests of the children and the societal interests in limiting the negative effects of commercial surrogacy, in particular as regards their legal situation and legal relationship to K.K.](#)

#### **[Munir Johana v. Denmark and Khan v. Denmark](#)**

12.01.2021

The case concerned the applicants' expulsions from Denmark being ordered following repeated convictions for various criminal offences, despite their having lived there since a young age.

[No violations of Article 8](#)

#### **[Levakovic v. Denmark](#)**

23.10.2018

The case concerned a decision to expel the applicant to Croatia, with which he had no ties apart from nationality, after he was tried and convicted for crimes committed in Denmark, where he had lived most of his life.

[No violation of Article 8](#)

#### **[Assem Hassan Ali v. Denmark](#)**

23.10.2018

The case concerned the expulsion from Denmark of a Jordanian national, who has six children of Danish nationality. He was deported in 2014 following convictions for drugs offences.

[No violation of Article 8](#)

#### **[Osman v. Denmark](#)**

14.06.2011

The case concerned the refusal to renew the Danish residence permit of a Somali girl, who had grown up with her family in Denmark, after she spent more than two years, allegedly against her will, living in Kenya. The right to family reunification for young people of her age (15-17) in Denmark was abolished while she was away.

[Violation of Article 8](#)

#### **[Amrollahi v. Denmark](#)**

11.07.2002

Impossibility for an Iranian citizen, convicted in Denmark of drugs offences and ordered to be expelled with a life-long ban on his return, to continue his family life with his Danish wife and child outside Denmark.

[Violation of Article 8 if the decision to expel the applicant to Iran were to be implemented](#)

### **Inadmissible applications**

#### **[Johansen v. Denmark \(no. 27801/19\)](#)**

03.03.2022

The case concerned the stripping of the applicant's Danish nationality following his conviction in 2017 for terrorism offences, in particular for having gone to Syria to join the "Islamic State". The authorities also ordered his deportation from Denmark with a permanent ban on his return.

[Application declared inadmissible for being manifestly ill-founded](#)

### [Alam v. Denmark](#)

29.06.2017

The application concerned an expulsion and life-long ban of a Pakistani national from Denmark. In 2013 Ms Alam was convicted of aggravated attempted robbery, murder and arson and sentenced to 16 years' imprisonment and expulsion from Denmark. Ms Alam, who has spent nearly her entire life in Denmark and has permanent residence, complained that her expulsion would separate her from her children, born in Denmark in 2000 and 2004, and from the husband she recently married in 2015.

[Application declared inadmissible for non-exhaustion of domestic remedies](#)

### **Freedom of expression cases (Article 10)**

#### [Lings v. Denmark](#) (no. 15136/20)

12.04.2022

The applicant is a doctor and the founder of a pro-assisted-suicide organisation, Physicians in Favour of Euthanasia. The case concerned his conviction on two counts of assisted suicide, and one count of attempted assisted suicide. He asserted that he had just been disseminating information about suicide.

[No violation of Article 10](#)

#### [Frisk and Jensen v. Denmark](#)

05.12.2017

The case concerned two Danish journalists working for a national television station and their conviction of defamation following a programme broadcast in 2008 criticising

the treatment of cancer at Copenhagen University Hospital.

[No violation of Article 10](#)

### **Inadmissible application**

#### [Roj TV A/S v. Denmark](#)

24.05.2018

The case concerned the applicant company's conviction for terrorism offences by Danish courts for promoting the Kurdistan Workers' Party (PKK) through television programmes broadcast between 2006 and 2010. The domestic courts found it established that the PKK could be considered a terrorist organisation within the meaning of the Danish Penal Code and that Roj TV A/S had supported the PKK's terror operation by broadcasting propaganda. It was fined and its licence was withdrawn.

[Application declared inadmissible as being incompatible \*ratione materiae\* with the provisions of the Convention.](#)

### **Cases concerning the right to free elections**

#### **(Article 3 of Protocol No. 1)**

#### [Strøbye and Rosenlind v. Denmark](#)

02.02.2021

The case concerned the disenfranchisement of the applicants as a result of their having had their legal capacity removed.

[No violation of Article 3 of Protocol No. 1](#)

[No violation of Article 14 \(prohibition of discrimination\)](#)

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