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Rehabilitation and Research Centre for Torture Victims

The Danish National Preventive Mechanism - The Parliamentary Ombudsman

Rehabilitation and Research Centre for
Torture Victims (RCT)
www.rct.dk - www.torture.dk



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Introduction

- Denmark ratified OPCAT 25 June 2004
- The Parliamentary Commissioner for Civil and Military Administration – the Danish Ombudsman was designated in October 2007
- Reflections on designation





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The Danish Ombudsman

- The Danish Ombudsman Institution (OMB) was established in 1954
- Functions
 - Watchdog of the Public Administration
 - Complaints mechanism
 - Investigations of authorities
- Inspection Visits





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The Ombudsman and designation

- Seeking advice from the Danish Institute for Human Rights (DIHR) and RCT
- Consultative meetings
- The exploration of possible expert assistance and/or cooperation with DIHR and RCT





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NPM Legislation

- No separate law establishing the NPM, instead amendments will be made to the existing OMB law, inclusion of:
 - Private places of detention
 - International humanitarian standards
 - Mandate to submit proposals and observations on existing or draft legislation





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Composition of the NPM

- The NPM – will be a separate unit in the OMB Office
- The NPM will be placed in the Department of General Affairs
- Actual composition of members is still not finalised
- Possible DIHR and RCT assistance
- Confidentiality issues





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Independence and Budget

- The Danish OMB has a longstanding reputation of being the watchdog of public administration and people's rights
- No previous incidences of concern in regards to independence
- No separate NPM budget
- The OMB institution intends to ask for additional funding for visits





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Visits

- More than 200 places of detention in DK
- Suggestion of app. 40 visits a year
- The visits will tentatively begin primo 2009





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Conclusions

- Difficult and demanding task to establish an NPM
- Importance of consulting the civil society organisations
- Importance of diversity within the NPM member composition
- Overall aim to establish a well-functioning and OPCAT compliant NPM

