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Delegations will find attached the declassified version of the above document.

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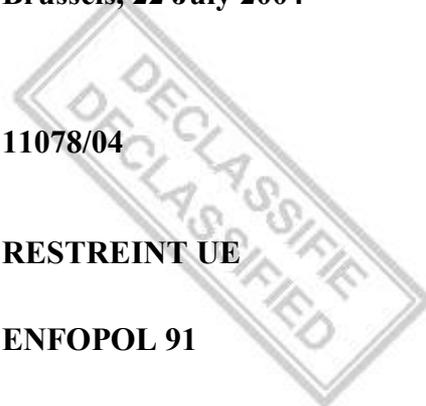
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NOTE

from : General Secretariat

to: Working Party on Terrorism

Subject : Evaluation of National Anti-Terrorist Arrangements
Report about the Evaluation of Denmark, 10–12 November 2003

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Evaluation of Denmark, 10-12 November 2003

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1. Terrorism Situation

1.1 Domestic Terrorism

In Denmark there are small militant right wing and left-wing extremist groups with international contacts, however, there are no national groups which can be described as terrorist groups.

1.2 International Terrorism

Traditionally, the risk of acts of international terrorism against targets or events in Denmark has been considered relatively low. That does, however, not imply that there is no risk at all or that the risk may not be increasing in the future.

At present there is a general risk of threat in the Western world when it comes to threats from terrorism. This risk has generally increased since the terrorist acts against the USA on 11 September 2001 and the subsequent military actions in Afghanistan as well as in Iraq - particularly for the countries who have contributed in terms of military to these actions (such as Denmark). And the generally increased risk level has been accentuated after the Madrid attacks of 11 March 2004.

In Denmark there are also persons and circles who sympathise with various terrorist organisations connected with regional areas of conflict. Such persons and circles might offer logistic support to possible terrorists or groups of terrorists entering Denmark who might have the intentions of carrying out terrorist acts on Danish soil. Similarly, such persons might, on their own, carry out simple acts of terror, which do not require extensive preparation and planning. Furthermore, terrorist groups or individual terrorists may enter Denmark with the aim of carrying out terrorist acts on Danish soil without the logistic support of persons or circles in Denmark.

2 Structure of Authorities

2.1 General Structure

The Kingdom of Denmark, once the seat of Viking raiders and later a major north European power, has evolved into a modern, prosperous nation that is participating in the general political and economic integration of Europe.

Denmark is a member of the United Nations, the NATO and the European Union.

However, the country has opted out of certain elements of the European Union's Maastricht Treaty, including the European Economic and Monetary Union, and issues concerning certain justice and home affairs.

The total population is about 5,4 million inhabitants.

Denmark is structured in 14 amter (counties) and 2 kommuner (boroughs) as well as the Faroe Islands and Greenland, which are self-governing overseas administrative divisions.

2.2 Political and Security Structure

The 1849 Constitutional Act provides that the branches of the Government of Denmark are separated into the legislative (Parliament), the executive (Government) and the judiciary (Courts of Justice).

Under the political supervision of the Prime Minister, the Minister of Justice, being responsible for the internal security of the country, supervises the National Commissioner of Police and the Chiefs of Police of each of the 54 Police Districts, plus the Feroe Islands and Greenland. Moreover, she is accountable to Parliament for the activities of the Security Intelligence Service (PET), which's operational activities to that end are subject of direct report to her.

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The Minister of Justice also supervises the Public Prosecutors Service. The Director of Public Prosecutions (DPP) conducts prosecutions in criminal cases before the Supreme Court and is superior to the other prosecutors and supervises them. The DPP decides how the prosecutors are to carry out their work by issuing instructions. The DPP also deals with complaints about decisions made by the regional public prosecutors in the first instance.

Supreme Court judges like all other judges, are appointed by the Committee for the Appointment of Judges.

The Prosecution Office for Serious Economic Crime comprises the National Financial Intelligence Unit and is responsible for the investigation and prosecution of all serious economic crime cases, including cases on financing of terrorism.

The main rule is that people who live in Denmark legally for a certain amount of time must register with the national registration offices. This registration with the national offices/the Centralised Civil Register (CRS) is necessary to obtain a personal identification number. The identity number is unique to the person and thus functions as identification of each individual. Almost the entire public administration uses the identifications number, inter alia, to avoid duplication and errors in respect of a person's identity. The use of the identity number also facilitates the collaboration between the CRS and the public authorities receiving data from the CRS. Apart from the personal identification number the CRS also contains information on the person's name, address (and former addresses), citizenship, civil status etc. This number is printed on the persons health insurance card, drivers licence, passport etc. A mandatory national identity document does not exist.

3 Summary of the Evaluation

For the time being, no domestic terrorist threat in Denmark can be noticed. The authorities, however, are aware of the international threat situation and well prepared to fight terrorism. To that end legislation was adapted after 9/11 and now is considered as sufficient.

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Regarding cooperation and exchange of information between all levels and in all fields no problems were mentioned or detected.

3.1 Examples of good practices to be found in the Danish system are:

- Flexibility is a dominant guideline of the cooperation between the different agencies.
- The Danish public prosecution and the Ministry of Justice apply a rota system, which means that lawyers working within this field will usually have held positions in different police districts, with the regional public prosecutors, and/or the Ministry of Justice, the National Commissioner or the Security Intelligence Service (PET) before they are appointed to leading functions in a Police District, a Public Prosecutor, the Security Intelligence Service (PET) or within the Ministry of Justice.
- The PET is part of the National Commissioner of Police and as part of the Danish police composed mainly of police officers. It gathers intelligence by its own means and is supported by the district polices, to where liaison officers are seconded. It carries out its own investigations (terrorism and organised crime affecting national security).
- No special court of justice for terrorism cases but a special chamber is established to authorise special investigation techniques.

3.2 Recommendations are to be made referring to:

- The law enforcement structure, which seems to be rather accurate to the criminal phenomenon experienced by the Danish society, requires full co-ordination nationally and internationally in order to ensure efficient collaboration at EU and international level. However, the division of the 54 police districts into 7 regions headed by a chief of the police region, ensures that also cross-district crime, organised crime etc. is dealt with efficiently. Furthermore the National Police Commissioner has established a national Centre of Investigative support (NCIS), which gathers information at national and international level and provides analyses for both national and international criminal investigations. One of the main objectives behind establishing a NCIS has been to compensate for the fragmentation of investigation, which may be caused by the many police districts. NCIS cooperates closely with PET.

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At present, a Committee under the Justice Minister is considering the future structure of the Danish police. Moreover, the responsible authorities should reflect about a stronger central system to guide and control the commissioners and the districts.

- 3.3 The fact that the identification data on the UN (and other) lists is sometimes insufficient, when it comes to ensuring that a matching name is also a matching identity, was raised. Given the fact that this problem could not be solved at national nor at EU level, the appropriate EU bodies are requested to bring it to the attention of the UN level.

