Council of Europe Committee for the Prevention of Torture publishes periodic report following visit to Denmark

A delegation of the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) carried out a periodic visit to Denmark from 23 May to 3 June 2024. It was the committee's seventh periodic visit to the country.

Denmark continues to use administrative detention as part of its asylum and return systems, primarily at the Elleb‘k Detention Centre and short-term police holding facilities. Under the Aliens Act, Sections 36?37, detention is allowed to prevent absconding, verify identity and ensure Dublin transfers and removals.

Key findings of the CPT's flash report and the response of Denmark (2024):

The CPT found that Elleb‘k remains prison-like in design and regime, despite housing people for administrative (not criminal) reasons. Detainees have limited access to open air, few recreational and educational activities, and face highly restrictive security measures.

Vulnerable groups, such as families or people with mental health conditions, lack adequate screening and safeguards. Conditions in short-term police custody are basic and unsuitable for prolonged stays.

Denmark acknowledged the CPT's concerns but defended current practices as necessary to uphold immigration control and prevent absconding.

The government committed to some operational improvements: better staff training, more consistent vulnerability screening and limited upgrades to facilities, but did not pledge to close Elleb‘k or fundamentally change its use.

Policy recommendations

1. Additional alternatives to detention: Expand and systematically apply non-custodial measures, such as reporting duties, designated residence, electronic monitoring, or bail, especially for families and vulnerable individuals.

2. Improve conditions at Elleb‘k: Upgrade the facility to ensure a non-penal environment, more open-air time, access to education, recreational activities,

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and private visits and respect the non-criminal status of detainees.

3. Strengthen legal safeguards for vulnerable groups: Ensure robust, systematic screening for vulnerabilities (children, families, trauma survivors) and clear prohibition of detention of unaccompanied minors in all circumstances.

4. Guarantee access and oversight: Facilitate regular, confidential access by lawyers, UNHCR, civil society organisations, and family visitors. Provide clear, translated information on rights and legal aid.

5. Plan for gradual closure of prison-like detention: Align with Council of Europe standards by shifting toward smaller, specialised, community-based alternatives for migrants whose detention is strictly necessary under EU law.

Source(s)

- Council of Europe (23 June, 2025), [Response of the Danish Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Denmark from 23 May to 3 June 2024], https://rm.coe.int/1680b66eb4

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