

Frans National contribution to the Fundamental Rights Report 2024

Denmark

Contractor's name: The Danish Institute for Human Rights

Author's name: Theis Thorbjørn Bigandt, Anne Arvidsen and
Daniel Enoch

Disclaimer: This document was commissioned under contract by the European Union Agency for Fundamental Rights (FRA) as background material for the project 'FRA Fundamental Rights Report 2024'. The information and views contained in the document do not necessarily reflect the views or the official position of the FRA. The document is made publicly available for transparency and information purposes only and does not constitute legal advice or legal opinion.

Contents

1. Impact of the cost-of-living crisis and rising poverty in the EU	3
1.1. Legal measures impacting on vulnerabilities of persons affected by the rising costs of living and energy.	3
1.2. Policy measures impacting on vulnerabilities of persons affected by the rising costs of living and energy.	5
2. Threats to democratic values - Protecting civic space, strengthening meaningful participation and the rights to freedom of association, peaceful assembly and expression	8
2.1. Major threats to democracy as reflected in national legal and political developments and the discourse at national level.....	8
2.2. Legislative and policy measures having an impact on the freedom of assembly/association/expression of civil society actors.	13

1. Impact of the cost-of-living crisis and rising poverty in the EU

1.1. Legal measures impacting on vulnerabilities of persons affected by the rising costs of living and energy.

The following legal measures have been identified which has been adopted to execute a political agreement on financial aid due to rising inflation. The political agreement is described below under item 1.2.

On 8 September 2022, Parliament adopted an act that provides extra economical support for recipient of social benefits and which entered into force on 14 September 2022.¹ The act ensures financial aid in the form of one-time payments in 2023 of DKK 2.500 for elders and DKK 2.000 for the remaining groups of persons to compensate for rising costs of energy.² Approximately DKK 1.3 billion have been allocated to this aid in 2023.

On 2 April 2023, Parliament adopted an amendment of the Health Care Act and Act on Social Services which entered into force on 3 April 2023.³ The act increases the subsidy of medicine for all citizens. DKK 125 million have been allocated to this aid.

On 16 May 2023, Parliament adopted the Act on inflation aid to economically vulnerable families with children which entered into force on 17 May 2023.⁴ The act

¹ Denmark, Act on extra economical support for receivers of supplementary pension benefits, non-recurring amounts to recipients of transfer payments withdrawn from the labour market and non-recurring amounts to students in further education receiving scholarships as supplements due to functional impairments or as single parents ([Lov om ekstra økonomisk støtte til modtagere af ældrechecken, engangsbeløb til overførselsmodtagere, der har trukket sig tilbage fra arbejdsmarkedet, og engangsbeløb til uddannelsessøgende, der modtager stipendium som tillæg på grund af en funktionsnedsættelse eller som enlige forsørgere](#)), 13 September 2022.

² Denmark, Ministry of employment, Act on compensation for rising costs of energy now adopted, ([Lovforslag om compensation for stigende energipriser nu vedtaget](#)), 8 September 2022.

³ Denmark, Act on amendment of the health care act and law on social services (authorization to enact lower thresholds for drug reimbursements for 2023 etc.) ([Lov om ændring af sundhedsloven og lov om social service \(Bemyndigelse til at indføre lavere medicintilskudsgrænser i 2023\)](#)), 2 April 2023.

⁴ Denmark, Act on inflation aid to economically vulnerable families with children ([Lov om inflationshjælp til økonomisk udsatte børnefamilier](#)), 16 May 2023.

ensures financial aid for persons receiving public income support due to lack of employment who are living with children under the age 15. Aid is given as a one-time payment of DKK 7.500 to households with one child, DKK 11.250 to households with two children and DKK 13.500 to households with three children. DKK 300 million have been allocated to this aid.

On 1 June 2023, Parliament adopted amendments to the Act on Social Housing etc. and the Social Housing Lease Act which entered into force on 7 June 2023.⁵ The act allows for subsidy to departments of social housing for the department to temporarily lower the rent for individual tenants with a special need for financial aid to prevent eviction. DKK 350 million have been allocated to this aid.

Furthermore, we have identified the following legal measures besides the political agreement on financial aid:

On 22 September 2022, Parliament adopted an amendment to the Residential Lease Act which entered into force on 30 September 2022.⁶ The act ensures a cap on rent increases of 4 % annually for 2022 and 2023 with respect to residential leases for which rent adjustment in accordance with the net price index has been agreed. The net price index follows the general development in consumer prices and showed an increase of 8.8 % between the months of January 2022 to January 2023.⁷ The act is expected to take effect for up to 160.000 residential units.⁸

In Denmark, The Economic Council of the Labour Movement (*Arbejderbevægelsens Erhvervsråd*) has published an analysis of the effects of the financial aid package to ease effects of inflation.⁹ The Economic Council of the Labour Movement is a Danish economic policy institute and think-tank working to promote social justice in Denmark and their board consist of representatives from major trade unions in Denmark. The analysis has been conducted, as the financial aid package has been criticised for entailing a risk that the financial aid will worsen inflation levels. The analysis shows that the financial aid package will not have significant impact on inflation levels, measured on the expected impact on GDP, consumer prices and employment levels.

⁵ Denmark, Act on amendment of the act on social housing etc. and the social housing lease act ([Lov om ændring af lov om almene boliger mv. og lov om leje af almene boliger](#)), 1 June 2023.

⁶ Denmark, Act on amendment of the residential lease act (Cap on rent increases due to the development in the Net Price Index) ([Lov om ændring af lov om leje og lov om boligforhold \(Loft over huslejestigninger som følge af udviklingen i nettoprisindekset\)](#)), 22 September 2022.

⁷ Denmark, Statistics Denmark (*Danmarks Statistik*), Net Price Index ([Nettoprisindeks](#)).

⁸ Denmark, Ministry on interior affairs and housing, Cap on rent increases adopted by Parliament ([Loft over huslejestigninger vedtaget af Folketinget](#)), 22 September 2022.

⁹ Denmark, ECLM, Inflation aid of DKK 3 billion will not impact inflation ([Inflationshjælp til tre mia. kr. ændrer ikke på inflationen | Arbejderbevægelsens Erhvervsråd \(ae.dk\)](#)), 19 December 2023.

The analysis is based on the annual Danish aggregate model (“ADAM”) which is a macroeconomic model developed by Statistics Denmark (*Danmarks Statistik*). The model gives a simplified mathematical description of interactions in the Danish economy based on a considerable amount of data from the national accounts. The model can be used to predict effects of economic initiatives.

1.2. Policy measures impacting on vulnerabilities of persons affected by the rising costs of living and energy.

On 10 February 2023, the Government along with six other parties agreed to allocate DKK 2.4 billion to an aid package aimed at easing the effects of inflation.¹⁰

The aid will be used for several initiatives in 2023 which impact on vulnerabilities of persons affected by the rising costs of living and energy. As mentioned above, many of the initiatives have been executed through legal measures. The following initiatives are executed through policy measures:

Children in vulnerable families

The aid to civil society organisations for children in vulnerable families has been financed through approval from the finance committee to allocate funds on the Finance Act for 2023 to support specific civil society organisations who work to support children affected by the rising costs of living and energy, i.e., to arrange summer camps for children and to subsidise the existing work and new initiatives by the organisations such as extended opening hours etc.¹¹ DKK 100 million have been allocated to this aid.

Aid to civil society organisation: Aid to persons in vulnerable positions

The aid to civil society organisations for persons in vulnerable positions has been financed through approval from the Finance Committee to allocate funds on the Finance Act for 2023 to support specific civil society organisations who work to support vulnerabilities of persons affected by the rising costs of living and energy, i.e., to

¹⁰ Denmark, Ministry of Finance, Government enters broad agreement on inflation aid ([*Regeringen indgår bred aftale om inflationshjælp*](#)), 10 February 2023.

¹¹ Denmark, Danish Authority of Social Services and Housing, Civil society organisations pool: Help to children in vulnerable families (inflation aid) ([*Civilsamfundspulje: Hjælp til børn i udsatte familier \(inflationshjælp\)*](#)).

ensure food security and to subsidise the existing work and new initiatives by the organisations such as extended opening hours etc.¹² DKK 25 million have been allocated to this aid.

Aid ensuring financial advice to tenants in risk of eviction

The aid ensuring financial advice to tenants of social housing in risk of eviction has been financed through the finance act for 2023 to ensure that social housing organisations are able to hire an economic adviser for a period of up to six months to advice tenants in risk of eviction.¹³ Aid is given based on applications from the social housing organisations. Applications were to be sent in by 1 June 2023 at the latest. DKK 10 million have been allocated to this aid.

Table 1 – Promising practice

Promising practice	
Title (original language)	No promising practice has been identified for this thematic area.
Title (EN)	
Organisation (original language)	
Organisation (EN)	
Government / Civil society	
Funding body	
Reference (incl. URL, where available)	
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	
Type of initiative	

¹² Denmark, Danish Authority of Social Services and Housing, Civil society organisations pool: Help to citizens in vulnerable positions (inflation aid) ([Civilsamfundspulje: Hjælp til borgere i udsatte positioner \(inflationshjælp\)](#)).

¹³ Denmark, Danish Authority of Social Services and Housing, Pool: Economic advice to tenants in risk of eviction ([Pulje: Økonomisk rådgivning af udsættelsestruede lejere](#)), 27 April 2023.

Promising practice	
Main target group	
Indicate level of implementation: Local/Regional/National	
Brief description (max. 1000 chars)	
Highlight any element of the actions that is transferable (max. 500 chars)	
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	
Give reasons why you consider the practice as having concrete measurable impact	
Give reasons why you consider the practice as transferable to other settings and/or Member States?	
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice	
Explain, if applicable, how the practice provides for review and assessment	

2. Threats to democratic values - Protecting civic space, strengthening meaningful participation and the rights to freedom of association, peaceful assembly and expression

2.1. Major threats to democracy as reflected in national legal and political developments and the discourse at national level.

Table 2 – Challenges

Based on a scan of legislative and policy and other developments and the public discourse please identify **three major challenges** to democracy emerged in the course of 2023.

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
Attacks and threats to the safety of civil society organisations, human rights defenders and journalists	<p>In May 2023, a popular Danish actor and entertainer went on sick leave because of harassment and threats against him in a coordinated attack on social media.</p> <p>Accordingly, the resistance towards the Danish actor spread through groups on Facebook also known for hosting conspiracy theoretics and people who are anti-elite, anti-mainstream, and anti-science.</p> <p>The Danish actor is known for producing shows for kids while some of his performances are in odd and vulgar, although</p>

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
	<p>humoristic, outfits and settings. Further, he had at one point recommended, as a joke, that children should be satanists. It was those performances that sparked the attack.</p> <p>Further, videos shared in multiple groups suggested a connection between the actor and the medicinal industry. It was insinuated that his shows could help create more mental diagnoses in children which could then help the pharmaceutical industry make more money.¹⁴</p> <p>In the personal attack he was also falsely accused of being defamatory, a satanist and a paedophile. His employer, a national television broadcaster, reported the accusations to the Danish Police.¹⁵</p> <p>The attack on the Danish actor shows problems with threats and attacks and misinformation from private players on social media. The case also shows how difficult it is to protect people from harassment and threats online. Attacks like these produces at risk that actors and entertainers will withdraw from creating certain performances.</p>
<p>Legal and administrative constraints, harassment, intimidation, and reprisals against civil society organisations, human rights defenders (including SLAPPs - strategic lawsuits against public participation)</p>	

¹⁴ Denmark, DR, Corona skeptics are behind the hetz against Onkel Reje: 'They are the ones who have really thrown fuel on the fire' ([Coronaskeptikere står bag hetz af Onkel Reje: 'Det er dem, som for alvor har smidt brænde på bålet'](#)), 6 May 2023.

¹⁵ Denmark, TV2, Podcast: The hetz against Onkel Reje ([Podcast: Hetzen mod Onkel Reje](#)), 12 May 2023.

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
Lack of media freedom a/o media pluralism; disinformation (incl. online)	
Foreign interference	
Lack of (processes for) transparent, accountable, democratic and pluralistic participation in law and policymaking; incl. access to information	
Lack of election integrity (incl. electoral process, political campaigning and party financing)	
Disproportionate use of law enforcement measures (surveillance, police violence, unlawful arrest etc.)	<p>In January 2023, The Danish Minister of Defence ordered that the Danish Intelligence Oversight Board (<i>Tilsynet med Efterretningstjenesterne</i>) should stop overseeing the collection and processing of bulk data intercepted by Danish Defence Intelligence Service (<i>Forsvarets Efterretningstjeneste</i>).¹⁶</p> <p>Under the current Danish legislation, it is the Minister of Defence who has the competence to determine the interpretation of the legal framework for the Danish Defence Intelligence Service, including the Danish Intelligence Oversight Board area of competence. However, the decision is controversial, as it appears from the annual reports by the Danish Intelligence Oversight Board from 2015 to 2021 that the Danish Intelligence Oversight Board has kept oversight of</p>

¹⁶ Denmark, DR, [The intelligence service escapes control: Supervision is put in place](#) (*Efterretningstjeneste slipper for control: Tilsyn er sat på plads*), 19 January 2023.

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
	<p>the Danish Defence Intelligence Service's collection and processing of bulk data. Regardless, the Danish Ministry of Defence has ordered that the oversight board no longer has this competence.¹⁷</p> <p>The decision by the minister is problematic as is follows from the case law from the European Court of Human Rights that collection and processing of bulk data by a secret intelligence service must be subject to independent and legal review.¹⁸</p> <p>In general, secret surveillance by intelligence services may cause a chilling effect and can thus have a negative impact on civic space.</p> <p>In the context of bulk interception, the importance of supervision and review will be amplified, because of the inherent risk of abuse and because of the legitimate need for secrecy of the operations of the intelligence service which exclude people to safeguard their personal data against abuse of surveillance powers.</p>
Corruption, including misuse of EU funds	
Lack of (effective judicial protection by) independent and impartial courts	<p>Well-functioning courts are a prerequisite for a well-functioning rule of law. In recent years, however, case processing times in both civil and criminal cases have increased in Danish courts.</p> <p>In March 2023, The Courts of Denmark (<i>Domstolsstyrelsen</i>) published their annual report on case processing time at the courts. The report shows that case processing time is still long</p>

¹⁷ Denmark, Danish Intelligence Oversight Board (*Tilsynet med Efterretningstjenester*), with reference to [annual reports on the Danish Defence Intelligence Service from 2015-2021](#)

¹⁸ Big Brother Watch and Others v. the United Kingdom, application nos. 58170/13, 62322/14 og 24960/15, judgement of 25 May 2021 and Centrum för Rättvisa v. Sweden, application 35252/08, judgement of 19 June 2018.

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
	<p>and that since 2018 the average case processing time has almost doubled in some criminal cases.¹⁹</p> <p>Furthermore, the number of civil court cases has been declining in recent years. Reports suggest that people choose to handle legal issues outside of the courts because in general it is recognised as too difficult, economically burdensome, and lengthy to conduct civil cases in the Danish courts.²⁰</p> <p>A study from the Danish Bar and Law Society also shows that case processing times for civil and criminal cases will increase significantly in the coming years if no initiatives are implemented to counteract the increase.²¹</p> <p>On 22 November 2023, the Danish government and all members of the Danish Parliament made an agreement on the economy of the courts from 2024 to 2027. With the agreement, the parties will give the courts a financial boost of approximately DKK 2.3 billion over the period which aims to tackle the problem with long case processing time. In addition, the parties will implement a number of changes to the administration of justice based on recommendations from the Rørdam Committee and the Danish Council of Administration of Justice (Retsplejerådet).²²</p>

¹⁹ Denmark, Courts of Denmark (Domstolsstyrelsen), press release on the courts case processing in 2022 ([Fortsat lange sagsbehandlingstider I 2022](#)), 29 March 2023.

²⁰ Denmark, The Danish Bar and Law Society, (Advokatsamfundet), press release on Acces to Justice: Declined in number of civil cases ([Acces to justice: Fald i antallet af civile sager](#)), 7 September 2021.

²¹ Denmark, The Danish Bar and Law Society, (Advokatsamfundet), Courts on their knees - What will it cost to reduce processing times? ([Domstole I knæ – Hvad vil det koste at reducere sagsbehandlingstiderne?](#)), 26 October 2022

²² Denmark, Ministry of Justice (Justitsministeriet), press release on political agreement to decrease case processing time ([Ny aftale: Alle Folketingets partier vil vende udviklingen ved domstolene](#)), 22 November 2023.

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
Threats to (the independence of) the fundamental rights institutional landscape (NHRIs, equality bodies, data protection authorities and similar bodies), incl. closure of fundamental rights bodies, legal changes, budget cuts and harassment	
Institutional issues linked to checks and balances (lack of parliamentary oversight, lack of implementation of final court decisions by executive, etc.)	
Other major developments threatening democratic values	

2.2. Legislative and policy measures having an impact on the freedom of assembly/association/expression of civil society actors.

On 14 June 2023, the Danish Government and 5 other parties in Parliament made a political agreement for media. The agreement decides on the allocation of funds to

media from 2023-2026. The agreement provides better conditions for small national media to maintain diverse and local journalism in Denmark. Thus, the agreement supports freedom of expression for civil society actors.

Support to local newspaper that publish on a weekly basis

In the political agreement it was decided to provide additional support to local newspaper that publish on a weekly basis by allocating DKK 43,1 million in 2023 and DKK 52,8 million annually in 2024-2026. Local media has in recent years lost many readers and instead their income has been removed to platforms of big tech companies. The aim of the initiative is to support local media to Danish citizens as local media is viewed as being significant for news coverage and for grassroots democracy in local and regional areas.²³

The initiative was passed in Parliament by law in December 2023.²⁴ Because the initiative contains aid granted by the State the initiative must also be approved by the European Commission before it can enter into force.²⁵

Support to magazines with journalistic content

Further, it was decided to allocate funds to promote magazines with journalistic content. The support is limited to printed and digital magazines with an editorial production of a societal, political, or cultural nature that contributes to the public debate, society's information, opinion formation, or cultural enrichment.

It was decided to allocate DKK 30 million annually in 2024-2026. The financial support for each media can not exceed 35 % of the editorial costs for the media, and the financial support cannot exceed DKK 3 million in total. Under the current

²³ Denmark, the Ministry of Culture (*Kulturministeriet*), Media agreement for 2023-2026: Collection of free media and strong Danish contents ([Medieaftale for 2023-2026: Samling om frie medier og stærkt dansk indhold](#)), 14 June 2023.

²⁴ Denmark, Act on funds to media (amendments to funds to media, support to local newspapers that publish on a weekly basis and support to magazines with journalistic content) ([Lov om ændring af mediestøtte \(Ændringer i mediestøtten, støtte til ugeaviser og støtte til publicistiske magasiner\)](#)), 12 December 2023.

²⁵ Denmark, See the preparatory work pertaining to § 2 in L 36 Proposal to amendment Act on funds to media (amendments to funds to media, support to local newspapers that publish on a weekly basis and support to magazines with journalistic content), ([L 36 Forslag til lov om ændring af lov om mediestøtte \(ændringer i mediestøtte, støtte til ugeaviser og støtte til publicistiske magasiner\)](#)), 4 October 2023.

administration magazines with journalistic content does not receive financial support.²⁶

The initiative was passed in Parliament by law in December 2023.²⁷ Because the initiative contains aid granted by the State the initiative must also be approved by the European Commission before it can enter into force.²⁸

Establishment of Center for Investigative Journalism

Moreover, it was decided to establish a Center for Investigative Journalism. The aim of the center is to strengthen investigative journalism through, among other things, competence development of journalists. The center will have a special focus on improving investigative local and regional journalism as well as giving advice and help to carry out investigative journalism. It was decided to allocate DKK 5.3 million in annually in 2023-2026 to the project.²⁹

Table 3 – Case law

Case law	
Deciding body (in original language)	Højesteret
Deciding body (in English)	Supreme Court

²⁶ Denmark, the Ministry of Culture (*Kultministeriet*), Media agreement for 2023-2026: Collection of free media and strong Danish contents ([Medieaftale for 2023-2026: Samling om frie medier og stærkt dansk indhold](#)), 14 June 2023.

²⁷ Denmark, Act on funds to media (amendments to funds to media, support to local newspapers that publish on a weekly basis and support to magazines with journalistic content) ([Lov om ændring af mediestøtte \(Ændringer i mediestøtten, støtte til ugeaviser og støtte til publicistiske magasiner\)](#)), 12 December 2023.

²⁸ Denmark, See the preparatory work pertaining to § 2 in L 36 Proposal to amendment Act on funds to media (amendments to funds to media, support to local newspapers that publish on a weekly basis and support to magazines with journalistic content), ([L 36 Forslag til lov om ændring af lov om mediestøtte \(ændringer i mediestøtte, støtte til ugeaviser og støtte til publicistiske magasiner\)](#)), 4 October 2023.

²⁹ Denmark, the Ministry of Culture (*Kulturministeriet*), Media agreement for 2023-2026: Collection of free media and strong Danish contents ([Medieaftale for 2023-2026: Samling om frie medier og stærkt dansk indhold](#)), 14 June 2023.

Case law	
Case number (also European Case Law Identifier ECLI , where applicable)	BS-24506/2022-HJR
Parties	Tom Jensen, editor in chief of Berlingske, against the heirs of the sculptor Edvard Eriksen. A third party intervention was made by the NGO Danish Media (<i>Danske Medier</i>).
Decision date	17 May 2023
Web link to the decision (if available)	Højesteret - Karikaturtegning og foto af Den Lille Havfrue krænkede ikke ophavsretten (domstol.dk)
Which fundamental freedoms of (peaceful assembly, association and/or expression) were referred to in the case?	Freedom of expression
Key facts of the case (max. 250 words)	<p>On 18 May 2019, the Danish newspaper Berlingske published a drawing which depicted, among other things, The Little Mermaid with a zombie-like face. The drawing was imprinted with the title "Evil in Denmark". Under the drawing, reference was made to an article in the newspaper about the debate culture in connection with the current election campaign in 2019. On 22 April 2020, Berlingske published another article which included a photograph of The Little Mermaid with a mask. The article referred to a research project on the connection between the fear of corona virus and political observance.</p> <p>The case concerned whether responsible editor in chief, Tom Jensen, by bringing the drawing and photograph in Berlingske, had infringed the copyright of the heirs to Edvard Eriksen, the sculptor of The Little Mermaid. More specifically, the Supreme Court had to decide on, among other things, whether the drawing was an independent work, or whether the drawing was, on other grounds, a parody or caricature that did not infringe copyright.</p> <p>The legal norms that applied were the Danish Copyright Act and EU Directive 2001/29 on the harmonisation of certain aspects of copyright and related rights in the information</p>

Case law	
	<p>society. Further, the court had to consider how the Danish Copyright Act should be interpreted in accordance with the right to freedom of expression in ECHR Article 10 and EU Charter Article 11.</p>
<p>The key legal question raised by the Court</p>	<p>The court considered whether Danish copyright law included a principle of parody which constituted an exemption to the main rule of copyright on an original piece of work. Further, the court had to balance Danish copyright law against the right to freedom of expression in ECHR article 10 and EU Charter article 11, specifically freedom of expression for the media.</p>
<p>Result of the case in terms of factual outcome, and in terms of assessment of the legal question raised</p>	<p>The Supreme Court ruled that a parody principle applies in Danish copyright law. The principle is based on a firm Danish and common Nordic tradition with support in the preparatory works to the Copyright Act and case law. The Supreme Court also stated that parodies may be considered independent works, and that this applies even when the parody is very close, and whether the parody is directed at the original work itself or at something else.</p> <p>The Supreme Court also stated that the concept of parody must be understood in accordance with EU law and that a reasonable balance must be ensured between the rights of authors on the one hand and freedom of expression on the other. This also applies in cases where there is no parody, but where copyrights imply a restriction on the freedom of expression of others. In this regard, the Supreme Court states that it is acceptable for the media to publish caricature drawings of a piece of work that is protected by copyright, when the caricature contributes to conveying a story of public interest.</p> <p>After an overall assessment, the Supreme Court concluded that neither the cartoon nor the photograph of The Little Mermaid wearing a face mask, which was published in Berlingske in connection with newspaper articles, infringed the heirs' copyright to the sculpture of The Little Mermaid.</p> <p>Thus, the Supreme Court maintains an open civic space for the media.</p>