



ENAR Shadow Report 2005

Racism in Denmark

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Ethnic Debate Forum**

Contents Table

I. Introduction	3
II. Political and Legislative Developments	5
II.i Anti discrimination	7
II.ii Migration, family reunion and asylum policies.....	9
II.iii Racism as a crime	10
II.iv Counter Terrorism.....	11
III. Communities vulnerable to racism.....	13
IV. Manifestations of racism and religious discrimination.....	15
IV.i Employment	15
IV.ii Housing	17
IV.iii Education.....	17
IV.iv Health	19
IV.v Policing and racial profiling.....	19
IV.vi Racist violence and crime.....	20
IV.vii Access to goods and services in the public and private sector.....	21
IV.viii Media, including the Internet.....	21
V. Assessing the response	25
V.i Anti discrimination	25
V.ii Racist violence and racist crime	27
V.iii Counter-terrorism and protection of human rights	28
VI. Conclusion.....	32
ANNEX: Overall Assessment of Directive 2000/43/EC	33

I. Introduction

Denmark has always taken pride in the principles of non-discrimination, equality between people and human dignity as well as decent treatment of all its residents – citizens or non-citizens. To a certain extent it is true that society until very recently, did not distinguish between diverse groups when it came to the provision of service such as education, health, equal wages, trade union memberships, social help or pensions.

According to Danish law and the constitution, no one should be discriminated against because of race, gender, age, disability, sexual orientation or religion. Denmark has also ratified all international human rights conventions and implemented EU Directives on anti-discrimination. Unfortunately, despite this overt fulfilment of its commitments, Denmark is lacking in its obligations to fully implement the principles of non-discrimination in all its laws and in practice.

Danish society has been very tolerant for years but as it turned out, this perceived tolerance was only skin deep. In 1973, Mogens Glistrup's Progressive Party entered Parliament on an anti-tax platform but quickly moved towards Islamophobic discourse. The Danish People's Party replaced this party in the nineties with an even harsher agenda against non-European ethnic minorities.

This racist party is now the supporting party of the present government and has forced it to push through all their restrictive policies. Most of the media has supported this right wing march since the eighties and is now in alliance with political movements who want to not only stop all family reunions and entry of asylum seekers are also making it impossible for minorities to integrate into Danish society. Obtaining permanent residence, citizenship and decent employment as well as other socio-economic rights, have been extremely curtailed since this present government came to power in 2001.

The structure of this report is based on ENAR-Denmark and its member organisations' work with ethnic minorities, findings of the Danish Institute for Human Rights and other diverse agencies as well as media reports gathered on a daily bases.

We have looked at the political climate, media coverage, political signals from diverse parties, legislative developments and the experiences of victims of discrimination and differential treatment in various segments of Danish society.

The political climate is so worrying that even the Chief of the Danish Secret Service was forced to publicly warn society. In a widely circulated interview, he said: "We must treat each other in a necessary respectful way."

The EUMC directly warned that in Denmark, politicians are part of the problem.

The second largest Danish newspaper, Politiken, is very worried about the political development and the way the country treats its minorities, especially Muslim communities.

In its editorial on 27 December 2005, the editor reminded the nation that:

“We attract attention because we have disappointed our own common ideals. For years our family reunion rules has been the strictest. Our citizenship conditions are the most difficult and the list of our disregard for human rights conventions has become longer. The things being said in the public debates, at least from the governing majority parties would be considered scandalous in the countries we always compare ourselves with.”

To a higher degree, the root of the problem is that politicians, who are neither racists nor hateful but who in their frustration over one or the other integration or political expediency issue, have decided that the only way one can take the challenge of integration seriously is to show brutality towards those people who are on the top of the list concerning badly managed integration. This means ethnic minorities.

It is a pity that even the Prime Minister in his interview in Berlingske said that the tone in the public debate about ethnic minorities was “accordingly decent and fair.”¹

¹ Politiken, 27 December 2005.

II. Political and Legislative Developments

The present government first time came to power in November 2001. It then recaptured power in the February 2005 snap elections. Since no political party gained an absolute majority, the government was once again formed by a collation of the Prime Minister's Liberal Party, the Conservative Party and the Danish People's Party. Since the Danish People's Party has a very bad reputation in and outside Denmark, the Prime Minister did not formally include this party in his government but uses its votes in passing legislation, especially restrictive laws concerning ethnic minorities. Pia Kjaersgaard, the leader of the Danish People's Party has often publicly proclaimed that it is she who decides in Denmark. On the occasion of the party's 10th anniversary, she said: "Today it is the Danish People's Party who sets the political agenda in Denmark, even if the political correct may not like it."²

Election fought on immigration issue

During the run-up to the 2005 election, Prime Minister Rasmussen promised to continue the crackdown on asylum seekers, the same discourse which propelled him to power in 2001. He accused his main challenger, Social Democrat Mogens Lykketoft, of being soft on immigration in contrast to the government which had presided over a fall of around 80% in the number of asylum seekers arriving in Denmark. Also, during the election, DFP leader Pia Kjaersgaard called for an end of the use of foreign languages in all communications between the state and its citizens and the scrapping of the right to permanent settlement for accepted refugees. Nationalised Danes, said Kjaersgaard, should be stripped of their citizenship if found guilty of a criminal offence.³

Many foreign newspapers commented on the result of the Danish Parliamentary election in which the right wing Danish People's Party became the third largest party in Denmark. The respected British newspaper the Guardian called it a "victory of the anti-immigrant Prime Minister," while the Italian newspaper Corriere della Sera explained the victory as a direct result of their earlier success of adopting Europe's strictest possible immigrant policy.⁴

The harsh tone and ever increasing racist remarks in the Danish public debate have indeed shocked all Europeans who described it as horrible, deeply offensive and a source of shame for Denmark.

Le Figaro's debate editor, Frédéric Fritscher, was sure that even the extreme right wing in France would not use such language. He was commenting on the Danish People's Party's Parliament member Jesper Langballe who, from the

² Søndagsavisen, 17 September 2005.

³ Liz Fekete, IRR Newsletter, London 17 February 2005.

⁴ MetroXPress, 10 February 2005.

Parliament's podium, called Islam "a plague over Europe." The French anti-racist organisation MRAP called the Danish People's Party's statements "a shameful stain on Denmark's honour." Its Director General Mouloud Aounit was deeply shocked over the hate and ferocity in the Party's choice of words.

The UK's Daily Independent newspaper ascertained that Pia Kjærsgaard's statement of "immigrants are people at the lower end of civilization," would never be allowed in the UK. The Swedish author Göran Rosenberg found the Danish debate dangerous and warned that Denmark has moved to a place where civil society got used to racist rhetoric. Petra Follmar of the German Institute for Human Rights could not see that such language could ever be used in the German Parliament. She was also worried that the harsh tone of the debate will not help to integrate foreigners.⁵

Since 2001, this government has been hostage to the Danish People's Party's whims. Many ministers and the Prime Minister have openly advocated the "European" way of living and have denounced ethnic minority cultures as primitive, dangerous and out of touch with modernity. Anti-minority political signals are sent by politicians, members of parliament and intellectuals on a daily basis through the media, prompting rapid reaction by the public.

This reaction is then used by the government to further tighten the already restrictive laws concerning asylum, family reunion, visas, integration, Danish language courses, mother tongue learning, repatriation of refugees, expulsion laws, obtaining of permanent residence, citizenship and withdrawal of citizenship. It is a self-mutating vicious circle with its own dire consequences. The present case of caricatures of the Holy Prophet published by the largest Danish newspaper Jyllands-Posten on 30 September 2005 is a good example. The Prime Minister handled it clumsily because his room for manoeuvre was hampered by the Danish People's Party, who publicly said that there was no need to apologise or express regret.

This government, as well as various previous governments, have always expressed a wish to integrate ethnic minorities but have also made it clear that it has to be on the conditions and premises set by the majority. The concept of integration in Denmark only talks about learning the language, abiding by Danish cultural norms and being thankful. Very little has been done to create jobs, to eliminate high unemployment among ethnic groups, to provide decent housing in majority areas, reduce discrimination in socio-economic areas or even provide activity centres for ethnic youth.

There have been a few think tanks and advisory bodies created, however affirmative actions or special job services are unheard of. Equal rights are always coupled with harsh demands without providing equal opportunities.

⁵ Danish Radio News 18 December 2005.

Ethnic and religious minorities of non-European background living in Denmark are feeling increasingly isolated and discriminated against, a poll published on 26 September 2005 showed. The survey by the Catinet Research Institute for the Danish Federation of Trade Unions of about 1000 first and second generation immigrants and refugees showed that the number of those who thought they had experienced discrimination had increased from 25% to 33% over the past two years.⁶

II.i Anti discrimination

Danish laws against racism, discrimination and for equal treatment are primarily based on the country's obligation towards international conventions such as the UN Human Rights Convention of 1948, the UNESCO Convention of 1960 concerning differential treatment in education, the UN Convention of 1965 on the fight against racial discrimination, the UN Convention of 1979 of discrimination against women and the 1989 Children Convention. Denmark is a signatory to all these conventions but has not ratified the UN convention on Migrants and their Families' Rights of 1992.

Denmark has diverse anti discrimination legislation in place. The Criminal Act on the Prohibition of discrimination on any ground such as Race, Colour, Nationality or Ethnic Background, Faith or Sexual orientation was originally passed in 1971 and later revised in 1987 and in 2000. In June 2002, Denmark passed Act no. 411 on the establishment of the Danish Centre for International Studies and human rights. This act was passed because of EU Directive 2000/43/EF of June 2000 which asked member states to incorporate the principle of equality irrespective of race or ethnic origin.

On 28 May 2003, Denmark passed Act no. 374 on Equal Treatment and Ethnic Origin. It has certain provisions which relate to EU Directive 2000/43/EF. The Institute for Human Rights was established further to this and a Committee for Equal Treatment was formed under that institution. Its function is to receive complaints and help victims of discrimination. On 12 January 2005, the government sent Circular No. 31 which related to EU Directive 2000/78/EF and the framework decisions against differential treatment in the labour market. The Danish constitution holds some articles which can be termed as protection measures. Article 70 protects against barriers to enjoy civil and political rights of religious and ethnic minorities. The Penal Code's article 266b forbids threatening, insulting and degrading public remarks and propaganda against a group of persons because of race, skin colour, nationality or ethnic origin, faith and sexual orientation.

In 2005, the Danish government did not pass any legislation concerning ethnic equality or the fight against racism. On the contrary, Danish government did pass

⁶ International Herald Tribune, 27 September 2005.

various laws which restricted the rights of ethnic and religious minorities. For example, the “Imam Law”, which requires religious leaders to speak Danish and respect “Western values.” Further legislation gave the Danish government the right to reject “foreign missionaries” who espouse radical views. Although Danish constitutional law does not allow the mention of religion, the bill was widely viewed as being targeted at Muslims.

The Danish People’s Party again introduced new demands and drastic initiatives in May 2005. The party’s chairperson Pia Kjaersgaard, in a long essay⁷ said that after tightening the Alien’s laws (Aliens Consolidation Act No. 808 of 14 July 2004) in phase one, which had benefited the Danish people, Denmark should go to phase two. She suggested that:

- Authorities and businesses can only communicate with ethnic minorities in the Danish language
- Refugees should not have the right to settle down in Denmark
- Border control of asylum seekers must be reintroduced
- Residents living in public housing should be forcefully removed to other areas if they do not earn their own money
- Permanent residence should be given after ten years and not after seven years as it is today
- Citizenship should only be given if a person has been self sufficient for a minimum of ten years
- Only EU and Scandinavian citizens living in Denmark should be able to vote in the election and not people from non-European countries
- Persons who want to bring their spouse to Denmark through family reunion should give a bank guarantee of one hundred thousands kroners and their children should undergo a DNA test.

In June 2005, Danish government, the Danish People’s Party and the Social Democratic Party agreed in principle to change the Integration law. The new rules were criticized by many as punitive instead of progressive. According to the Politiken newspaper 18 June 2005, the new deal stipulates that:

- Expulsion rules must be strengthened
- All ethnic minorities should sign an individual “Oath of Allegiance” to Denmark just to obtain a permanent residence
- Parents who do not live up to the conditions outlined by the authorities will lose financial support for their children
- Married couples on social help will lose benefits to one spouse

In December 2005, the government made a deal with the Danish People’s Party to pass a new Citizenship Law, making it difficult to obtain citizenship. The conditions to be met became tougher. A person applying for Citizenship must

⁷ Politiken Daily Newspaper 30 May 2006.

pass a language test which is equivalent to an American High School's ninth grade exam. They should also have passed a test of good command of Danish culture, history and social development. This should be seen in the light of the government's wish to restrict citizenship to non-Europeans, as the law does not apply to EU or Scandinavian citizens.

Besides this, the state has revised many existing Acts which are influencing all ethnic groups and can be termed as discriminatory laws, such as Integration law, Aliens law, Adult Education laws, Public Housing laws etc. It must be mentioned here that Denmark remains to sign and ratify Protocol 12 of the European Human Rights Convention which forbids general discrimination.

II.ii Migration, family reunion and asylum policies

Denmark does not accept migration from non-European countries. That stopped in November 1973. Since then, a person can only reside in Denmark by:

- Coming as an asylum seeker and obtaining refugee status
- Coming through family reunion – spouses and children under 15 years
- Coming as job specialist, sports person, musician etc.
- Coming as student for a specified period

In recent years, the Danish government has been encouraging IT specialists, doctors, nurses, engineers and other highly educated professionals to come and work in the country. In some cases, the government even wanted to slacken the family reunion rules and attract young people by exempting them from strict immigration barriers if their studies were in fields such as IT, nursing or other fields in which Denmark lacks workers.⁸ The Welfare Commission established by the Danish Parliament to look at the future challenges of the country warned: "Denmark should be more open to highly skilled professionals." But the idea was soon shot down by the Danish People's Party.

The Danish reputation for being the most xenophobic country did not help either. Not only very few foreigners came to Denmark through the Job Card Scheme but for the first time in 25 years more foreigners said goodbye to Denmark than the numbers who came in. According to Danish Radio (state-owned station) news on 10 August 2005, from April to July 2005, 1155 people left Denmark for good.

When it comes to family reunions and asylum seekers, the situation is very bleak. According to the Alien's Department of the National Police department, in the first nine months of 2005, 30% fewer people sought asylum in Denmark compared to the same period in 2004. The same is true of family reunion. There has been wide condemnation of Danish regulatory practices. The UN Committee for

⁸ Copenhagen Post newspaper 28 September 2005.

Economic, Social and Cultural Rights, the Council of Europe's Human Rights Commission and the UN High Commissioner for Refugees have all criticised the "24 years rule" to be united with one's family in Denmark. These institutions consider this a restriction against an individual's right to family life.

The Institute for Human Rights has often warned the government on its practice without much luck. The Institute issued a White Paper on the subject in October 2005. The report was built on concrete cases of family reunion. There were 90 cases alone in first 6 months of 2005.

After going through the cases where the Danish government has rejected family reunion, the Institute found that international conventions had been violated on seven counts, for example:

1. The 24 years rule together with the condition that the spouse must have a stronger connection to Denmark than to his or her homeland is against the Human Rights Convention article 8.
2. The administrative practice of rejecting the spouse's application to family reunion effects small children who are often taken care of by the mother while father lives in Denmark or vice versa.
3. The Demand for a stronger connection to Denmark, together with the 24 years rule, is discrimination on the grounds of ethnicity and citizenship.

The Institute advised people to sue the Ministry of Integration, the law's administrators, if authorities would not reopen cases where human rights were violated.

Those asylum seekers, whose applications for refugee status are rejected, are now quickly sent out of the country. Most rejected applicants are from Iraq, Kosovo, Serbia and Afghanistan. Denmark uses millions of kroners annually to forcibly deport asylum seekers. Most leave voluntarily, but few who do not want to leave are put in private planes and deported. In 2005, 189 persons were deported in this fashion at the cost of 31 million kroners to the State.⁹

II.iii Racism as a crime

As mentioned in section II.i Denmark already has an Antidiscrimination Criminal Act on the Prohibition of discrimination on any ground such as Race, Colour, Nationality or Ethnic Background, Faith or Sexual orientation. It was originally passed in 1971 and later revised in 1987 and in 2000. There is also another law, which deals with Hate Speech. Penal Codes article 266 b forbids threatening, insulting and degrading public remarks and propaganda against a group of persons because of race, skin colour, nationality or ethnic origin, faith and sexual

⁹ MetroXPress - free daily newspaper 8 - August 2006.

orientation. Both these laws give the courts the power to render sentences of up to two years.

In 2003, the Danish Parliament decided to extend the punishment for assaults and other punishable offences where the origin lies in hate crime. But nothing practical has happened. Article 81 para 6 is very clear in its formulation: "In the sentencing of crimes, the nature of crime has to be taken in to consideration if it is seen that the crime committed is due to the victims' ethnic origin, religion or sexual orientation".¹⁰

II.iv Counter Terrorism

The fight against terrorism has been very high on the government's agenda in 2005. According to a survey conducted soon after the London bombings in July 2005 by Gallup Poll for the Newspaper Berlingske, 75% Danes feared that Denmark being in the coalition forces fighting in Iraq ran the risk of being hit by terrorists.¹¹

The first anti-terror package in Denmark was adopted on 31 May 2002, soon after the September 11 2001 attacks in the USA. The main reason was to make sure that Denmark had effective measures in place. The law made it a criminal offence to give economic help to a terror organisation or in any other way to be an accomplice in criminal acts related to terrorism. The law also asked the telephone companies to register information helpful to police investigations.

The Minister of Justice is planning a new revision of the anti-terror law but the majority of parliamentarians are not convinced that Denmark needs a stricter law, which infringes on human rights and civil liberties. The law was being revised in 2005 with 49 anti-terror proposals to give more powers to secret services, such as more video surveillance, systematic control of passengers in aeroplanes, collecting information without the person's knowledge or permission and without court orders, listening to private telephone conversations etc. The revised law is under discussion but is facing tough resistance from many political parties. The Justice Minister has expressed her desire to study the objections.

The media and politicians often use the term terrorism in connection with religious groups, extremism and Islam. Jørgen Bæk Simonsen, an eminent scholar of Islam and lecturer warned Danes: "I sense that the leadership in the secret services exaggerate the political threat from Muslim groups because such a threat does not exist. It is clear that the secret services suffer from the same paranoia as the rest of the Western world".¹²

¹⁰ www.inm.dk and www.lbl.dk

¹¹ Copenhagen Post newspaper 15 July 2005.

¹² Denmark's second largest boulevard daily newspaper - 4 December 2005.

Although there have never been any terrorist attacks in Denmark, the media focus is very widespread which makes the public nervous. Racial profiling is often used in police work and even public discussions. A web site for taxi drivers went so far as to post a warning for Danish taxi drivers to keep an extra eye on their Arabic speaking colleagues. When confronted, the site editor said: "I stand by my claim that wherever Muslims are found, there is a danger for terror, so keep a critical eye on their activities." The Danish Centre of Documentation and Advisory Services concerning Racial Discrimination (DRC) has reported the website to the police for racism.

There have been a few cases where the secret service arrested people with great fanfare in the media, only to quietly release them later. Diverse activities relating to terrorism are:

- On 2 - 3 May 2005, the Politiets Efterretningstjeneste or PET (the Danish Secret Service) arranged an international conference to discuss terrorism and how various ethnic communities can be helpful in making sure that harmonious relations between various segments of the society are not disturbed by fringe elements. ENAR was invited to the conference.
- Danish police arrested a well-known Moroccan man with Danish nationality for distributing and selling material which can glorify and provoke terrorism. The police had twice before tried to charge him but could not prove any link with terrorism. This time he was charged under the Terrorism Act.
- A web site belonging to an NGO that collects money for rebel groups in Columbia was closed down and will be charged under the Terrorism Act.
- A welfare NGO, ISRA, that works with poverty projects in Afghanistan and Somalia was also accused of having connections to terrorism but the court dismissed the charges
- In October 2005, the police arrested seven teenagers for terrorism. Two have been released. The chief of the secret police openly admitted that the case against the seven suspected Muslim teenagers would not hold in court but that their arrest had thwarted their plans.
- PET consults with NGOs four times a year and discusses community relations.
- PET and the Armed Forces have also started hiring people who can speak ethnic languages. The purpose is not disclosed but the qualified guess is that these recruits would be used to translate, keep an eye on criminal activity in minority groups and possibly also to work abroad. In the old days, it was Russian language experts, now Arabic is in demand.
- One area under increasing observation is mosques, Imam statements, and Friday sermons as well as donations.

III. Communities vulnerable to racism

According to the Danish Department of Statistics¹³, the total population of Denmark as per 1 January 2005 was 5.411.405. It included citizens, non-citizens, immigrants, refugees and their children. This figure however does not include asylum seekers. Victim groups can be easily identified because of their colour, ethnicity, language, culture and, to an increasing degree, their religious affiliation.

Between 180.000 and 200.000 persons belong to Muslim communities and nearly 6500 are of Jewish background. Smaller groups are made up of Hindus, Buddhists, Roman Catholics and Sikhs. The number of Roma community varies from 3.000 to 10.000 depending on whom one asks. The largest ethnic minority groups according to their original homelands and a size of over 10.000 persons in Denmark are: Turks, Iraqis, Lebanese, Bosnians, Pakistanis, Somalis, Ex. Yugoslavians, Iranians, Vietnamese and Sri Lankans.

Both in the public discourse and official classification, the word immigrant is used to describe any person who comes to Denmark through family reunion, as a refugee, or in very few cases to seek employment. There is no distinction between diverse groups. The Danish State still considers the children of immigrants and refugees as second or third generation immigrants, they are also called Immigrants and descendants.

The NGO community does not subscribe to the idea of lumping people together. In their terminology, a clear distinction is made between those immigrants and refugees who have Danish citizenship and those who still keep their original homeland's citizenship. Those who are born and brought up in Denmark are Danes with a minority background. People from Greenland and adoptive children from non-European countries are also increasingly experiencing discrimination and racism.

Adoptive children from Korea, Bangladesh, India and Latin America are today experiencing racism. There are over thirty thousand adopted persons in Denmark. Their social and employment situation is fine but their looks often make them a target of open abuse.

In December 2005, the institute for Political Science in Århus published a survey in which one of the questions was: do you consider immigration as a threat to Denmark and your living standard? Nearly 50% Danes answered affirmatively.¹⁴

A study undertaken by Analysis Institute Catinét for the Federation of Trade Unions in 2005 revealed that immigrants isolation had increased after years of

¹³ www.dst.dk

¹⁴ Politiken Daily newspaper 15 December 2005.

advances in the integration of immigrants and refugees into Danish society, development had come to a halt, even regressing in some areas.

Another opinion poll conducted for the Danish Refugee Council disclosed that the nation is split over ethnic minorities: 45 % of Danes said that they found it unlikely that they would ever try to contact people with an immigrant background; only 13% said that they were very interested in getting to know some of the country's foreign residents; 37% were not as eager but still positive towards the idea of establishing contact on a personal level. These figures are in contrast to the interest shown by ethnic minorities. Here 87% wanted to get to know ethnic Danes.

Roma communities have been at the receiving end, every time restrictions were introduced regarding ethnic minorities. The Danish government's proposals for tighter rules for attaining Danish citizenship have a direct effect on Roma. One of the conditions is that the applicants must have held paid jobs for the last four out of five years before the application. This condition is especially discriminatory against Roma/Gypsies who have been marginalised from the Danish labour market for the last 15 years at least. Many thousand hold ex-Yugoslavian citizenship but are born in Denmark, often second generation.

The rules and subsequent application of new "administrative procedures" and laws will completely remove minority protection for Roma. The Roma organization Romano protested over the discrimination against Roma who hold non-EU citizenship and violations of the COE Nationality Convention Article 5 no. 2, but lack of resources have prevented these cases from being tried before a court of law and the complaints committee for ethnic equal treatment has such limited terms of reference that it is useless as a protection against arbitrary treatment and decisions in administration and daily life.

The Danish government has put some Roma on welfare for many years and has omitted to give the necessary training for them to aspire to more than cleaning jobs, even when they have talent.

IV. Manifestations of racism and religious discrimination

IV.i Employment

The labour market in Denmark is the single most discriminatory area which has made the integration of ethnic minorities from non-European countries next to impossible. Everyone from the Prime Minister to the man in the street all agree that increasing marginalisation of ethnic groups cannot be stopped if their share of employment does not increase.

According to a survey undertaken by one of the largest Unemployment Insurance Organisation (HK A-Kasse) and published in the Trade Union Magazine A4,¹⁵ it is becoming very difficult for ethnic groups to have a long term participation in the Danish labour market. And that is happening in contrast to the governments declared aim and integration plans. This situation also applies to the educated younger generation who can and want to work. This tendency is confirmed by other large trade unions such as 3F and Fag og Arbejde.

According to the International Secretary of HK, Steen Karlsen, this dire situation must wake up the government and labour market partners and realise that many employers do not hire ethnic minorities, even those who know the language and have necessary qualifications.

The Social Research Institute in Denmark published a comprehensive Special Issue in March 2005. Many eminent researchers and sociologists warned that by keeping out ethnic minorities from the labour market, it is producing a new class of proletariat.

Amnesty International has also criticised the government's law from July 2002, giving less financial help commonly known as Start Help to refugees and immigrants to motivate them to seek work. Amnesty International as well as many other humanitarian organisations such as the UNHCR and the Danish Social Advisor's Union, have expressed their worry that a very low Start Help is creating poverty and is discriminatory. According to Amnesty International's Press Release of 5th April 2005, 64% of people who receive Start Help live in poverty and cannot take part in social life because of tight money flow.

In its November 2005 publication "Anvendt Viden", Copenhagen University's Research Centre (Videnskasbutikkerne), also touched on this subject. The survey specifically treats the way Iraqi refugees experience Start Help system. The report says: "The Start Help has negative consequences for refugees for their employment as well as cultural integration. Experiences of humiliation, degradation, isolation and a complete lack of awareness among Danish

¹⁵ www.ugebrevetA4.dk - May 2005

authorities, in many ways result in the poor quality of life among Iraqis in Denmark.

A study conducted by the analysis Institute Catinét revealed that while the share of employed ethnic minority slightly increased from 2000 to 2004 – 33 to 50%, since 2004 their share has fallen to 43%. This means that unemployment has risen to 57%.

According to an estimate prepared by the Danish Statistics Institute, a large section of immigrant and refugee women do not receive any social help from the state or municipality. There are about 100.000 immigrant and refugee women from non-western countries in the working age living in Denmark. 60% of them are outside the labour market. 13.000 among them have no connection with society and come from Somalia, Lebanon, Iraq and Afghanistan.¹⁶

According to the Organisation for Economic Co-operation and Development – OECD –the fast pace of economic development can create labour shortages in Denmark. That is why the organisation has advised the government to use its strong economy as a golden opportunity to create more jobs for ethnic minorities. It is important that the system is quick to formulate plans of action for unemployed immigrants and create contacts with businesses.¹⁷

One of the largest Trade Unions in Denmark, 3F, received many complaints from its employees with ethnic minority backgrounds who experience bad treatment. According to ethnic equality consultant Anthony Sylvester, many feel harassed by their Danish colleagues who tease them. Minority workers often do not answer back and the management try to cover up such activities with a typical statement, like: “One should not take it so seriously” or “People do not understand Danish humour”.¹⁸

The Danish government believes that integration depends on stopping immigration. Labour Minister Claus Hjort Frederiksen, in an interview to the Jyllands Posten newspaper on 4 December 2005 clearly stated that:

“We have to make it very difficult for uneducated Somalis, Palestinians, Iraqis and refugees and immigrants from the less developed countries to enter Denmark.”

He said that the further tightening of rules would be a part of negotiations during Welfare Reforms in 2006.¹⁹

¹⁶ Danish Radio news 20 February 2005.

¹⁷ Urban – free daily newspaper - 30 November 2005.

¹⁸ Urban 17 August 2005.

¹⁹ Jyllands Posten 4 December 2005.

IV.ii Housing

In Denmark, there are three types of housing available.

- Private ownership
- Co-operatives
- Public housing

Because they are on the lower income scale, most ethnic minorities live in the public housing administrated by either a Housing Society or the Municipality. This means that ethnic minorities have to stand in line to have accommodation, which has a waiting time of between 10 and 15 years.

It is widely known that ethnic minorities are often allocated accommodation in socially deprived areas where very low income ethnic Danes on social welfare or with drug problems live. Many Danes do not want to live in the areas where many ethnic groups live. They move out quickly, thus increasing the number of ethnic minority. Such areas are then dubbed by society as Ghettos. To thin out ethnic groups, many discriminatory practices are put in place. For example, some municipalities demand that those who are seeking accommodation should have a job and a certain amount of income.

Brabrand Housing Union tried to cancel housing contracts of three Palestinian families on the grounds that their children were committing crimes. Instead of going to housing court, the union went directly to the bailiff to evict the families. The Bailiff refused and the union went to the High Court and lost the case. They now want to go to the Supreme Court.²⁰

The Complaint Committee for Ethnic Equal Treatment made decisions on two housing associations which violated the prohibition against differential treatment on the grounds of race or ethnic origin. A Danish journalist who applied for a flat under both a Danish and a foreign name was informed by one association of a waiting time of nine years when using the foreign name whilst the waiting time was five to six years when using the Danish name. The second housing association informed the journalist of a waiting time of no less than 6 years when he used a foreign name but only two years with Danish name. The Committee found that the inquiries were identical and that in their view, there was no reason to differentiate between people.²¹

IV.iii Education

After the Parliament election, which took place in February 2005, the government made a few changes in its ministerial management. The new minister for

²⁰ Press Release, www.Indvandreradgivning.dk – a private advisory organisation which helps ethnic minorities.

²¹ November 2005, www.humanrights.dk - Institute of Human Rights.

education is Mr. Bertel Haarder who was Minister for Integration from 2001–2005. In his tenure as Minister for Integration, he not only cut all funding for NGOs and closed many institutions working with ethnic equality and pushed through the toughest integration and Alien's laws in Europe, but also set a harsh public tone towards ethnic and religious minorities.

He was also Minister for Education in the 1980s under a Conservative government and reshaped the public schools according to his liberal politics. In 2005, he is not only Education Minister but also responsible for the Ministry of Churches. Minister Bertel Haarder threatened the Copenhagen Mayor with fines if he did not stop some schools in Copenhagen from teaching multi-religions instead of only Christianity. He dislikes the idea that students are being oriented towards other religions instead of focusing on acquiring knowledge on the country's state religion-Christianity.²²

According to a Danish radio survey, 11 out of 20 of the largest municipalities in Denmark do not offer minority children any mother tongue education while five municipalities demand payment. The reason given by the government was that small children must learn the Danish language from the very beginning and that many minority children were coming to school with no knowledge of Danish. This means that parents must pay if they wish their children to learn their mother tongue. This has been done without taking into consideration an EU wide analysis undertaken by the Technological Institute in Denmark which confirmed earlier claims that mother tongue learning helps the whole educational process of minority children. The government has no plans to reintroduce it.²³

In its efforts to stop white and black segregated kindergartens and nurseries in Copenhagen municipality, political parties are proposing to create waiting lists for children according to Danish and non-Danish languages. The children shall be tested for language skills and distributed across different institutions. This effort would also result in a maximum limit of minority children in a class or institution.

Dr. Skutnabb-Kangas, who is a world renowned expert in the field of education and multi-lingualism, has written many books on the subject. She says: "What Denmark is doing and suggests to attempt doing, intentionally and forcibly to transfer children from their own group to the Danish group, linguistically and culturally is going to do them serious mental harm."²⁴

In another development, the opposition Social Democratic Party proposed that there should be a maximum of 25% bilingual students in school classes. The party's Integration spokesperson, Anne-Marie Meldgaard would give the possibility to municipalities to spread minority students based on their ethnicity.

²² Kristeligt Dagblad – daily Christian newspaper, 2 March 2005.

²³ Politiken Daily newspaper, 2 January 2006.

²⁴ Berlingske – third largest daily newspaper in Denmark, 24 November 2005.

Fortunately, the Education Minister did not accept the idea and called the proposal unrealistic.”

IV.iv Health

Citizens and long-term residents carry Sickness Insurance cards. Officially, everyone in Denmark has equal access to doctors, hospital and medical services. All treatments and hospital stays are free of charge. There is no discrimination at this level. Even tourists are treated equally.

Having said that, it should also be mentioned that some sectors of society experience discrimination and sometimes outright hostility. In some hospitals, there is a policy of limited numbers of ethnic visitors in maternity wards and among long-term patients. Many ethnic groups are used to visiting family and friends more often and in greater numbers than ethnic Danes. This is seen as disturbing.

For years, interpreters were free and doctors and hospitals would use their services in those cases where patients did not speak Danish. This is being curtailed drastically by the current government.

There have been cases where Danish patients have refused to be seen by non-White doctors. There has been debate among doctors whether or not this should be accepted. The majority of doctors did not support the idea of white doctors only for ethnic Danes.

IV.v Policing and racial profiling

The Danish police try to do a good job in fighting crime, keeping the peace, helping the public and doing numerous other jobs. In its relationship with ethnic minorities, it is learning to cope with inter-ethnic development. Since most police officers are from small towns in provinces, it is difficult for them to cope with situations they are not used to. Few police officers are from ethnic minorities.

Youth among ethnic minorities do not have particularly good relations with the police and in some suburban areas in the big cities there have been tensions between the police and ethnic youth. But it is not on the scale or intensity of Paris or London. The Danish police does consult ethnic minority community leaders, especially in big cities. In Denmark, only the Copenhagen police department has regular consultative meetings with NGOs.

The police do work with ethnic profiling when it has to arrest a criminal. The ethnicity, nationality and accent are often used on TV and Radio broadcasts when the search is started and the perpetrator has an ethnic background. Now

and then, police officers are too quick to mention the culture and ethnic background when explaining a murder or serious violence.

The Police Academy gives short introductions in ethnic relations.

IV.vi Racist violence and crime

According to Danish Radio research announced on 21 March 2005, there were many examples which clearly showed that police were not helping in lodging complaints if a refugee, a Jewish person or an immigrant tried to contact the police. According to the Danish Centre of Documentation and Advisory Services concerning Racial Discrimination (DRC), police do not register cases as religious or racially motivated but as common criminality. This is happening in spite of the fact that there are standing instructions from the National Police Chief.

For example, one Bosnian man was stabbed in December 2004 in Esbjerg. The criminal was captured after a few minutes and told the police that he was sorry that the man did not die. According to the police report the attacker said: "It was a pity that the man did not die because as a Perker he should." The word Perker is a derogatory word used by ethnic Danes for non-European residents. The DRC wrote to the Esbjerg police that this attack must be registered as a racial crime but the police did not accept this. Only when the media started writing about the case, was it forwarded to the secret service as racially motivated.

The second example is of a person with Jewish background who was threatened a year ago when leaving his work. He was circled by many men. Since then, he has been threatened many times. When he went to the police, the police turned him away. After eight months of efforts by the Jewish Congregation (Mosaik Trossamfund), the case was registered but never sent forward to the secret service for action. A 15-year-old boy with Moroccan background was attacked by two Danish youths who harassed him and then stabbed him repeatedly. The boy survived the attack.²⁵

Other cases vary from racist banners, physical violence, taunts, death threats to immigrants and refugees, vandalism of Muslim and Jewish graveyards and entry refusal to Discos. Even one police officer with ethnic background was the target of taunts like Al-Qaeda and Black Pig. According to the Deputy Police Chief, the increase could be because people are better informed of police efforts. But the DRC still thinks that it is the tip of the iceberg since many ethnic minorities do not complain or police do not register cases of racism.²⁶

About 100 Nazis from Germany, Sweden and Denmark demonstrated in a provincial city in Juteland-Denmark to mark the anniversary of Rudolf Hess'

²⁵ Berlingske 19 December 2005.

²⁶ MetroX 6 September 2005.

death. The Nazi Party is legal in Denmark and publishes Nazi material. Police arrested seven people from Germany and Sweden for possession of illegal weapons. In most European countries Nazi marches are banned but article 79 of the Danish constitution allows for such demonstrations.²⁷

IV.vii Access to goods and services in the public and private sector

In theory there is no limitation to third country national's access to public or private services. But in practice there have been many cases when a person was denied access, for example:

- Bank loans
- Purchase of goods on credit in stores
- Membership to video shops
- Student scholarships
- Transport facilities
- Equality in legal rights

Since November 2005, all foreigners who wish to live in Denmark have to sign a contract of loyalty with the Danish State. This was worked out during the summer 2005 negotiations between the Danish People's Party and the government. This contract stipulates that one should be loyal to Danish values and Denmark as well as accept that he/she would work, pay the taxes, avoid corporal punishment and that gender equality is a must. In spite of the fact that ethnic minority representatives called this contact an insult against minorities, it became a reality in November 2005.²⁸

IV.viii Media, including the Internet

Danish media has for many years been at the forefront of not only misinforming the Danish public about the living conditions, cultures, religions, lifestyles and homelands of ethnic groups, but have also been very active in cementing prejudice.

The special focus is on Islam, which has given rise to Islamophobia and cultural racism. It is manifested in newspapers, on the radio, on television, in church sermons and in literature. Even in entertainment magazines for men and children's books one can find anti-Islam stories and remarks. The media constantly portrays non-European cultures, especially cultures from different Muslim countries as inferior and primitive. Different newspapers do the same in their articles and editorials and in letters to the editors.

²⁷ Politiken Daily newspaper 21 August 2005.

²⁸ Politiken Daily newspaper 3 November 2005.

Media studies carried out by universities, some serious journalists and Ethnic Minority organisations have shown that nearly 70% of all media coverage of foreigners in Denmark focuses either on crime or social problems. Frequently, such coverage is not only exaggerated and distorted, but also filled with lies.

Sadly enough, Denmark is also one of the very few countries in the Western World where freedom of expression takes precedence over the human rights of ethnic minorities. This priority is not only taken advantage of by the Danish media, often intentionally, but has become an accepted norm in the wider society. The judicial system, politicians and intellectuals guard this man made principle with great vigour. The ensuing result is a stream of racist statements from politicians of established parties, ant-Islam rhetoric on websites, public debates degrading minorities, accusing media discussions and outright blasphemic utterances on a daily basis.

The latest example of this sad situation is that the largest newspaper in Denmark - Jyllands Posten - commissioned Danish cartoonists to draw cartoons of Prophet Mohammed. 12 very derogatory and insulting cartoons, depicting the Prophet as a terrorist and woman exploiter were published in the newspaper on 30 September 2005. This uncalled for provocation has poisoned the atmosphere and created a conflict between Denmark and the Islamic World which has even reached the United Nations.

It has been frustrating to hear and read the arguments put forward by the newspaper and its allies. In a TV interview, the newspaper admitted that their provocation was meant to help progressive Muslims against the more militant ones. This is a funny argument because if Jyllands Posten really wanted to help the so-called moderate Muslims, then the last thing they should have done is to insult the religion of Islam and its Prophet. There is not even a little understanding of how Muslim communities are hurting.

ENAR Denmark's media monitoring work has never come across degrading treatment of any other religion. One can ask the Danish media in general and Jyllands Posten in particular why they pick on Islam. Everyone knows that the Danish media would not dare to make fun of sensitive issues in other religions. Can one imagine Jyllands Posten asking Danish cartoonists to draw derogatory cartoons of the Pope, the Dalai Lama, Hindu deities or make fun of the Holocaust horrors?

Freedom of expression is and should be very important to everybody. It must be protected but it has never been unlimited. It is regulated by the law and most important of all, by the moral responsibility of the majority society that must protect minorities from attacks – physical, verbal, or written. The Muslim communities asked that politicians must take a stand against the misuse of freedom of expression and refrain from supporting injustices. It is a matter of

great urgency that measures are initiated which will go a long way in establishing a dynamic dialogue and mutual respect envisioned by the Charter of Human Rights.

It is rare that a foreigner's race, religion, culture and country of origin are not mentioned, whether or not this information is relevant. Islam is often presented as fanatical, barbarian, uncivilised and medieval. It is constantly attacked with racial slurs similar to the way in which Jews were attacked in the 1930's.

How the media forms public opinion can be seen in a wide ranging survey conducted in August 2005 by Red Cross Youth. They wanted to focus in on prejudice. 400 people answered their questionnaire. The results mirrored the present situation in Denmark.²⁹ The top five prejudices Danes have are:

1. Immigrants
2. Muslims
3. People who vote for Danish People's Party
4. Rich people
5. Fat People

According to an e-mail sent to ENAR Denmark, Mr. Eric Thomsen, The Roma organisation Romano's spokesperson, announced the organisation protested strongly against the completely unfounded media hype surrounding 6 August 2005 when Mr. Bonichsen from the Danish Secret Police (PET), the MATAS chemist chain store and Danish national TV news TV-Avisen, claimed that Roma were planning terrorist attacks in Denmark - a completely unfounded story which the Danish authorities have refused to correct. Roma are worried about what else can be expected in the future.

On 21 July 2005, radio owner Mr. Kaj Vilhelmsen said on air: "There are only two possibilities to react if one has to prevent terror bombings. Either deport all foreign Mohammadans from Western Europe so that they cannot place bombs, or exterminate the fanatic Mohammadans meaning that a sizeable number of these Mohammad Danes will be killed." He also said that: "If the governments and authorities do not react against Mohammadan terror and crush them with force, then people should do it themselves."³⁰

After a long period of review, the radio and TV Board decided to withdraw Radio Holger's license, a station which often broadcasts racist propaganda. The withdrawal was for three months with a warning not to repeat racist statements.

The Danish People's Party's Member of Parliament and the leading candidate to the post of Lord Mayor of Copenhagen, Louise Frevert, directly attacked Muslim communities on her Web site. Under the headline: "Articles no one dare print,"

²⁹ Urban – free daily newspaper - 19 August 2005.

³⁰ Politiken 18 August 2005.

she called young immigrants rapists and murderers and wrote: “They think that it is their right to rape Danish girls and kick the Danish citizens to the ground.” She continues; “Since our law forbids us to officially kill our adversaries, we have only one possibility left. Fill our jails with these criminals. Since our jails are full, we should think of other solutions, for example, accept a Russian offer to keep these rascals in Russian jails for 25 kroner per day.”³¹

To illustrate the Media coverage of ethnic minorities in Denmark, we are presenting a small section of our media monitoring results. Media Watch no. 25 (quarterly media monitoring magazine) focused on the largest dailies and dealt with the period 1 September to 30 November 2005. The total negative percentage of this coverage is shown here:

Name	The negative percentage of media coverage										total
	Berl	B.T.	EB	JP	JPK	Pol	TVA-1	TVA-2	TV 2-1	TV 2-2	
Admin	0	0	0	0	0	0	0	0	0	0	0
Business	0	100	100	0	0	75	100	100	100	100	85,7
Crime*	95,1	93,9	87	94,3	95	92,1	92,8	90,9	94	89	92,6
Deportation	25	0	0	0	0	0	0	0	0	0	2,78
Education	68,3	50	100	92,3	62	53,3	60	36,4	83	100	65,5
Health	0	0	0	0	100	0	0	0	0	100	100
Housing	75	0	0	100	0	100	66,7	100	100	100	89,3
Immigration	100	100	100	100	0	100	100	100	100	100	100
Labour	43,8	83,3	0	11,1	60	37,5	40	45,5	17	25	38,5
Politics	78,1	92,2	92	72,5	91	62,8	77,2	74,2	86	78	76,7
Racism	0	25 ³²	0	0	0	0	0	0	0	0	2,38
Refugees	0	0	0	0	0	0	0	0	0	0	0
Residency	0	0	0	0	0	0	0	0	0	0	0
Social	57,1	0	0	0	0	0	0	0	0	0	50
Women	16,7	0	0	0	100	66,7	0	0	0	0	21,1
Misc	59,2	17,6	6,7	75,8	100	68,4	33,3	50	50	75	62,7
Total	77,1	86,7	81	76,6	76	65,8	76,4	74,8	81	74	76,6

³¹ Politiken 29 September 2005.

V. Assessing the response

V.i Anti discrimination

To fulfil its obligation towards EU Directive 2000/43/EF asking EU member states to establish specialised bodies which could take complaints from the victims of discrimination and racist treatment, the Danish Complaint Committee for Ethnic Equal Treatment was created. This in practice meant that the State and local governments committed themselves to protect citizens and third country nationals from unequal treatment. The Danish State established the above named Committee in 2003.

Unfortunately, the government did not give any powers to this Committee to be effective and helpful to the victims of discrimination. NGOs did point out to the government that a Committee without any powers would be useless. This Committee in theory could take cases but have no mandate to rule in favour of the victim, give any practical judicial help, fine or admonish the perpetrator.

There are many reasons for this situation. The Danish government often denies the existence of racism in Denmark, calling it cultural conflicts instead. The State or local government does not protect citizens against discrimination and more often are a party to discrimination. For example, exclusionary laws concerning family reunion, police, removing of mother tongue education and very little financial help to refugees called "Start Help". Many cases of discrimination came from discos, shopping centres, employment, housing corporations and anti-minority groups or individuals. It must be remembered that the Committee does not have any lawyers who can take the cases to court, or offer free legal aid. This in itself is very limited.

On 16 November 2005, Mr. Claus Peter Haagen, the Chairman of the Board of Institute for Human Rights, under which this Committee was placed by the government, was very forthcoming in a radio interview. He admitted that out of 142 cases forwarded for free legal aid, only one was successful. He also admitted that the mandate of the Committee was very weak, thus forcing it to reject many cases. The DRC (Danish Centre of Documentation and Advisory Services concerning Racial Discrimination) has forwarded many cases to the Committee, without much success.

Ethnic minorities find it very frustrating that a Committee established to help them is not doing anything concrete. The Danish government was asked by the EU Commission on 12 May 2005 to provide a report concerning the implementation of the Directive 2000/43/EF. On 15 June 2005, the Ministry of Integration asked the Institute for Human Rights to provide detailed information on the work of the Committee. In its answer to the Ministry, dated 5 July 2005, the Institute's Chairman Mr. Claus H Jensen admitted that the Committee has very little

possibility to go to court and it made its work very difficult. The Committee itself proposed that the law should soon be adjusted to make it possible for the Committee to do its job properly.

On 4 November 2005, the DRC wrote a letter to the Minister for Labour asking him to provide information regarding the Danish report which was going to be sent to the European Commission on 3 December 2005. The DRC further asked the Minister why civil society was not asked to comment on the official report since article 17, § 2 of the Directive specifically asks states to consult civil society. No answer has been received by the DRC as yet.

Regarding Directive 2000/78/EF of 27 November 2000 concerning employment and business, the Ministry for Labour asked different Trade Unions to provide information, only the DRC and the official Council of Ethnic Minorities were asked for feedback. When the European Commission asked Denmark to inform it on how the Complaint Committee's work was evaluated, the Minister for Employment forgot to ask the NGOs who could have given critical assessment. The European Commission has received opinions of the Committee itself and the Ministry of Employment only. The authorities have admitted their mistake.³³

Until 2001, when this present government came to power, the DRC and other NGOs received part funding from the Danish State. It enabled the DRC to service many litigation cases brought by the victims of discrimination. In 2002, this funding was revoked under pressure from the Danish People's Party. The limited resources resulted in the DRC's inability to only take anything other than principal cases which could lay a foundation for other similar cases.

1. Cases won

- July - Discrimination - age and nationality in job advertisement – Kr 3000 fine
- September - Laid off because of religion – Kr 60.000 awarded
- October – Less pension paid to an Iraqi refugee – compensation paid

2. Cases lost

- November – A teacher calling a student a Paki - in a technical school
- A complaint against Louise Frevert, Member of Parliament, for publishing Islamophobic articles on her website. The State advocate did not consider the case as valid.

3. Cases in progress and expected decision dates

- Mother tongue education for Turkish children – expected date March 2006
- Complaint to CERD regarding the Danish People's Party – expected date March 2006
- Headscarf case against a Pharmacy – expected date February 2006
- Litigation against Baron & Baroness disco – case in progress in lower court

³³ Politiken 21 December 2005.

- Start Help case against Tårnby Municipality - case in progress in lower court
- Job discrimination – Park Café - case in progress in lower court
- Job discrimination based on disability and language – Rødovre Municipality - case in progress in lower court
- 2 Family reunion cases - decision pending in High Court
- 1 Family reunion case – pending in Integration Ministry
- 2 Family reunion cases in progress in European Human Rights Court
- 2 Family reunion cases – European Commission
- 1 Family reunion case – pending with the office of the Danish Ombudsman
- Refugee housing cases against Gentofte Municipality – pending in High Court
- 2 housing cases against Ishøj Municipality – pending in Complaint Committee
- A nursery employee fired under Ramazan (Ramadan) - pending in Complaint Committee
- A case against the police – pending with the office of the State Attorney

V.ii Racist violence and racist crime

Since March 2005, Danish police stations have improved their performance and have registered more cases of racially motivated violence, vandalism and harassment than ever before. In the first eight months of 2005, police registered 48 cases compared to 23 last year in the same time frame. According to the DRC, this could be attributed to the London terrorist attacks but one cannot neglect that the political rhetoric has played a great part in polarising society.

In the beginning of 2005, Police started a new campaign – NightLife for every one - which would provide extra police on the street to ensure ethnic equality in nightlife. Among other things, the police are advising ethnic minority youth to call the police at once if a bouncer refuses entry. The police hope that this campaign will stop the discrimination that most minority youth experience. The campaign was piloted for two weekends in February and March 2005. It has its own web site: www.afvist.dk.

“The DRC complained to the Committee for the Elimination of all forms of Racial Discrimination (CERD) against numerous racist statements against Somalis made by the Danish People’s Party Chief Pia Kjærsgaard in her newsletters in 2003. She blamed Somalis for mutilating their children and compared the Danish Somali Association with paedophiles and rapists. The Danish courts refused to take the matter up. The UN Committee however accepted to look into the matter and would decide if Danish citizens were protected by the state from racist statements as the law outlines,” reported the Copenhagen Post.³⁴ Since then, CERD found Ms Kjærsgaard’s accusations discriminatory.

³⁴ Copenhagen Post newspaper 6 October 2005.

Just before the Parliamentary election in February 2005, liberal and conservative government parties launched with great fanfare a goal oriented scheme which dealt with ethnic minority criminal youth and their parents. The legal proposal meant that young offenders who did not have Danish nationality could be deported after serving their sentences, even if they had lived all their lives in Denmark. On top of this, if the ethnic minority parents – Danish national or not - did not control their children, they could lose the financial child support which they receive from the state. The Danish People's Party, which supports the government, wanted to go further. It suggested withdrawing citizenship of those youth whose parents did not succeed in reigning in their children.³⁵

In an answer to a parliamentary question from the Danish People's Party, Justice Minister Lene Espersen promised the House that she would present immigrant criminality statistics in each police station area. The Justice Minister also wants the police to register youth crime in Danish and ethnic minority categories. Many Police Commissioners are worried as they believe that criminality is not ethnic related but has a social connotation. The Police wishes to continue its own way of tackling crime.³⁶

V.iii Counter-terrorism and protection of human rights

Huge media coverage followed the arrest of seven young suspected terrorist. This had an adverse effect on public perception. According to a snap poll conducted by Instant Answer, more than one in four Danes said that they had become more suspicious of Muslims in Denmark.³⁷

After one college student was charged for terrorism and the Principal of Vester Borgerdyd College banned the holding of Friday prayers on campus, the Danish Secret Service (PET) contacted the Union of College Principals to discuss the radicalisation of students on campus. PET has already visited all Danish universities and asked the Deans to report any suspected increase in extremist activities.³⁸

Advocates accused the Danish police of discriminating against foreigners who had served their sentences but were still being kept in prison by the police. The reason is simple. These foreigners were waiting to be deported. Some have been in jails for over a year. One of the advocates, Gunnar Homann, an expert in Alien's law, believes that the police works very slowly while advocate Ulrik Rasmussen accused the police of intentionally drawing out cases for longer periods than necessary.³⁹

³⁵ Politiken Daily newspaper 15 January 2005.

³⁶ Danish Radio 17 December 2005.

³⁷ Copenhagen Post newspaper 7 November 2005.

³⁸ Berlingske newspaper 10 November 2005.

³⁹ Politiken Daily newspaper 15 January 2005.

V.iv Integration and social inclusion of ethnic and religious minorities

In an effort to integrate ethnic minorities into the labour market, the finance Ministry announced they would offer bonuses to those government institutions which hired immigrants and refugees. The government had a target that 4% of workers in State departments should be of ethnic minority origin. Unfortunately, not a single ministry has reached the target. The problem is that it is a voluntary scheme. The “Integration Jobs” project which took effect on 1 April 2005 will give minorities 80% of their start salary while they devote 20% of their work time to further education.⁴⁰

In a parallel development, the Catinét Research Institute published its findings. In June 2005, it conducted a survey among 1.000 immigrants and refugees and found that the motivation to work among ethnic minorities is as high as among Danes – almost 72%. When it comes to being self sufficient, 76% of immigrants said they wanted to enter into this category, while only 57% among Danes did.

Nearly 20% of immigrants in Copenhagen work for small immigrant businesses as they cannot find jobs in the regular labour market. According to the report prepared by the Employment Consultant Agency - Akadomos, this development is not beneficial for their future chances of stable work.⁴¹

More and more businesses are making action plans for diversity in their employment policies with concrete goals to increase the number of ethnic employees. This is happening in spite of the fact that Denmark does not have an official diversity policy or laws like in the UK or Sweden. The Institute for Human Rights in Denmark recommends such practices. To encourage employers, the Institute presents an annual award to the organisation which has the best diversity policy in Denmark.⁴²

The Minister for Culture Brian Mikkelsen at his party’s annual meeting made a remark which offended not only many Muslims but also those experts who were working on the Minister’s pet Project, Danish Cultural Canon. He said: “In the middle of our country, a parallel society is developing in which minorities practice their Middle Age norms and undemocratic mindset. We cannot and will not accept this.” Having said that, he went on to say that Danish Cultural Canon should be used to promote Danish values because not all values are equally good.⁴³

⁴⁰ Copenhagen Post newspaper 16 September 2005.

⁴¹ Politiken 13 December 2005.

⁴² Søndagsavisen – free weekend newspaper - 10 October 2005.

⁴³ C. Post 6 October 2005.

After many years of struggle and court cases, the Helsingør municipality decided that from 2006 its special Roma children classes would be closed. This happened two days after the Complaints Committee sent a letter telling the municipality that these classes were illegal indirect discrimination. These classes were also criticized by the Council of Europe. This change happened on the initiative of NGOs (www.romanet.dk).

Professor Poul Chr. Matthiesen, famous for his anti-immigrant remarks used by the government in diverse think tanks for better integration, once again created a stir by suggesting that: "The present gender roles in non-European immigrant families are the greatest hindrance for integration. That is why there is a need for Muslim women to rebel against their husbands who want to keep them home."⁴⁴ The Social minister went even further. She said that: "Denmark has for too long accepted that a great many immigrant women have been kept outside Danish society because of cultural or religious oppression." To help these women, she would start a campaign which would suggest to these women to seek equality and if necessary leave their husbands.⁴⁵

It is often claimed in Danish society that ethnic minorities like to live in ghettos, meaning those areas where the majority of residents are also ethnic. But in a new survey, this claim was debunked. Catinét Research conducted this survey for the Information newspaper. According to the survey:

1. 80% immigrants and refugees wished to live where a minimum of 50% of inhabitants were Danes;
2. 44.9% wished to live where the majority were Danes;
3. 35.8 % answered that they wished to live in areas where habitation was 50/50; and
4. 5.3% wanted to live where the majority was ethnic.

It is common to hear in political discussions that immigrant and refugee children do badly in the educational system. Now newly published figures from the Danish Statistics Institute shows that ambitious elite among minority youth from non-Western countries are as capable of higher education as their Danish compatriots.⁴⁶

The Danish sports union has established a project – Give Racism the Red Card – in line with the UK experiment concerning racism in football. The Union wants to carry out a big campaign to raise awareness on the pitch and among the players.⁴⁷

⁴⁴ Ritzau – Danish News Agency - 6 March 2005.

⁴⁵ Danish Radio 6 March 2005.

⁴⁶ Jyllands Posten 6 December 2005.

⁴⁷ Spillerforeningen – Players' Union – 4 October 2005.

Many refugees and immigrants in response to society pressure, utilise various tactics to be accepted or gain access to certain services. Since 2000, nearly 660 people with Muslim background have converted to Christianity. The motivation was that as a Christian it was easy to get refugee status as well as Danish nationality. It becomes easier to get a job if a minority person has a Christian sounding name. This was the conclusion of a book, "Dåb og religionsskifte", published by Unitas publishing house. Research was done by lecturer Mogens S. Mogensen, an external lecturer at Århus University. In his opinion, the word Islam and Muslim have negative connotations in today's Denmark. Being a Muslim sometimes disqualifies a person from being accepted as Danish.⁴⁸

In response to the parliament's and political parties' very discriminatory statements and "quick fix laws" regarding minorities, even the Supreme Court has expressed its reservations. Chief Justice Torben Melchior believes that politicians make bad Alien's Laws and then expect the courts to pass judgements via these ill-prepared laws. In his opinion, Parliament has the right to make laws but these laws should be clear with defined boundaries before cases are tackled.⁴⁹

⁴⁸ Urban newspaper, 7 June 2006.

⁴⁹ Berlingske 4 April 2005.

VI. Conclusion

2005 has been a year of great trepidation for ethnic and religious minorities in Denmark. If we look at the different developments in society on a holistic level we can see that some activities stand out.

The re-election of the government in February 2005 was the biggest disaster for the wellbeing of ethnic minorities and a blow to the chances to have a reasonable discussion with authorities or lobby politicians. Any efforts on the part of NGOs fail because of the nature of the government. As long as the Danish People's Party is the supporting force for delivering the majority vote, nothing can be done. This party does not want to give any concessions for the rights of ethnic minorities. On the contrary, it is slowly but surely taking away the rights which minorities won after a long political struggle. The Danish People's Party wishes to send out of Denmark all immigrants and refugees, especially those who come from Muslim countries.

The second most important development was the start of the freedom of expression debate which culminated in the commissioning and publishing of 12 insulting caricatures of Prophet Mohammed. This reckless action has put back the process of integration – if there ever was one – at least 20 years. It destroyed a vital bridge which the younger generation of ethnic minorities were building with their education, hard work and mastering of the language. Now the whole debate has moved from discrimination in society to polarisation among Christian Danes on one side and Muslim communities on the other. The government has tackled this issue in a clumsy way and in the process hatred against Muslims has grown considerably. Many Danes are now moving towards the Danish People's Party. The question of integration has become a question of freedom of expression over the rights of minorities.

A third important development is the ever talked about issue of terrorism and anti-terror efforts. This focus has caused many minorities to question the whole idea of citizenship and loyalty to the country. By demanding that ethnic minorities sign special declarations of alliance, the Danish state is sending bad signals.

In short, 2005 has been a year where little Denmark attracted worldwide attention and problems to the daily life of its citizens. In its 2005 yearly status report, the Institute for Human Rights said: "Seen from a human rights perspective, it has been a turbulent year where central rights and principles were highly prioritised and discussed in the public arena."

ANNEX: Overall Assessment of Directive 2000/43/EC

- ⊖ Not yet implemented
- Partial implementation
- Fully implemented

Article	Provision	Implementation Status	Comment
2	Concepts		
	Direct discrimination		
	Indirect discrimination		
	Harassment	●	
	Instruction to discrimination		
3	Scope		
	Employment		Refers to other ministry
	Vocational training		Refers to other ministry
	Working conditions		Refers to other ministry
	Membership of organisations		
	Social protection	●	
	Social advantages	●	
	Education	●	
	Goods and Services	●	
4	Exceptions for genuine and determining occupation requirements	Yes/No	
5	Government led positive action measures	Yes/No	
6	Anti-discrimination goes beyond the provision of the Directive	Yes/No	
7	Remedies available	●	
	NGO participation in complaints procedures		
8	Application of the shift in the burden of proof	●	

9	Victimisation	●	
10	Government dissemination of information		
11	Social dialogue on anti-discrimination		
12	Government dialogue with NGOs		
13	<u>Functions of the Equality body</u>	●	Also deals with individual complaints
	Provide assistance to victims	●	
	Conduct surveys concerning discrimination	●	
	Publish reports	●	
14	Review of existing law to ensure that they are compliant with the Directive		
15	Effective and dissuasive sanctions		