



ENAR

SHADOW REPORT

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DENMARK

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Message from the President

ENAR's 2004 European Shadow Reports cover a period of 12 months. They are not a scientific study of the state of racism or discriminatory practices in EU Member States, but a compilation of information and data collected and provided by a vast network of NGOs working with antiracism, protection of human rights and provision of legal help and moral support to victims of discrimination, unequal treatment and marginalisation in the European Union.

This commendable work is done by many dedicated individuals, groups and organisations, who every year put a lot of effort in piecing together vital information in preparing reports from each EU country. Since official reports often paint a rosier picture of the local situation by excluding what NGOs say or experience, ENAR's reports have the added value of providing an overall picture from the ground.

EU institutions can use this information to check the performance of Member States and ask them to live up to the letter and spirit of Directives and Guidelines. In 2003, many international organizations, journalists, institutions of higher learning, European and non-European students and sister NGO networks utilized these reports.

ENAR wishes to highlight the fact that a number of diverse groups who live in the EU do not enjoy the socio-economic rights, equal opportunities and even legal protection they are entitled to. This lack of equality is not only a strong barrier in the process of mutual integration of these communities in society, but is also a tremendous financial loss to local economies.

Situations vary from country to country. Some have a long tradition of living with ethnic minorities, while others have only a few years experience. Some countries have good and functional anti-discrimination legislation in place, while others are still hesitant to comply.

Populist political statements and distorted media coverage has not helped to better the situation. Politicians hide behind "freedom of speech" to get away with the most hateful propaganda against certain groups, while the media holds the microphone. Mainstream media not only indulge in the generalisation of minorities but are also

steadfast in denying any responsibility in creating an atmosphere in which racism thrives.

EU institutions have taken many important steps to rectify this situation through directives, information campaigns and even legal steps against some countries have been taken. ENAR is hopeful that by being a bridge between ethnic minorities, NGOs and EU institutions, it can help to create a Europe where all its inhabitants can live in harmony. Our expertise is there as well as our resolve. We are here to help because we believe in truth, justice and even-handedness.

I was pleasantly surprised when I was introduced to a prominent journalist from India at a conference in Brussels recently. When he was told that I was the Chair of ENAR, he smiled and said, “I wish we also had such an organisation in Asia that can bring civil society’s wishes to the decision makers.”

Bashy Quraishy
President – ENAR

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1. Introduction

This is the third Shadow Report on racism and discriminatory practices in Denmark covering the period, January 1 – December 31 2004. It is prepared for ENAR (European Network Against Racism) – Brussels by the Ethnic Debate Forum, Copenhagen.

This report is not a scientific research study. The sole purpose of this report is to look at developments in Danish society regarding racism, discrimination, official policies, racial violence, political signals, legal remedies, media coverage, especially Islam and a range of issues from the NGO and, especially, the grassroots perspective.

At the time of preparation of this report, the right wing government in Denmark once again won the national election in February 2004, held nine months in advance. The election has given the government a comfortable majority with the help of the ultra far right Danish People's Party, to continue on the path of tightening asylum laws, family reunion laws and visa regulations. Since 2001, these measures have had devastating effects on the living conditions of ethnic minorities coming from non-Western parts of the world.

According to the recent report "Ethnic Minorities – a new proletariat" produced by a highly respected, Social Research Institute, many among ethnic minorities are systematically being marginalised within the labour market, in the educational system and in the housing sector. According to the report, this situation puts pressure on welfare and is bad for the whole process of integration. An earlier report which came out in February 2004 and was prepared by the Economic Council of Trade Unions also revealed that the average Danish worker has greater possibilities of moving up the social ladder than an alien holding the same qualifications. The report also found that 50% of Danish nationals who found themselves hovering around the bottom of the social pyramid in 1996 had moved up to a higher income level five years later, compared to just 20% of immigrants from 'third world countries.' (C.Post 06.02.2004)

The question of integration, or the lack of it, has given the media and a large section of the political establishment, an opportunity to carry on emotionally charged debates in the public arena, as well as in Parliament.

ENAR Denmark, together with other antiracist NGOs, have tried to have a dialogue with the authorities, without much success. The former Integration Minister, Bertel

Haarder, architect of the most restrictive Aliens Laws in the EU, actually scolded the Chair of ENAR in an e-mail (17.02.2005) in these words:

“I sincerely hope that you would stop blackening Denmark’s face in foreign countries.”

Needless to say, Mr Alvaro Gil-Robles, Council of Europe’s former Commissioner for Human Rights, was given similar treatment by Mr Haarder when he criticised Denmark in his report published in April 2004.

2. Executive Summary

Even if 2004 was a direct continuation of 2003, it was also a lacklustre year as far as racism and discrimination in Denmark is concerned. Being a small country, Denmark is not a place where dramatic happenings take place.

Looking at the political and media landscape, we can point out certain issues which Danish society discussed among its many actors, but without the active participation of the victims of racism, namely the diverse ethnic and religious groups residing in Denmark but of non-Danish origin.

Issues such as ghettos; criminality among ethnic groups; lack of integration; Islamic customs and norms; high unemployment; isolation of ethnic minority women; and bogus asylum seekers were some of the topics Danish society used lots of energy and time to debate. The killing of film director Theo Van Gogh in Holland and terrorism were also debated, often making misplaced comparisons between Islam and European values.

The paradox is that most politicians, media and the common man in the street, not only express their racist opinions openly, but at the same time believe that there is no racism in Denmark. There is always talk of cultural conflicts, lack of goodwill on the part of ethnic minorities or even unwillingness to integrate. Racism is something that happened in South Africa, in the Southern States of the USA or in Nazi Germany.

To verify this lack of racism, we clicked on Google.dk on January 16 2005 and typed in the words "Racism in Denmark". In less than one second, we found 224,000 entries. In a country with 5.4 million inhabitants, with only 5% of them of non-European origin, this figure is colossal.

Lately however, there have been few efforts on the part of the official Denmark to at least acknowledge that racism is a growing problem in Denmark. For example, Bertel Haarder, the former Minister for Refugees, Immigration and Integration Affairs, who is famous for refuting any suggestion of discrimination in Denmark, wrote in the foreword of "Action Plan to Promote Equal Treatment and Diversity and Combat Racism" in November 2003:

"Fortunately, the conditions for fascism and unadulterated racism in Denmark are poor. However, surveys show that discrimination on the grounds of race, ethnic origin or belief is a genuine problem in modern-day Denmark, although it is hard to

uncover the full extent of the problem. Nonetheless, we have to acknowledge that no society is ever totally free of racism. Such an attitude has not been helpful for having a fruitful dialogue or suggesting some meaningful tools to deal with official discrimination.”

This admission from Mr. Haarder was in fact an exception rather than the rule.

A long time resident correspondent of The Economist, Clare MacCarthy, wrote a devastating article on the Danish policy of asylum and immigrants in the December 16 2004 issue. Writing under the headline “Send Back Your Huddled Masses”, she wrote:

“Denmark’s Prime Minister Anders Fogh Rasmussen's popularity owes much to voters' biggest worry, foreigners.” His centre-right government swept to power three years ago on a promise to curb immigrants and asylum-seekers. When asked to name areas where he had successfully altered attitudes during his tenure, the prime minister has no doubt. “I would think that 80-85% of the population backs the government's policy on foreigners.”

A study by Oslo's Institute for Social Research shows that Denmark's share of asylum applications in Scandinavian countries duly fell from 31% in 2000 to 9% in 2003. Sweden's rose from 41% to 60%, and Norway's from 28% to 31%. This shift has raised eyebrows, particularly in Sweden, where the Social Democrat-led government has castigated Denmark's new regime and accused the government of undermining Scandinavian solidarity. Denmark’s laws have also been attacked by the UN's High Commissioner for Refugees (UNHCR) and by the Council of Europe's Human Rights Commissioner.

Yet several recent initiatives suggest that Mr Fogh Rasmussen is set on keeping the firm-on-foreigners pot boiling. Pia Kjaersgaard's Danish People's Party, the government's anti-immigrant ally, traded its votes for the 2005 budget against a new deal to expedite the repatriation of failed asylum-seekers. Another plan is to let the government choose its annual UN quota for refugees of around 500 on the basis of "integration potential", so that educated young men with foreign languages would be preferred to the old and illiterate. This horrifies the UNHCR, which says refugees in its camps tend to be the weakest and most vulnerable and should not be judged by their earning potential.

Many progressive forces and international human rights organisations have time and again advised the Danish government to confront racism and stop blaming minorities.

In the present political and social climate in which asylum seekers, migrants and refugees are being demonised as undesirable, undeserving and overwhelming, it is becoming increasingly common for both left and right of the political spectrum to argue that the newly arrived must speak the language of the land, understand the culture and history, respect the law and participate in democratic processes. In practice, it means that it is expected of them to become immersed in the local culture and forget their own.

On the surface, it does make sense, but we should not lose sight of the immense problems of continued racism and xenophobia.

In this Shadow Report, we have tried to give a picture of realities on the ground. We hope this information will enable the reader to see the Danish situation from an overall perspective and make an assessment of the gravity of the situation.

Of course, we cannot claim to have covered each area where ethnic groups suffer discrimination and unequal treatment in Danish society, but we have started with an overview of the size of diverse ethnic groups, areas of racist practices and attitudes, racist violence, legislative development and what the government and NGOs are doing to correct the situation.

We have also looked at the whole question of integration and what the government promised but did not deliver on. Roma are an invisible minority which is always ignored, but a recent court case has helped to bring light on their plight. The Roma have been present in Denmark for many hundreds of years. Since fighting racism requires hard facts, reliable data collection is a must. In Denmark it is a sensitive issue.

Media coverage is instrumental in the whole question of the relationship between ethnic minorities and the Danish majority. This report looks at this issue closely. The same is true of immigration. Denmark has no regular or irregular immigration, but the authorities have made asylum and family reunion into a question of Denmark's future existence. We have explored this issue in detail.

Even if financial resources are almost dried up because the government has terminated help to NGO work, advisory help and legal assistance to the victims of racism continues. The report looks at the initiatives which are still functioning.

Finally, this shadow report gave space to two eminent scholars, one of ethnic background who lives in Denmark, and the other of Danish/ Scottish ancestry, living abroad. Their views are highly relevant because they not only describe the situation with academic authority, but with a supportive sincerity for which we are truly thankful and proud of.

3. Victim groups (e.g. immigrants, ethnic or religious minorities, refugees, visible minorities)

Before we describe the composition of the Danish population and the diverse ethnic groups within the country, it is imperative that we keep in mind the official explanation of who authorities consider a foreigner and who fall outside this classification.

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 irony is that 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 distinction between people from poor and rich countries is described as following in the Ministry of Integration's terminology:

“Immigrants and descendants from third countries have significantly different age distribution than the rest of the population. Most immigrants are between the ages of 15 and 49, while the majority of descendants are under the age of 25. Immigrants and descendants from third countries are therefore generally thought of as having a lower average age than that of the rest of the population, which includes those foreigners from more-developed countries (Scandinavia, the E.U. and North America).

The official population prognosis from January 2002 projects that this group will double its number over the course of the next twenty years and will retain its characteristic trait of having a relatively lower average age. Secondly, Immigrants and descendants from third countries have different behavior to Danes, and other foreigners for that matter, when it comes to residence, education and the labour market.”

The NGO community does not subscribe to the idea of lumping people together. In our terminology, we make a clear distinction between those immigrants and refugees who have Danish citizenship and those who still keep their original homeland's citizenship. Youth who are born and bred in Denmark are Danes with a minority background, nothing less and nothing more.

According to the Danish Department of Statistics (www.dst.dk), the total population of Denmark on January 1 2005 was 5,411,405. It included citizens, non-citizens,

immigrants, refugees and their children. This figure however does not include asylum seekers.

Out of that figure, people of foreign origin constituted 452,095. Out of this, 267,604 still hold foreign nationalities whereas 184,491 have obtained Danish nationality.

It must be remembered that the term foreigner is typically used for people from outside the Western world, areas like the Middle East, Asia, Latin America and Africa. EU citizens, Scandinavians, Americans and even Japanese are not officially in the category of foreigners. The large minority of Germans in the South of Jutland are considered a national minority but Greenlanders and people from the Faroe Islands are not.

Victim groups can be easily identified because of their colour, ethnicity, language, culture and, to an increasing degree, because of their religious affiliations.

There are between 180,000 and 200,000 people belonging to diverse Muslim communities, nearly 6,500 with a Jewish background and smaller groups of Hindus, Buddhists, Roman Catholics and Sikhs. The number of Roma varies from 3,000 to 1,000 depending on who one asks. The Roma issue is described separately under the headline; “Situation of the Roma community and discrimination they experience” in Chapter 9.

3.1 Breakdown of ethnic minority groups in Denmark

Western Countries	131,532
Non-Western countries	320,563
EU countries	96,807
Africa	43,182
North America	8,441
South and Middle America	7,968
Asia	153,561
Unknown	2,917

3.2 Largest ethnic minority groups according to their original homelands and a size of over 10,000 persons in Denmark

Turkey	54,859
Iraq	26,351
Germany	25,446
Lebanon	22,232
Bosnia	20,875
Pakistan	19,301
Somalia	16,952
Ex-Yugoslavia	17,528
Norway	15,671
Iran	14,289
Sweden	14,285
Poland	13,509
Vietnam	12,654
UK	12,000
Sri Lanka	10,291

4. Racism – visible/hidden in the national context, such as the labour market, housing, education and personal experiences

Seen from the point of view of ethnic minorities who are often victims of racism and discrimination in Danish society, there are many areas where they suffer direct and indirect discrimination. Here is a list of some of the areas with a few concrete examples to highlight the situation.

4.1 Labour market

Overall unemployment among Danes is 6.4%. Among ethnic groups it is over 50% and among some ethnic groups it is between 80% and 90%. One of the reasons is discrimination. Even those official institutions like “Employment Exchange”(AF) discriminates against coloured minorities. Danish TV station TV2 carried out a survey by calling 23 regional offices of unemployment exchange and asked to provide white Danish employees. Even if such a demand is against the law, 22 offices out of 23 wanted to comply with this discriminatory request. When the TV station put that tape on a national programme, a representative of one AF office tried to explain by saying that since we normally do not get such requests, the official at his office may not have understood the situation. (Ber.Tid 6.09.2004)

There are many examples where the highly educated among ethnic minorities are not even invited for interview when they apply for jobs. Denmark has a great demand for engineers and doctors but many such people among ethnic groups are driving taxis and working in Pizza Bars. Trained schoolteachers are cleaning dishes. A look at the following division of labour can be a good indicator to see where ethnic minorities from non-European countries work. (Ber.Tid 14.07.2004)

	Immig and Refugees	Immig from EU	Danes
Cleaning Jobs	15.00%	8.00%	2.00%
Small Buss	16.00%	9.90%	9.50%
Rest/Hotels	13.80%	7.50%	4.80%
Transport	9.20%	9.20%	7.90%
Construction	1.10%	2.20%	4.90%
Public Adminst.	1.70%	2.20%	4.80%

When it comes to solving the high unemployment among ethnic minorities, one has to listen to strange advice from the public on how to get a job. One person suggested

that minorities should adopt Christian names, speak Danish at home, forget their culture and be Danish. (Pol. 18.06.2004)

There has been little good news on the labour market. One is the practice adopted by the Copenhagen Parking Company of affirmative action of hiring ethnic parking inspectors instead of native Danes, even if both have the same qualifications. The company calls it living up to proportional representation because Copenhagen has an 18% ethnic population and very few parking controllers.

4.2 Housing sector

There are three types of accommodation available to everyone in Denmark: rented, co-ops and privately owned.

Discrimination in the housing and accommodation sector is of a very indirect type. First there is 15 to 20 years of waiting time to get accommodation from the housing corporations. It is observed that even a long membership is not a guarantee that ethnic minorities can get accommodation. Some municipalities have introduced a smart system of keeping ethnic minorities out. Instead of refusing because of colour or ethnicity, the criterion is that a person has to have a minimum income. This discriminates against ethnic minorities because of their higher unemployment and low income.

Co-ops are often established with the help of those who live in a housing complex. The deposits are so high that it is difficult for minorities to be part of it. That leaves the private housing market, which requires large sums of money. Since other doors are closed, well-to-do ethnic minorities are moving to buy their own property.

Politicians consequently call those areas where many from ethnic groups live as ghettos. They also blame ethnic minorities for preferring to live in these ghettos instead of integrating with Danes. This argument is strange keeping in mind that housing societies are those who allocate accommodation to applicants. A recent survey showed that most minority families would prefer to live among Danes if they were given a chance.

There have been suggestions from the government to impose a certain percentage of ethnic population in a given area. It will be done by giving the Housing Corporations the authority to reject people who were recipients of social welfare. Ironically, the Social Democratic Party supported the proposal. (C.Post 03.06.2004)

These signals were promptly misused by a housing society in Århus which gave eviction notices to three Palestinian families on the charges that their children had committed crimes. Immigrants Advisory advocates took on the case and appealed against this eviction. After many months of trial, the court ordered the housing society not to evict the three tenants. The families' lawyers have described this verdict as historic and of a principle nature:

“No family should be punished because of what their children do or have done, it must be a lesson to everyone,” one said.

The good news is that Social Affairs Minister Eva Kjør Hansen has allocated 100 million DK for a so-called “Town Redevelopment Pool” to better the socially deprived areas in 11 municipalities.

“This betterment would also create more jobs and prevent the growth of ghettos,” said the minister.

4.3 Education

In October 2004, an independent survey of why ethnic youth drop out of education was done by two researchers (Bo Tovby and Ulla Kjørmark Jensen). They concluded:

“A very large group of the ethnic minority youngsters who dropped out of vocational training courses found that there was a very limited supply of placement opportunities and it had been difficult for them to even get an interview. In interviews, many youngsters unanimously said that they would have completed the course if they were not discriminated against.”

A plan to spread ethnic minority children in schools across Copenhagen has been discussed, even if Danish law provides that children should attend the school which is in their district. Some municipalities like Albertslund have been spreading only ethnic children all over, often without the consent of the parents. Now Copenhagen, the largest municipality in Denmark, is planning to do the same. Most politicians want to compromise on the principal that parents have a legal right to send their children to the local school. This procedure will only be applicable to minority children and not Danish children. According to a note from officials in the Education and Youth Affairs Mayor's office, force or quotas are not allowed in Denmark. (Pol. 22,07.2004)

4.4 Sports

Many ethnic youth take part in sports like martial arts, boxing, basketball and football on local club level and in national teams. There have been discrimination cases during matches between Danish and ethnic teams, but such problems are solved locally. The bigger problem is when black players on A teams play and score goals. They are subject to racist shouts and monkey sounds. The football union has taken quick action to stop such actions but it is very difficult to patrol large crowds, especially those who go to these matches for the sole purpose of causing trouble.

4.5 Entertainment areas like discos, bars and clubs

It is a well-known fact that discos and bars often refuse entry to ethnic youth. The typical excuse is that ethnic people do not consume alcohol, make too much noise, do not possess membership and flirt with Danish girls. Many disco owners hire ethnic doormen to circumvent the charge of discrimination.

4.6 Public services

Taxis and bus services are areas where many ethnic drivers have jobs but which also discriminate against many groups out of a single experience. In buses people often admonish ethnic minorities for talking loudly or elderly people pushing women with head scarves with chants like; “Go home” or “Do not stand in my way”.

As far as discrimination in taxi services is concerned, there have been reports that some companies have a code word for not having a black taxi driver while some Danish drivers refuse to pick up minority customers. A clear example is of a Danish taxi driver in the fourth largest Danish city of Odense who is also a board member of the National Club of Taxi Drivers. He refused to drive a young Somali student. It happened after an attack on another taxi driver in the city. Even if it is illegal to sort out customers, police did not interfere in this decision. (Pol. 08.9.04)

4.7 Police treatment especially toward young people and in profiling

There are few examples of effective alliances between police agencies and ethnic communities in Denmark.

In Copenhagen, NGOs have developed some good contacts within the police and have been included in intercultural training. There are some very good people at the top level of the police forces, but when it comes to the police officers on the street, it is still very difficult to reach them.

The police has set up an advisory committee that helps figure out what to do and how to approach youth groups. Muslim communities have also started to cooperate with police departments on youth criminality at local level.

After a report from Roskilde University which documented that conflict in the streets among minority youth and the police was on the rise, police authorities decided to send 250 police officers from all over the country on a six month special course on how to avoid conflicts. (Unban 02.06.2004)

4.8. Prison services

According to the respected newspaper Information (16.07.04), discussions regarding ethnic minorities have also reached prisons. There are more coloured prisoners in jail today than 10 years ago. Anthropologist Lars Holmberg has carried out an extensive survey of police methods against ethnic youth. His findings are that the police expressly go after immigrant-looking people. These ethnic groups are more likely to be arrested, convicted and sent to prison. According to Law Professor Vagn Greve and a report by the Criminal Preventive Committee, similar tendencies are to be found in public. For example, even if a shoplifter happens to be blonde and white, witnesses often say to the police that it was an immigrant.

In prisons, there are very few wardens with minority backgrounds. Many years of campaigning have brought no results. While the number of coloured inmates is almost 25% of the prison population, only half a percent of prison staff has an ethnic minority background. (04.08.04)

4.9 Political parties

Many political parties have been openly hostile towards ethnic minorities. Danish People's Party Parliament members have often made racist and discriminatory statements about immigrants, especially Muslims. The Supreme Court has even pronounced that the Danish People's Party's Chairperson had racist tendencies. In her opening speech at the party congress in Odense on September 18 2004, she compared Islam with Nazism and Communism and called the war against Islamic terrorism like the war against Nazi Germany. (Ber.Tid. 19.09.2004).

DP Party office holders are often reported to the police for racism. A majority of the 12 convictions that were handed down under a criminal code provision prohibiting hate speech in 2003 involved members of the Danish People's Party and the ultra-right Progressive Party who had engaged in anti-Muslim or anti-Jewish rhetoric. It is unfortunate that public prosecutors often dismiss complaints of alleged hate speech

filed against politicians, with the explanation that it is especially important to protect the right to freedom of speech of politicians. As late as November 2004, Kenneth Kristensen, national chairman of DPP's youth wing, was reported to the police for the following statement:

“To convert to Islam is as alarming as (to go with) the Nazi Swastika.(Pol. 24.11.2004)

Another prominent member of the DPP, member of the Danish parliament Jesper Langballe, called Islam similar to Hitler. (Søndagsavisen 18.07.04)

Talking of political parties, one often hears that ethnic minorities do not take part in Danish political life, thus leaving the field wide open for parties like the DPP. A recent survey proved this opinion wrong. Young immigrants in Denmark are far more politically active than their peers in Sweden and the US. The reason for the gap in political interest is a result of Danish immigrants being forced to deal with their cultural heritage, the daily Urban newspaper reported.

“Young Muslims in Denmark are constantly under pressure to take an active stance towards their role in society. This means they are generally more politically oriented than is the case in other countries,” says Garbi Schmidt from the Danish National Institute of Social Research. (TV211-06-04)

4.10 Armed forces

There are very few active servicemen and women with minority backgrounds in the Danish Armed forces. Those who have joined the army or come in as reserve draftees have experienced insulting language, jokes and prejudice. In April 2004, a military sociologist resigned from his job in the Defence Academy because he experienced a stone walling from the high command when he tried to complain about Danish soldiers' racist attitudes, especially towards Arabs and Muslims. He gave two examples. Those soldiers who were being briefed by him before going to peace keeping duties in Kosovo and Iraq showed clear signs of racist opinions.

The sociologist, who has written a Ph.D., gave many examples of bad and racist behaviour such as soldiers referring to local people as animals, meaning that they should be killed without reservation. They also considered them as pigs and thieves. He saw graffiti in the military camps like “If one is on a hunting expedition, one should shoot a Jalla or N****r, because they are like animals” or “ Shoot a Paki and

be happy. Shoot two Pakis and go to heaven.” The military command, according to the sociologist, has tried to put a lid on his critique.

4.11 Religious discussions, especially about Muslim communities

In 2004, there were some issues which were constantly in focus. Some were a repetition of yesteryear, while others were new. The absence of purpose-built mosques and graveyards; the banning of headscarves; grants for religious schools; the linkage of terrorism with Islam; the killing of Theo Van Gogh; and some unfortunate statements from ill-informed Imams as well as political finger pointing to Muslim communities for not willing to integrate into Danish society.

All this media focus on Islam meant that many ethnic minorities were excluded from the labour market. Because Danish law does not allow the registration of individuals on the grounds of religion or ethnicity, there is no reliable information available which can give a precise figure of the extent of discrimination in the job market against people belonging to the Islamic faith. DRC has sued some employers for not hiring and some for firing employees, mostly women who insisted on wearing the Hijab. Actually, media surveys reveal that discrimination in the labour market has moved from lack of qualification, race and ethnicity to religious affiliation. This kind of discrimination is most visible.

The Danish People’s Party has repeatedly advocated a ban on the headscarf in schools and other public places. In April 2004, the party put forward a proposal that would prohibit public officials from wearing “culturally specific” headgear, but would allow as an exception for expressions of Christian-Jewish culture. The party argued, among other things, that the law was needed because the use of the headscarf had a “disturbing” impact on “ordinary people” and undermined the integration of Muslim girls.

After looking at this proposal, the Danish Institute for Human Rights concluded that it would result in a general ban on the right to wear headgear for religious reasons, which would not be acceptable in the present Danish context. Moreover, the Institute found that the proposal provided for unlawful discrimination on ethnic and religious grounds since it did not offer any objective and reasonable grounds to justify differentiated treatment for those who did not belong to the Christian or Jewish culture. The proposal has yet to be considered in parliament. The government has however reportedly rejected the idea of any form of ban on religious and political symbols in public.

The International Helsinki Federation for Human Rights published a report “Intolerance and Discrimination against Muslims in Europe” in March 2005. The report concludes:

“There have also been several publicized cases where Muslim women wearing the headscarf have alleged discrimination by employers. In addition to discrimination in employment, those of immigrant background reportedly experience discrimination in areas such as access to housing and public places, such as restaurants. It is estimated that there are some 35 to 50 mosques in Denmark, most of which are located in apartments, former commercial or industrial premises and basements. There is currently no mosque that has been specifically built for that purpose. One reason for this is that the Muslim community is internally divided and has had difficulties in cooperating for the purpose of establishing a mosque. However, in recent years there has also reportedly been growing political and public opposition to the construction of full-scale mosques, with some arguing that mosques with domes and minarets are not compatible with Danish architecture.”

The same has been true as far as graveyards are concerned. Now ethnic minority groups have to send their dead to their homelands which is a very costly affair, costing up to 6000 DK. After several years of negotiations, the Broendby municipality agreed in October 2004 to sell a plot to a Muslim association for the purpose of establishing the first Muslim cemetery in the country. The cemetery is expected to be opened in late 2005. It is hoped that the positive decision in this case will facilitate the establishment of Muslim cemeteries elsewhere in the country.

In some local cemeteries, separate sections have been created for Muslim gravesites, but burial in accordance with all requirements of Islamic law is reportedly not possible in these sections. (www.ihf-hr.org)

The Danish relief organisation Kirkens Korshaer fired a Muslim employee who then decided to sue the organisation for discrimination.

All Kirkens Korshaer employees must have a Christian background to work for the organisation, but according to a lawyer, that demand is illegal.

Yusef Yalcin received a letter from his boss saying she was pleased with him but that he could no longer work for the organisation because he belonged to another religious faith.

“The reason they fired me is that the organisation does not want a Muslim employee,” Yalcin says. The former Kirkens Korshaer employee is a Danish citizen of Turkish extraction. (TV2. 11-06-04)

Another example of insensitivity to non-Christian religious minorities is a case where a priest baptised two Muslim children in Kalundborg against the wishes of their father who had a common-law custody of them. Fortunately, the Bishop admonished the priest in question.

The focus on Islam is so extreme that a survey will now map the reasons why Danes convert to Islam. There are approximately 5000 converts and the survey will focus on this group. No one knows why this survey is being done and what purpose it will serve. (Urban 10.06.2004)

The ongoing propaganda against Islam is aided by many writers, commentators and academics who use their freedom of speech to write what they like and often in derogatory and insulting language. One such so-called historian is Lars Hedegaard. He is the former Editor in Chief of the most progressive newspaper in Denmark, Information, and a permanent contributor to two national newspapers – Berlingske Tidende and MetroXpress. He has specialised in commenting on anything and everything which has to do with Islam. One of his statements to a right-wing newspaper Jyllands-Posten (01.08.2004) says a lot about his mental picture:

“Islam is even more totalitarian than Nazism. Nazis did not demand that people should grow a Hitler type moustache. Islam interferes in every aspect of life, right from dress to eating habits.”

4.12 Financial institutions

Many immigrants start a business with capital borrowed from friends and relatives. The reason is simple. It is very difficult to obtain loans from banks. Banks discriminate against immigrants and refugees. A labour market researcher made a survey among 234 businesses run by ethnic minorities. The report concluded that six out of ten new businesses started by ethnic minorities got their application for loans rejected. The result is that some do not want to go to the bank while others feel discriminated against. Out of 85 who asked for bank loans, 52 were turned down, nearly 61% rejection.

5. Racist violence, discrimination and racist attacks or attitudes

As we have mentioned earlier, Denmark is a rather peaceful country compared to some other EU countries like the UK, Germany and France where racial violence and racist attacks occur on daily bases in all walks of life. But it does not mean that the state of affairs is calm. There is a movement under the surface where racist groups and organisations operate and function. If one does not read so much reporting in the press or through police reports, it could be that victims of racist attacks do not bother to report. Many among young people know that it is a very difficult process to report and often nothing concrete comes out of complaining. Racist movements are alive and well in Denmark.

Many politicians of ethnic background regularly receive death threats in the form of letters, phone calls and confrontations in the streets.

According to the information coming from the Danish Secret Service (PET), many extreme right-wing groups, like Dansk Front, have successfully recruited new members. The group also has a website which is used by people calling themselves patriots. In an e-mail sent to the newspaper Politiken, the group claimed to have over 1,000 active members who use its site. This famous web site has been used to send death threats to many well-known ethnic minority personalities, including members of parliament. Justice Minister Lene Espersen has expressed her worries and has asked PET to keep an eye on such groups. (Politiken 19.12.04)

In its Annual Report, PET described the worsening situation since 2001. PET has also helped local police forces in many areas to keep an eye on events during political meetings, threats to public figures or activities which are dangerous to other people's life and property.

Another racist group which has been in existence is DNSB. It is also called the Nazi Party. It has its own website and radio station which is financially supported by the Greve municipality where the Nazi Party has its headquarters. The group recently distributed 21,000 leaflets – Wake up Denmark - in schools and institutions. The leaflet warns against:

1. The “Dangers of Islam”
2. The scourge of coloured people
3. Unlimited financial help to foreigners taken from innocent Danish people
4. Billions of Kroners in help to the third world which results immigration to Europe of coloured people

Another worrying fact to the intelligence community is the cooperation between diverse violent groups like the Danish Front, Blood&Honour and Holge Danske. These extreme groups meet at concerts, football matches and at the yearly march for Rudolf Hess in Germany in the month of August. These groups also exchange visits from abroad with the likes of Combat 18 from the UK.

It is PET's opinion that these activities not only systematically spread hatred, racism and prejudiced messages, but also disturb and harass ethnic minorities and work against integration and religious understanding. Looking at the information supplied by the PET, we can see that it has collected 24 cases of possible legally punishable acts from January 1 2004 to November 24 2004. These cases range from defamation, threats, and attacks, to graffiti, attacks on property, mosques and private schools.

5.1 Two examples of the nature of violent acts

1. On April 27 2004, The Kocatepe Turkish Mosque and Cultural Centre was attacked in the night. Racists tried to force their way into the Mosque but failed. Before leaving, they left very insulting messages written on cardboard in front of the mosque door. This attack made the Turkish congregation very uncomfortable and angry but they did register a report at the police station. (Pol.26.04.04)
2. On November 10 2004, the owner of a small wine bar in Århus asked some guests to stop singing racists songs. He was badly beaten by those guests who were from a Nazi group, called White Pride, who did not want anyone to tell them to stop. The owner did not call the police for fear of reprisals. (MetroXpress 11.11.2004)

6. New legislative developments under Article 13 and beyond concerning racial/ethnic/religious discrimination

The government has recognized that Danish legislation against discrimination is not good enough and that they have implemented only a finely meshed set of regulations prohibiting discrimination. The most recent addition to legislation in this area was the Act on Equal Treatment Irrespective of Ethnic Origin passed by the Danish Parliament in June 2003 to prohibit discrimination on the grounds of race or ethnic origin. In other words, the legal framework is in place. The Integration Minister did however remind law makers that it is important to bear in mind that legislation, to a certain degree, tends to focus on problems rather than opportunities and innovative solutions. Even the best-researched framework needs content. This is a lesson learned from other countries.

The government has also amended and consolidated many laws relating to its Vision and Strategies for Improved Integration launched in 2003, as well as tightening the laws to hinder the possibilities for non-EU citizens to enter Denmark. But still these plans include many good initiatives, especially in the fields of access to education, employment, language-training and campaigns to bring the majority and minorities closer together.

On the more negative side, the present government has a comfortable majority in the Danish Parliament, consisting of the Liberal Party and Conservatives duly supported by the Danish People's Party. This meant that many restrictive bills have been passed without any problems. In some cases, the opposition Social Democratic Party also helped the government to have an absolute majority on some controversial bills.

6.1 Laws which were passed in 2004.

- Consolidation Act No 28 of 21.01.2004, concerning amount of reintegration help.
- Consolidation Act No 100 of 17.02.2004, concerning the change in integration law and aliens law regarding apprenticeship at private enterprises for ethnic youth.
- Consolidation Act No 101 of 17.02.2004, concerning individual contracts and introduction programmes in Integration Law.
- Legislative Bill No 212 of 31.03.2004, giving an Australian lady Mary Donaldson an express citizenship so that she could marry the Crown Prince. (It must be remembered that it takes all foreigners nearly nine years to obtain citizenship which requires a language test, a loyalty oath and no social help in the last seven years).

- Consolidation Act No 292 of 28.04.2004, concerning residence for foreigners coming into Denmark from EU countries.
- Consolidation Act No 293 of 29.04.2004, concerning residence for foreigners coming into Denmark.
- Consolidation Act No 390 of 19.05.2004, concerning the change in integration law and aliens law dealing with employment in private companies with state support.
- Consolidation Act No 391 of 24.02.2004, concerning the change in individual contracts and introduction programmes in Integration Law.
- Consolidation Act No 395 of 25.05.2004, concerning the entrance for foreigners into Denmark.
- Explanatory Act No 9495 of 01.06.2004, concerning guidelines about introduction programmes stemming from integration law.
- Explanatory Act No 9496 of 01.06.2004, concerning guidelines about financial support outlined in integration law.
- Explanatory Act No 9499 of 01.06.2004, concerning guidelines about integration and repatriation information and municipalities.
- Consolidation Act No 422 of 07.06.2004, concerning the right to the Danish nationality.
- Consolidation Act No 422 Act No 427 of 09.06.2004, concerning the changing of the Aliens Act, Integration Law and the changing of the Family Reunion Law for children, tightening of residence permits for religious preachers and restrictions on the family reunion persons who have been expelled from Denmark in connection with violent acts against their former spouses.
- Consolidation Act No 429 of 09.06.2004, concerning visa regulations, expulsion due to forced marriage, kidnapping of children, human trafficking and removal of cash payments to those asylum seekers whose cases were under speedy consideration.
- Law No 430 of 09.06.2004, concerning notice of nationality.
- Consolidation Act No 504 of 10.06.2004, concerning special financial support for those foreigners who want to study.
- Consolidation Act No 808 of 14.07.2004, concerning the Aliens Act.
- Consolidation Act No 814 of 20.07.2004, concerning the accommodation requirement for those who are reunited families.
- Consolidation Act No 926 of 07.09.2004, concerning the financial guarantee for obtaining a visiting visa.
- Consolidation Act No 1203 of 08.012.2004, concerning expenses for staying in temporary shelters and lodgings.

- Consolidation Act No 1204 of 08.12.2004, concerning the regulation on January 1 2005 of the amount which is paid to foreigners in connection with integration in Denmark and for learning of the Danish language by adult foreigners.
- Consolidation Act No 1262 of 10.12.2004, concerning the regulation of the amount which is paid to foreigners in connection with the Repatriation Law and the Kosovo law.
- Consolidation Act No 1288 of 14.12.2004, concerning the regulation on January 1 2005 of the amount which is paid to foreigners in connection with integration.
- Law No 1385 of 20.12.2004, concerning notice of nationality.

In 2004, many changes were made in the laws to prevent people coming to Denmark via family reunion and through the asylum system. These laws discriminated against the poor and students because of the large sums involved to fulfil all the criteria set forth by the government.

7. Activities of the government and NGOs, carried out under 'National Action Plans' concerning racism

NGOs including ENAR-DK (European Network Against Racism - Denmark) met many times in 2004 and gave input into the first draft of the National Action Plan which had been distributed to the National Working Group (NWG) ahead of the meeting. There was input regarding activities from several participants. The following main issues were discussed:

- **Copenhagen Marathon**

It was agreed to contact one of the main sponsors, Politiken (main daily newspaper in Denmark). If Politiken was willing to partner the campaign and thus secure media focus, the NWG recommended that the campaign participate in the Copenhagen Marathon.

- **National Seminar**

Several topics had been discussed during the previous NWG meeting, leaving a choice of two topics:

1. Diversity in Journalism
2. Positive Action.

The meeting did not recommend a national seminar on positive action, as this was not part of Danish Law and tradition. The Labour Ministry did not support this idea. The NWG recommended a possible national seminar in Denmark on the topic of "Diversity in Journalism" and was planned in co-operation with the Union of Journalists.

- **National Information Flyer**

The NWG saw no immediate need for a national information flyer as organisations and ministries all produced their own information material. The Employers' Association preferred to produce their own material in the light of past experiences with the "toolbox".

It was generally agreed that a national pamphlet should contain information which all members could accept and the following content was agreed on:

- **Campaign Ambassadors**

There was one campaign ambassador in Denmark, Mr Torben Lund, a former minister, MEP, and openly gay. The following was contacted and asked to become ambassadors of the campaign. René Nielsen, who is disabled, participated in the Para Olympics in Athens and won two medals.

- National website

Morten Haahr informed the meeting that the national section of the website is a priority in 2005. The content is presently being updated and he asked all members of the NWG to make sure that all information on upcoming activities be forwarded to the Webmaster in Berlin to be put on the website.

- Journalism Award 2004

Morten Haahr gave an update on the Journalism Award 2004. There were a total of eight entries from Danish journalists. They were being evaluated by the jury at the time of writing this report.

7.1 Institute for Human Rights activities

- Seminar on Freedom of Expression and Hate Speech

Hate speech can be heard in all too many places, but to some extent the concept originates in America, where the constitution safeguards a highly liberal interpretation of freedom of expression. Expressions that are covered by the penal code in Denmark such as defamation or the like are not illegal in The US, unless they constitute a “clear and present danger” to others or to the state. Americans’ rights to hate are laid down in the constitution so to speak. In Denmark freedom of expression is closely related to human dignity and the right to privacy, which cannot be violated. So in Denmark freedom of expression is accompanied by responsibility, as is generally the case in Europe.

These were among the issues that were discussed at a seminar, Freedom of Expression and Hate Speech, at the Danish Centre for International Studies and Human Rights in Copenhagen on September 27. The seminar was organised by the Danish Institute for Human Rights (DIHR) along with the Danish PEN, the Danish Writers’ Association, the Danish Journalists’ Association and Danish Writers of Fiction. Panellists were two prominent experts on freedom of expression and hate speech as well as two opponents with a journalistic background. The debate was lively and covered many subjects. 80 to 90 people attended, and the seminar opened an important debate in Denmark which, hopefully, will continue.

- Seminar on discrimination

The DIHR’s National Department held a seminar on discrimination and positive action in the field of goods and services. Racial and ethnic discrimination in the fields of goods and services is often overshadowed by the attention given to discrimination in the labour market, and there exists little knowledge and experience

of what it entails. But as Mr. Colm O’Cinneide, lecturer in human rights and equality law at University College London puts it:

“Discrimination in the provision of goods and services can involve the manifestation of some of the most dangerous and overt forms of racial prejudice.”

DIHR’s National Department held a seminar in May to explore the field of goods and services in the context of discrimination and how to overcome some of the barriers by using positive action as a proactive tool. Speakers, apart from Mr. O’Cinneide, included Ms. Claudia Lam from the European Commission Against Racism and Intolerance (ECRI) and Legal Attorney, Mr. Sune Skadegaard Thorsen.

7.2 NGO initiatives

- The Copenhagen Municipality, Copenhagen Police Department and the Crime Prevention Board, have recently taken a good initiative to solve the problem of discrimination which many ethnic guests experience in restaurants, discos and other entertainment establishments. Now people can call a hotline, 33 14 14 48, and register a complaint. It also has a website with guidelines. The police will send an officer on the spot and interview the discriminated person of the incident. One will get a receipt of the complaint and will be kept informed of the situation.

- National strategy for Equal Treatment and Diversity. ENAR-DK, the Institute for Human Rights, the Gay and Lesbian Network, organisations for the handicapped, women’s organisations, POEM (the largest federation of ethnic organisations in Denmark), the Board for Ethnic Minorities and the Danish Refugee Council (DRC) have been working as an advisory committee to the Board of the Institute for Human Rights. In cooperation, they have devised a national strategy for Equal Treatment and Diversity.

It has now completed its mapping report on the existing protection tools against discrimination over six areas covered under article 13. The report describes the main problem responsible and what can be done to change inequality. It also maps the start position of groups by age, gender, handicap, sexual orientation, ethnicity and race, as well as religion and belief, their experiences with discrimination and where commonality lies. This report looks at mainstreaming the principle of equal treatment.

All six groups have made their recommendations and action plans.

8. What did the government promise to improve in integration

The present government has shifted the focus from anti-discrimination and the fight against racism to improved integration. Ethnic minorities have supported the idea that the best way to create a society where people are not discriminated against because of their race, ethnicity or religion, is to create conditions for the majority and minorities to meet at the workplace, in areas in which they live and through cultural interaction.

In January 2003, the Government set up a Group of Ministers composed of the Integration Minister (Chairman), Employment Minister, Social Affairs and Gender Equality Minister, Culture Minister and Education minister. Other ministers have been involved as required. In June 2003, the Group of Ministers submitted the report 'The Government's Vision and Strategies for Improved Integration', placing three central issues on the agenda for integration policy for the coming years:

- A coherent and open democratic society
- Education and training
- The labour market

In government's own words:

“Successful integration today is a human and economic investment in the future.”

After just one year, we can see that all those lofty plans of action were just hot air and mere words without any substance. One of the most eminent national economist, former chief guru and member of the government's think tank on integration, Professor Niels Kærgård, said in an interview (Berl.Tid 28.01.04):

“The ruling Liberal Party as well as the opposition Party, the Social Democrats, did not dare to tell the public the naked economic truth of integration. If ethnic minorities do not enter the job market, it is going to cost the state nearly 30 billion Danish Kroners per year”.

The professor categorically blamed politicians for advocating nothing but wishful thinking that many more of minority background would get jobs. No one talks about how and where those jobs will be created.

“I warned against only talking about education and qualifications. One has to go the untraditional way, like low wages for unskilled workers combined with a reduction in taxes for them,” he said.

Another independent institute, DREAM, made an analysis predicting that the state budget will be burdened to the tune of 35 Billion Kroners. per year until 2040.

8.1 Aliens Act tightening saves billions

To make a case for tightening laws and connecting it with its success, the government asked the independent economic institute DREAM to carry out a survey on how much the national economy was saving because of its policies. DREAM duly obliged by claiming that the government’s tightening of the Aliens Act saved 4.3 billion Danish Kroner a year compared to the period prior to the tightening. The report was published in March 2004, but the newspaper Jyllands-Posten found that the savings came from three areas in particular: The number of asylum seekers had reduced to one third in two years, the same goes for family reunions and, finally, a large part of the savings came from the low beginner's aid to new refugees.

(DR News. 08-02-04)

8.2 3,000 less on “beginner's aid”

The tightening of the Aliens Act has caused approximately 3,000 less applicants receiving integration aid and so-called “beginner's aid”. Beginner's aid is a cash benefit for newly-arrived immigrants and is supposed to encourage them to get work.

In 2003, 16,375 persons received beginner's aid, which equals a drop of 16%, a statement from the Danish Bureau of Statistics showed.

In opposition, the number of people receiving cash benefits increased by 4,000 in 2003 to a total of 171,444.

Also the number of recipients of cash benefits in job training increased by 2,700 compared to last year. (DR:09-06-04)

8.3 Homelessness among ethnic minorities

Many researchers and economists are worried about the polarisation which has happened in the last three years in Danish society affecting the weaker groups in society, especially ethnic minorities. The Trade Union magazine, Ugebrevet A4 has

looked at the tightening of laws in the social sector. 12 law changes are directly harmful. The magazine quotes Preben Brandt, Chairman of the Board of Socially Deprived saying:

“At the bottom of society’s heap, one can find the consequences of failed integration. Five years ago, only 10% of the homeless had an ethnic background, today it is 50 %. It is really terrible for these ethnic groups.

“I am afraid that we are creating an under-class. As a society, we are pushing down the weakest and those we do not like. 10 years back, it was a drug addict, today it is an immigrant or a refugee. The government is responsible for the negative immigrant debate it has created and the climate which this debate has produced. No wonder many among ethnic minorities are crushed and give up.”

Now the new government has once again come up with a new goal in its 256 visions catalogue. The government announced with great fanfare that it wishes to have 25,000 immigrants and refugees enter the labour market before 2010.

9. Situation of the Roma community and discrimination

The Roma have a long history in Denmark dating back to 15th century. According to a very useful book written in 2004 by Johannes Busk Laursen and Biljana Muncan, “Danmark og romaerne”(www.romnet.dk/romafolketdk), the Roma, in line with their situation in the rest of Europe, were always unwanted people in Denmark. This poor position has been kept alive by Denmark’s Anti-Gypsy laws. The Roma were thus very dependent on authorities’ wishes and citizens’ acceptance. That is why they were always on the move.

In 1554, Danish law gave citizens the authority to persecute Roma and take their belongings. This situation continued until 1736. After that year, it was illegal to harm Roma physically. Instead, they were to be captured and put in special places as life prisoners for constant hard labour (Høris 1983). Women were arrested for three days and deported out of the country without their children who were put in children’s homes to learn to be artisans. After the Second World War, the Roma were forced to move by many municipalities in order to avoid them living on boundaries.

This situation resulted in the disappearance of large number of Roma groups. In 1967, there were 200 Roma left in Denmark. Most lived on the road or in a camps outside Copenhagen. Some Roma from other countries later came to Denmark but left quickly. The Roma in Denmark today came at different periods and from different places. In the 1970’s they came as guest workers and some came as refugees during the conflict in Ex-Yugoslavia and Kosovo.

There are no official figures for the number of Roma in Denmark. Some authorities estimate that there are between 1,000 and 2,000 Roma in Denmark. But Roma representatives claim that there are over 10,000. In Helsingør, the municipality has illegally registered nearly 200 families with 700 members. This is the only correct figure available. In Copenhagen, there are many thousands, especially large groups from Macedonia and Kosovo. Some live in Nakskov and Varde. Many have obtained Danish citizenship and live around greater Copenhagen and in Ellsinore (Helsingør). No one knows their actual number because the authorities do not register who is Roma and who is not.

Living conditions differ greatly, some are well educated and are part of Danish society, while others are poor, traumatised and live a very degrading life. In between there is a large section who on welfare or doing menial jobs. Some live with families

under one roof for many generations, while others live alone. Large families mean a lot to the Roma.

9.1 Segregated classes for Romani children in Denmark

Since the Roma are rarely in the news, their plight is not a concern to authorities. The media reported on the story of when Ellsinore (Helsingør) municipality's segregation policy of Roma children in special classes came to light however. This practice actually existed since 1982. After some complaints, the Education Ministry ruled that such classes were against the School Law. Then came the decision of the Control Commission on September 13 2004. This decision clearly stated that the separate school classes established by the city of Ellsinore (Helsingør) were illegal. The decision was widely announced in the media on September 14 and 15 2004.

It has been a long case and lot of work was supported by the European Roma Rights Centre (ERRC). The January 2003 press release was most important for the case as it opened the eyes of many journalists in Denmark. The article "Segregated Education for Romani Children in Denmark" in Roma Rights February 1 2003 was also important as other international organisations were informed of the case. After the ERRC's writings on the case, the IHR included the case in their report to the OSCE (Organisation for Security and Cooperation in Europe) and the case was addressed by the EU Commissioner for Human Rights in his latest report. International attention has had a tremendous impact. It opened the door to the media and put pressure on the authorities.

In Denmark, Biljana Muncan informed the Roma in Ellsinore about the cases and spoke with the press as a Roma, giving many interviews to radio and newspapers where she argued against segregation. She also provided media contact with Laza Stallone, a father with three children in Roma-only classes. He stepped forward in public as a Roma and spoke about his and the other parents' cases against the segregation policy in Ellsinore. He was interviewed a number of times by television, radio and newspapers. These contributions have been indispensable. The Roma community also has two good allies in Henrik von Bülow and Johannes Busk Laursen who have devoted a lot of time for the rights of Roma people in Denmark. There is now a web site in Denmark which services Roma information. www.romnet.dk

It must be remembered that as far back as December 2002, a complaint was filed against the placement of thirty Romany pupils into three segregated Romany classes in the Municipality of Helsingør, in Eastern Denmark. According to the complaint,

Romany students were placed in the segregated classes without any educational psychological assessment. The complaint alleged that the definition of Romany classes as neither normal classes nor special classes for children with special needs, but as classes for Romany children, based solely on their ethnicity, precludes children in these classes from the benefits offered to various categories of classes.

The result of this practice was the denial of equal educational opportunities for Romany children in Denmark. In July 2003, the Local State Council which is handling the complaint submitted to the Education Ministry, is asking for clarification. The recent decision should be looked at with this background in mind. Unfortunately, the Municipality still insists that they will continue with the segregated classes.

A good side-effect of this Roma case has been that those municipalities which have established similar classes for bilingual minority children are also considering finding a better model to help instead of putting them in segregated classes. Vejle municipality has explained to the Education Ministry its reasons for such classes, while Copenhagen and Slagelse are thinking along similar lines.

Nicolai Gheorghe, advisor for the OSCE has strongly criticised this practice of segregated classes (16 October 2003 DR TV-Avisen).

10. Data collection: process of collecting data on discrimination

Data collection in a society like Denmark is a very necessary and unavoidable tool in the work to enhance ethnic equality and remove barriers of discrimination and racism. It is a fact that data is information, knowledge, a basic tool to understand reality, which in turn is a requirement for developing sensible and objective policy. With data, we can measure and evaluate the effects of our efforts or lack of efforts, to work for ethnic equality in the job market, education, housing, case processing and the health sector. Data can be used to prove that discrimination because of colour, race or ethnicity is being practiced.

But as with everything else which deals with ethnic minorities in Denmark, data collection is very problematic. There are ethical, legal and methodical issues involved with data collection. It is especially problematic when it relates to such a sensitive area as race and ethnicity.

There are no clear guidelines as to when and how data collection is allowed and when it is not. For example, NGOs and other solidarity organisations cannot list and register those journalists who write negatively about ethnic minorities. It is against the law to register people. Even in official data collection institutes, it is not allowed to register people on the basis of colour, ethnicity or religion.

In Denmark, every resident has a CPR number, which is used for everything from using in the library, to visiting a doctor and opening a bank account. The health insurance card which carries your CPR number is built on very narrow data: date of birth, place of birth and the citizenship.

The Danish Bureau of Statistics is the only institution which has the possibility of getting a CPR number from a public office or a private company, compare it with the CPR register and deduce information about a person's place of birth, background of parents and thus ethnicity. This way, the Bureau is able to keep a track on the number of immigrants, refugees, their children and descendents.

Denmark's personal data law can be accessed on www.datatilsynet.dk

The Act on Processing of Personal Data (Act No. 429 of 31 May 2000) entered into force on July 1 2000. The act implements Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data. The act substitutes the Public Authorities Registers Act and the Private Registers Act. Article 7. - (1) clearly says:

“No processing may take place of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, or data concerning health or sex life”.

To highlight the difficulties and to look at this issue and what kind of experiences antiracist forces have, the Institute for Human Rights held a seminar on April 11 2005.

11. Media Coverage is the cause of prejudice

There are very few systematic monitoring mechanisms for the media's coverage of racism and discrimination experienced by ethnic minorities in Denmark. Media Watch is the only regular source of information available which gives a clear picture of the media landscape concerning ethnic minorities. Media Watch No 18, 19 and 20 covered the period of 2004 and analysed the Danish media's coverage of ethnic minorities in Denmark. The media used in this survey are:

- Berlingske Tidende (Berl) – Denmark's oldest conservative newspaper
- B.T. – tabloid. Extremely right wing
- Ekstra Bladet – tabloid; attacks and insults everybody except Royalty
- Morgenavisen Jyllands-Posten (JP) – Denmark's largest far-right paper
- Politiken (Pol) – the closest to a progressive mainstream paper in news print
- TV-Avisen (TVA) – TV news on the 100 % public owned TV-station DR
- TV 2 – TV news on the 50 % publicly owned TV 2.

Most media coverage can be divided into three categories:

- **Ethnic minorities are a problem:** This deals with the coverage where media presents ethnic minorities as the root cause of problems in society.
- **Ethnic minorities have a problem:** In this section, the survey has collected data where the media focuses on issues concerning problems faced by ethnic minorities.
- **Getting on with it:** This section includes solutions, proposals and initiatives from the media to better the living conditions of ethnic minorities.

Danish media coverage over the three-month period from September 1 2004 to November 30 2004

	Notices			Articles/TV spots				
	No.	Neg. ethnic	Crime/terror	No.	Neg. ethnic	Pages/minute	No. crime	Pages/minute
Berl	65	50	37	195	130	30.2	69	16.4
B.T.				219	207	81.3	125	49.3
EB				178	142	61.1	112	43.4
JP*	102	72	59	382	212	26	95	14.7
Pol	46	33	24	234	117	20.6	58	7.8

	Notices			Articles/TV spots				
	No.	Neg. ethnic	Crime/terror	No.	Neg. ethnic	Pages/minute	No. crime	Pages/minute
TVA ₁				124	81	108.3	41	44.7
TVA ₂				74	54	88.7	32	53
TV2 ₁				63	43	111.1	24	55.8
TV2 ₂				29	25	45.1	14	20.9

*The numbers for *JP* include the Copenhagen supplement

11.1 Ethnic minorities and negative Danish media coverage from September 1 2004 to November 30 2004

Media	Negative notices	Crime	Negative articles and TV	Crime
Berl	77 %	57 %	67 %	35 %
B.T.			94.5 %	57 %
EB			79.8 %	63 %
JP	71 %	58 %	55 %	25 %
Pol	72 %	52 %	50 %	25 %
TVA ₁			65 %	33 %
TVA ₂			73 %	43 %
TV2 ₁			77 %	38 %
TV2 ₂			86 %	48 %

11.2. Reader comments from 1 September 2004 to 30 November.2004

	Editorials			Chronicles*			Op-eds			Letters		
	No.	Eth.	Neg	No.	Eth.	Neg	No.	Eth.	Neg	No.	Eth.	Neg
Berl	170	18	15	91	4	3	255	40	24	731	82	55
B.T.	91	16	15							764	95	75
EB	90	3	3	11	1	1				1870	175	138
JP	232	24	19	156	13	7	878	120	88	745	148	121
Pol	172	25	6	91	10	3	595	94	36	747	117	43

*Chronicles are long reader comments – usually taking up a half a page or more; op-eds are shorter, but larger than letters to the editor.

11.3 Freedom of speech

For there is no greater illusion than making readers and viewers believe that everyone has free and equal access to the media and that what the media chooses to express is the truth, the whole truth, and nothing but the truth. Or perhaps more aptly, their advertisers.

The year 2004 opened with a bang with Berl confirming at least one of their readers' prejudices by announcing on the front page: "Immigrant Children rarely go to University". The same paper, as will be shown later on, will assure its readers on the one hand that their prejudices are good for them while Berl will assure them that they do not have any prejudices.

The headline in the politically reasonable Pol on January 1 read "Luxury hotels and expensive cafés use illegal labour." The newspaper had a full page spread with eight articles on the subject.

The day after the two papers swapped stories, Berl offered a short item about illegal labour and Pol about universities. They then went back to their own themes. Berl concentrating on unemployed immigrants seen as a social burden for the Danish taxpayers and Pol focusing on businesses that cheated the Danish tax payers by using illegal labour. Prime Minister Anders Fogh Rasmussen could not of course in his New Year's speech completely ignore the national scapegoats. His coalition government, as mentioned, can only survive by gratifying the xenophobic Danish People's Party (DF). The New Year's theme was an old one: ghettos.

This trend of writing about ethnic minorities continued throughout 2004, with some themes constantly in focus:

- The Iraq War and the way Danish soldiers were performing
- The Headscarf
- The Theo Van Gogh murder and free speech
- Danish values contra ethnic minorities
- Criminality among ethnic youth
- International terrorism and its connection with Islam

11.4 Media focus on terror attacks is out of proportion

The media-encouraged fear of terror attacks does not fit in well with real danger. A survey of media coverage clearly shows that it is the media who sets the agenda of discussion, whatever the topic. Discussion in the media about terrorism, crime, drugs, war or even the environment indicates that often the relationship between the amount of media coverage and the tendencies in the real world are very limited. In many circumstances, the media reacts to the escalation of political rhetoric and not the problem in itself. War against terror results in a stronger and increased media coverage, which again gives politicians an excuse to justify some of their political initiatives.

11.5 Minister will not stop Nazi radio

The Culture Minister refused to intervene when the Nazi radio Oasen applied to double its programme times. The Minister said however that he had removed the state financial support the radio was getting from his ministry. He would not consider a ban of the radio station even if it transmitted Nazi propaganda and read from Hitler's *Mein Kampf*.

13. Services available for victims of racism and good practices of NGO work against racism

Denmark is reputed to be one of the most organised and well functioning societies in the world. Citizens and residents have equal chances to complain and get their cases heard. But victims of racism, discrimination and ethnic harassment have very few services available to them. We can divide the tools used to obtain justice into three categories:

The judicial system, where an individual alone or through a lawyer can start proceedings. It is an expensive procedure which requires time, money, contacts and a good lawyer. Although the overall Danish legal system is very neutral and unbiased, there have been reports that ethnic minorities, especially youth who have repeatedly committed crime, get tougher sentences. Some lawyers are also known not to make an effort to get their ethnic clients a fair deal. If a person is not financially sound, there is a free process which a lawyer has to ask for.

Advisory services in some municipalities help people who want to file a complaint or get some information on which office to go to in case of discrimination. In the municipalities, there are internal complaints offices which are mostly used against department injustices like social help, housing or misuse of rules and regulations. But here again, case inspectors often do not live up to their professionalism. For example, women's shelters are reported to refuse ethnic minority battered women with flimsy excuses like the fact that there are too many ethnic women already in their centre.

The Danish Parliamentary (Folketinget) Ombudsman has the authority to investigate any administrative action within the public sector, including public bodies at the local level. The Ombudsman may act on individual complaints or on his or her own initiative. According to the Danish authorities, the Ombudsman has had great influence in practice. The Office of the Ombudsman is not, however, designed in such a manner as to bring to light discrimination based on ethnicity and has addressed only a handful of cases where this issue was specifically highlighted by the complainant.

13.1 The Complaints Committee for Ethnic Equal Treatment

The Committee was established at The Institute for Human Rights on the grounds of Act No. 374 of May 28 2003 on Ethnic Equal Treatment. On July 1 2003, the law regarding ethnic equal treatment came into effect in Denmark. The committee was given guidelines by the ministry and it proposed to the government the

establishment of a “Board of Equal Treatment” under the Institute of Human Rights, with no special competence to take any individual cases. Some opposition political parties in Danish Parliament (radical Social Democrats and the Christian People’s Party) reached an agreement with the government that the Danish Institute for Human Rights should deal with concrete individual cases of ethnic discrimination.

In 2004, a new campaign was launched by the Committee through its own new homepage, www.klagekomite.dk. Here you can find information about the Committee’s work and on how you can complain, and about what. Along with the homepage, a pamphlet, poster and a Go-Card on the Complaints Committee have been published. Decisions from the Committee will be published on www.klagekomite.dk. The homepage furthermore includes a “click & complain” function to file a complaint directly to the Committee. The pamphlet is published in nine languages: Danish; Turkish; Somali; Farsi; Urdu; French; Serbo-Croat; and English. It includes information on the prohibition of differential treatment on the grounds of race or ethnic origin, what type of complaints the Complaints Committee can handle, what could be gained by complaining, and last but not least practical information on how to complain. The pamphlet will be available at libraries and public offices, or can be downloaded directly on the Complaints Committee’s homepage. The Go-Card is illustrated by the artist Jakob Martin Strid who is a former cartoonist for the national daily Politiken, and is available in cafés, libraries etc. In connection with the launch of the pamphlet, Uffe Elleman-Jensen, Etta Cameron and member of the Complaints Committee Pia Justesen handed out pamphlets at Central Station in Copenhagen on September 29 2004.

The Complaints Committee has started handling cases of discrimination in the labour market. This has happened in connection with the passing of a new bill amending the existing law on injunction against discrimination, allowing persons who feel discriminated against at their workplace on account of their race or ethnic origin to file a complaint to the Complaints Committee for Ethnic Equal Treatment at the Danish Institute for Human Rights (DIHR). Some examples of Committee’s intervention are worth mentioning:

- “Ethnic school classes” i.e. classes for pupils of other ethnicity than Danish, were heavily debated during 2004 and the subject is far from closed. Thus, the Complaints Committee chose to evaluate this particular case of its own accord and found that the placing of pupils in special classes solely on the grounds of ethnic origin was in breach of the law on ethnic non-discrimination.

- The Committee also ruled on a case concerning the sale by supermarket chain Føtex of sandals featuring a print that allegedly means Allah in Arabic.
- A case concerning the use of a book with information concerning Somalis used by the local authorities in Århus to evaluate a specific case.
- A case dealing with the inclusion of ethnicity in the evaluation of a case of early retirement pension.

13.2 Ethnic minority organisations

They number over 500 and also help their members in contacting the authorities, municipality offices, the Complaints Committee and other service channels. Since all of their work is done during free time and without official financial support, their help is very limited. The same is done by organisations such as SOS Against Racism, Fair Play, Asylum Help and others.

The Red Cross and Danish Refugee Council provide limited legal help to asylum seekers and refugees.

Private legal advisory services are few but actively help the victims of discrimination. We can mention the most well known as:

Danish Refugee Council – Copenhagen (www.drcenter.dk) which has existed for over ten years and is the leading institution in providing free legal advice, contact to authorities, media discussions, documentation and mapping of discrimination cases, as well as advice and training seminars for police. As an example of good practice, the DRC has cooperated with the organisation, “Love across borders” to establish its services in Malmö Sweden to help those who cannot bring their families to Denmark. A similar initiative is now available for the Jutland area in connection with Germany. DRC has published detailed information as to how to use EU laws to get justice.

The Committee for Foreigners’ Legal Security is another NGO which is located in Århus, the second largest city in Denmark. It publishes four small pamphlets with legal advice, take cases and gives telephone advice once a week.

RFU is an active legal advisory office in Randers which has helped local ethnic minority groups in their cases regarding housing problems.

Provincial Advocates is a new private legal service which takes on discrimination cases and gives advice to minority groups through a free or paying process. The lawyers working there have an idealistic starting point to be helpful to disadvantaged groups.

14. Conclusions

Even though Denmark is setting a very bad example to other EU countries, when it comes to the legal protection of ethnic minorities and other victims of racism and discrimination, both direct and indirect, it must be stressed that racial violence, racial murders and other physical attacks are very rare. This is due to many factors. The first is the peaceful nature of the Danish population. The second factor is the lack of very large and organised anti-minority forces in the country. The third factor is the tradition of freedom of speech, which gives the majority the opportunity to vent their anger through political means. The fourth factor is the structure of the society, which is based on the rule of law.

But while Danish society excels in peace, it also has restrictive and prejudiced policies concerning ethnic minorities. One refugee from Iraq put it very graphically:

“In Iraq, if the authorities did not like a person, they would put him or her in front of a firing squad and finish the chapter. In Denmark, they strangle you slowly slowly until you are a living dead.”

This sorry state of affairs was explained in a seminar on Citizenship, Nation Building and Minority Rights in the Baltic Sea Region by Mustafa Hussain, from the Department of Social Science at Roskilde University in Denmark

“It is a dismal fact that Denmark today is one of the most closed societies of the world. According to opinion-polls, Danes are extremely intolerant towards other religious communities, and the legislative and the administrative practice in a number of areas is on the brink of confrontation with human rights, laid down in international conventions.”

It would be unfair to claim that recent discriminatory legislation passed through parliament, which has raised many eyebrows across the international community, is the sole work of the present coalition government of the Liberals and Conservatives, backed by the neo-racist Danish Peoples Party. The seeds of xenophobia, or cultural and religious intolerance have in fact been sown by a range of political, cultural and media elite for several years which have brought Denmark to the brink of violation of international and European conventions on human rights.

It would be equally unfair to assert that institutionalisation of new forms of racism is a phenomenon unique to Danish society. Similar trends are traceable in other European countries. It is however the very magnitude of overt racialised expression

in the parliament and prejudiced representation of minorities in mainstream channels of mass communication that differentiates Denmark from the rest of the civilised world. Secondly, as observed by authors, the anti-immigrant sentiment in this country transcends the political divide based on party affiliation on the traditional right-left axis. Only the intensity of vulgar expression may vary in the current consensual rhetoric on minority issues.

The rise of the far right and civil disempowerment in Danish society is so alarming that Karen Wren, a British academic with a lifelong relationship with Denmark and many years of experience researching immigration, asylum and racism, recently wrote an essay on Denmark which she kindly sent to ENAR-Denmark for comments. Her remarks are so powerful that everyone who cares for Denmark's future as a democratic society must read this. Karen Wren writes:

"I speak fluent Danish, have close family members living there and have visited the country many times throughout my life. I am intimately acquainted with Danish culture and traditions. However, as a British citizen born and resident in Britain all of my life, I also have an outsider's perspective on Danish society. I live in a country which has a long history of engagement with other cultures (I am not proud of its history of imperialism and colonialism). It is a multicultural society to which immigration has brought many benefits, and one which values the role of civil society. It is also a society which has strong mechanisms in place to combat racism and discrimination.

I have watched recent changes in Denmark with growing disquiet. This unease began in the early 1990s when I started a PhD on the subject of immigration to Denmark, and I began to dig below the surface of Danish society. I sincerely believed that I would be researching enlightened politics on immigration and asylum as, after all, Denmark is renowned throughout the world for its liberal tolerant outlook and its emphasis on human rights, overseas aid and international solidarity.

I discovered that political developments since the early to mid 1980s had changed Danish society almost beyond recognition and that my image of an enlightened and tolerant people had become increasingly incongruous with changing realities there. I was shocked over the overt and unapologetically racist tone of the public debate on immigration and asylum. The media seemed to be playing a very prominent role in this process.

My observations were backed up by a UNESCO programme which monitored the Danish press over a prolonged period and found it to have a very nationalistic and

racist perspectives. I was also concerned by the very high levels of ethnic minority unemployment, and the view among skilled refugees I interviewed that they had no hope of using their skills in Denmark's discriminatory labour market. I was also very surprised by the lack of comprehensive and effective anti-racism legislation. This situation seemed to allow the press and politicians a free hand to propagate racist views without restraint, while there were no effective mechanisms through which ethnic minorities could respond and put their views across to the public."

One needs not say more.

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