



European Network Against Racism
Réseau européen contre le racisme
Europäisches Netz gegen Rassismus

ENAR Shadow Report 2003

Denmark

Author: Bashy Quraishy

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1. Foreword

This is the second Shadow Report on racism and discriminatory practices in Denmark for the period, 1st Jan. – 31 Dec. 2003. It is prepared for ENAR (European Network Against Racism) – Brussels.

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

According to a survey conducted in May 2003 by Euro-barometer for the European Commission, ethnic and racial discrimination were the most witnessed form of discrimination among respondents. This is also true of Denmark.

It is a common knowledge that states often present to international control mechanisms, a very “rosy” picture of the situation when it comes to fighting racism and other related discriminatory practices in their countries.

That is why ENAR asked its national coordinations to prepare alternative reports keeping in mind issues such as:

The numbers of the ethnic minority groups, areas in which racism is visible, new legislative developments under Article 13 and beyond, concerning racial/ethnic/ religious discrimination, activities of the government and NGOs carried out under ‘National Action Plans’, the victims’ perception of racism and racial violence, specific problematic areas in the country in relation to racial discrimination, media coverage, best practices of NGO work against racism and last but not least monitoring the situation in the country.

Denmark is unique in a sense that there is very little reported physical violence against ethnic minorities but it is also the country which has one of the tightest family union laws and asylum procedures, the strictest visa regulation for third country nationals, the worst media coverage of minorities, highest unemployment ratio among non-white foreigners in EU and the worst integration record among the OECD countries.

Not a very promising situation.

But the worst of all ills is that authorities still insist that there is no racism in Denmark – only cultural conflicts.

Bashy Quraishy
Minority Consultant

2. People and history

The Danes, a homogenous Gothic-Germanic people, have inhabited Denmark since prehistoric times. Danish is the principal language. A small German-speaking minority lives in southern Jutland; a mostly Inuit population inhabits Greenland; and the Faeroe Islands have a Nordic population with its own language. Since 1965, many immigrants and later refugee groups have made Denmark their home. Today ethnic minorities from the developing countries living in Denmark constitute slightly over 5% of the population of 5.3 millions. Education is compulsory from ages seven to 16 and is free through to university level.

The Evangelical Lutheran Church is state supported and accounts for about 95% of Denmark's religious affiliation. Islam is the second largest religion while Jewish, Catholic and other religious denominations also make their presence felt. Denmark has religious freedom, and several other Protestant denominations and other religions exist here but other religions are not legally equal.

Cultural achievements

Government contributions to culture have increased steadily in recent years, but viewed against the present government's firm objective to limit public expenditures, contributions will stabilise in the future. Municipal and county governments assume a relatively large share of the costs for cultural activities in their respective districts. In 1996, government expenditures for culture totaled about 1.0% of the budget. Most support went to libraries and archives, theatre, museums, arts and crafts training, and films. State support to ethnic minority NGOs TV and Radio programmes has been largely stopped because of pressure from Danish People's Party.

Government

Denmark is a constitutional monarchy. Queen Margrethe II has largely ceremonial functions; probably her most significant formal power lies in her right to appoint the Prime Minister and cabinet ministers, who are responsible for administration of the government. However, she must consult with parliamentary leaders to determine the public's will, since the cabinet may be dismissed by a vote of no confidence in the Folketing (parliament). Cabinet members are occasionally recruited from outside the Folketing.

Political conditions

Political life in Denmark is orderly and democratic. Political changes occur gradually through a process of consensus, and political methods and attitudes are generally moderate. As far as ethnic minorities are concerned, the political conditions in Denmark are rapidly deteriorating. The Danish People's Party has publicly declared that it will not rest until the Alien's Bill is not reversed to its 1983 position when liberalisation process of granting minority rights began. Since 2001 elections, there are two politicians in the Parliament as well as nearly 25 local councillors with ethnic roots in various local municipalities.

3. A chronology of key historical events- seen from a minority perspective

In public debates, it is often claimed that Denmark has always been a mono-cultural and mono-ethnic society. The truth is that over the years Denmark not only has received a number of refugees and immigrants from many countries but has had contacts with other cultures.

To illustrate this development, we have chosen a few important dates in Danish history:

- n 10th century - Kingdom of Denmark unified and Christianity introduced
- n 1397 - Union of Kalmar unites Denmark, Sweden and Norway
- n 1729 - Greenland becomes Danish province
- n 1814 - Denmark cedes Norway to Sweden
- n 1849 - Denmark becomes constitutional monarchy; two-chamber parliament
- n 1914-18 - Denmark is neutral during World War I
- n 1918 - Universal suffrage comes into effect
- n 1930s - Welfare state established by social democratic governments
- n 1939 - Denmark signs 10-year non-aggression pact with Nazi Germany
- n 1940 - Germany invades Denmark. Thousands of Danish Jews manage to flee
- n 1943 - A campaign by the Danish resistance leads Germany to take over
- n 1945 - Germany surrenders and occupation ends
- n 1948 - Faeroe Islands granted self-government within the Danish state
- n 1949 - Denmark joins NATO
- n 1952 - Denmark becomes founder member of Nordic Council
- n 1953 - Constitutional change leads to a single-chamber parliament
- n 1959 - Denmark joins European Free Trade Association
- n 1972 - King Frederick is succeeded by his daughter Margrethe II
- n 1973 - Denmark joins the European Economic Community
- n 1973 - Denmark officially stops immigration from the third world countries
- n 1979 - Greenland is granted home rule
- n 1982- Poul Schlueter becomes first Conservative prime minister in 100 years
- n 1983- First "Alien's Bill" passed by the Danish parliament
- n 1986- First amendment in "Alien's Bill"
- n 1992 - Danish voters reject the Maastricht Treaty
- n 1992 - Danes approve the Maastricht Treaty after with 4 opt-outs.
- n 1992 – Major changes in "Alien's Bill"
- n 2000 - Danes reject adoption of the Euro as their national currency
- n 2000 - New bridge and tunnel link Copenhagen with Malmö - Sweden
- n 2001 November - Elections put right-wing coalition into government. It campaigned on a pledge to tighten immigration rules. The election saw Danish People's Party win 22 seats and become the third largest party in parliament
- n 2002 February - The government proposed the most draconian measures aimed at reducing family reunions, tightening asylum laws and reducing the social benefits for refugees. These measures were approved in June 2003
- n 2002 June – "Anti-terror Law" is passed in the Parliament
- n 2002 July - Denmark takes over the Presidency of EU for 6 months
- n 2003 Sept. A historic deal is reached between Social Democrats, Danish People's Party and the government to further tighten "Alien's Laws"

4. Symbol of modernity, humanism and democracy

With its excellent reputation for respecting human rights and promoting equality among its citizens, Denmark for a long time has been a symbol of modernity, humanism and democracy. This image, however, has been tarnished by successive governments for the past decade with their tightening of laws; political statements and media focus on negative stories concerning ethnic groups. The formation of rightwing government in Nov. 2001, with the help of Danish People's Party whose rise to fame and fortune derives mainly from its anti-immigrant and Islamophobic views. The Party's regressive politics has made the situation worse in Denmark.

Fortunately, it was not long before different international newspapers (The Herald Tribune, Le Monde, Le Figaro, Svenska Dagbladet, Frankfurter Allgemeine, De Telegraf and The Guardian, daily Telegraph), magazines (Profil, The Economist, Time) and TV stations (BBC World service, ABC, German National TV, CNN and Dutch TV) around the world started digging below the surface and found that "there was something rotten in the state of Denmark", as Hamlet prophetically proclaimed so many centuries ago.

John Vinocur in International Herald Tribune in May 2000 wrote very graphically about the situation in Denmark.

“A Xenophobic weed is growing in Denmark's tidy little garden .In the mind of its people, Denmark has been a preserve of good nature and gentle fortune, scrubbed and apple-cheeked, without arrogance or subservience, a small place so fair, decent, and mild that it stands out in its cosy virtue as God's own little red house with white picket fence. That's remarkable. It is also remarkable in the context of so much current well-being and historical tolerance that Denmark is experiencing a wave of anti-immigrant and anti-refugee feeling so big that it has propelled a far-right nationalist party to the point where polls project, it will emerge from next year's parliamentary elections as the country's third largest political force”.

Peter Finn wrote in Washington Post in March 2002:

“A wave of anti-Muslim sentiment has bolstered far-right parties in some European countries since 11 Sept 2001 and left the continent's large communities of foreigners wondering how long their welcome will last. The changing mood has found its fullest political expression here in Denmark, where an anti-immigrant party has won 12 % of the vote in Parliamentary elections in November.2001, nearly doubling its showing from the previous election. Its campaign posters featured a picture of a young blond girl and the slogan:” When she retires, Denmark will have a Muslim majority.”

Ole Martin Larsen wrote in Aften Posten – Oslo in August 2003

“The Danish Employers Union is alarmed at the tone of the public debate in Denmark. This harsh debate is scaring qualified and competent foreign specialists who can help the labour market. Employers Union is not pleased to look at a recent survey which disclosed that Denmark has difficulty in keeping well qualified immigrants and refugees because of discrimination.”

5. Ethnic minorities in Denmark per 1st January 2003

According to the official statistics, there were 430.689 immigrants and their descendants in Denmark per January 1, 2003. This figure includes all immigrants and refugees from all countries including Scandinavia, EU and USA.

The above numbers also include 265.424 persons who still hold a foreign citizenship, meaning people with non-Danish nationality. Danish society and state makes a clear distinction between different nationals. The term immigrants and their descendants are not used for people from Scandinavia, the E.U. and North America.

The Ministry of integration's terminology:

“For the first, immigrants and descendants from third countries have a much 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 it's number over the course of the next twenty years and will retain it's characteristic trait of having a relatively lower average age. Secondly, immigrants and descendants from third countries have a much different behavior than Danes, and the other foreigners for that matter, when it comes to residence, education and the labour market”.

It must be remembered that ethnic minority organisations do not use the terminology used by the Danish government namely, immigrants and their descendants. They use the word ethnic minorities. This term has been in use for the last 15 years and after long discussions with the previous government, officials in the interior ministry accepted the use of this terminology. In this document, we will continue to use the term “ethnic minorities” which covers all groups: immigrants, refugees, and asylum seekers as well as their children born in and outside Denmark.

5.1 Definitions of terminology

Minority

A minority group is a group of persons resident within an area in which it constitutes less than half the population and whose members share common characteristics of an ethnic, religious or linguistic or other nature that distinguish them from the rest of the population. Sometimes a minority sees itself as a separate nation. Sometimes we consider a group a minority, not because of the percentage of people it contains in an area, but because of the position they are in. It does not have as much power as the majority group.

Immigrant

An immigrant is a person who moves from his home country to another country. Most immigrants move to another country to build a better life for themselves and their

families. In official Danish thinking, all refugees who are not awarded refugee status are immigrants. The differences are often administrative and not based on a fundamental difference. The Danish State defines an immigrant as such: "A person who is born in a foreign country with one or both parents not Danish citizens or born in a foreign country. If information regarding parents were not available, the person would be considered a foreigner. A descendant is a person who is born in Denmark of parents of non- Danish citizenship. Denmark has officially stopped immigration since November 1973

Asylum-seeker

An asylum seeker is a person who seeks protection in Denmark and wants to receive the status of refugee. In Denmark, asylum-seekers are kept in camps. Some are turned back at the border. Only a small percentage of asylum-seekers are granted the permission to stay.

Refugee

A refugee is a person who flees in the face of danger or life-threatening situation. Refugees are defined as those asylum-seekers that are awarded a refugee status and some times as any one who needs refuge from danger. The choice between those definitions is a political one, not linguistic one. The Geneva Convention definition is detailed and somewhat restrictive. The recent Dublin agreements limit the Geneva Convention definition to refer only to political persecution of individuals by the state.

Illegal

Most people in NGO world do not use the term illegal any more, but refer to people without right papers as 'sans-papers' (which literally means "without papers"). In Denmark, there are very few illegal people, mostly those who have not received a refugee status, can not return to their homelands and live underground.

National Minorities

Besides ethnic minorities from the developing countries, Denmark also recognises few other national minorities.

When Denmark adopted the Framework Convention for Protection of National Minorities, it made a statement confining this Convention to the German minority in Southern Jutland, ignoring Germans elsewhere, Greenlanders on the mainland as well as other possible ethnic minorities. The Council of Europe's Advisory Committee on the Framework Convention considered that this provision was in conflict with the Convention, leading to a controversy between the Danish Government and the Council of Europe/Advisory Committee on the Framework Convention. In this conflict, the Danish Helsinki Committee supported a broader interpretation covering also other minorities than the Germans in Southern Jutland, in accordance with the intention of the Framework Convention and the views expressed by the Advisory Committee.

6. Breakdown of ethnic minority groups in Denmark

Europe	225.679
Africa	43.386
North America	8.205
South and Middle America	7.567
Asia	142.552
Far East	1.585
The Rest	2.717

Ethnic minorities according to their original homelands

Turkey	53.465
Germany	25.211
Iraq	24.025
Lebanon	21.202
Bosnia	20.618
Pakistan	19.049
Somalia	17.849
Ex. Yugoslavia	17.696
Norway	15.241
Iran	13.945
Poland	12.805
Vietnam	12.164
UK	11.776
Sri Lanka	10.168
Other countries	141.178
Total	430. 689

Asylum seekers are not included in the above figures, which are from the Ministry of Integration and Danish Bureau of Statistic 2003

In Denmark, there are also other large numbers of ethnic groups such as Swedes, Norwegians, Germans, Greenlanders, Americans and from other EU countries but these groups are not considered foreigners by the state, public or the media.

One real life story can illustrate the attitude of the Danish public in general. Two friends – one Afro-American and the other of a Nigerian descent went to a local bar/music hall, ‘Rosie Maggie’ near the Copenhagen Town Hall. They were refused entry, the Nigerian standing in front asked why they could not come in. “You do not have a membership” came a standard answer from the doorman. “What about all these white people going in, are they all members?” asked the man. “Well, I am the one who decides.” said the doorman. After listening to this conversation, the Afro-American friend asked the doorman:” Hey man, what is the problem?” “Oh, you are American, you can come in, but not this foreigner:” replied the doorman. This says it all.

7. Legislation regarding minorities in the Danish Parliament - 2003

01/12/2003

Law nr. 375 deals with new tightening of Danish education for adult foreigners.

29/10/2003

Law Proposal nr. L 42. It contains the names of the persons to be granted citizenship.

22/10/2003

Change in "Repatriation Law (L 41) is introduced in the Parliament.

08/10/2003

Proposed changes in the "Alien's Law" relating to the main condition of family reunion act requiring a stronger bond to Denmark is presented in the Parliament.

12/08/2003

Legislative Bill nr. 425 of 10th June 2003 relates to changes in "Integration Law" and "Alien's law". The aim to change the Integration Law deals with reducing the number of foreigners, visitation rules, introduction programmes, availability for the labour market and the possibility for an earlier permanent residence permit for well integrated foreigners

01/08/2003

Legislative Provision nr. 685 of 24. July 2003 relating to "Alien's Law".

12/07/2003

Legislative Provision nr. 622 of 30. June 2003 regarding education and activation of asylum-seekers. The provision took effect on 12th July 2003.

30/06/2003

Law concerning the guidelines of financial provision in integration law.

19/06/2003

Legislative Bill nr. 291 of 30th April 2003. This is another change to "Alien's Law". This concerns the tightening of deportation procedure and effective mechanism of "Humanitarian Residence Permit". The law took effect from 1st May 2003.

19/06/2003

Bill nr. 292 of 30. April 2003, makes another change to "Alien's Law". It reforms the previous bill concerning activation and education of adult asylum seekers and cash subsidiaries. It took effect on 1st July 2003.

14/04/2003

The main law and provision is to strengthen the work of Integration, Refugee and Immigrants Ministry.

02/04/2003

Legislative proposals regarding the granting of citizenship to those who have applied. The list can be seen on the website of the Danish Parliament.

01/04/2003

Legislative provision nr. 201 of 25. March 2003 regarding the allocation of lawyers to un-accompanied minors seeking asylum. This took effect on 2nd April 2003.

20/02/2003

Consolidated Act on Danish Nationality, No. 113 of 20th February 2003.

12/02/2003

Consolidated Act nr. 73 of 27. January 2003 regarding enforcement of § 1, nr. 6, in Act nr. 367 of 6. June 2002. This concerns a clear definition of help given to illegal entry in the country. The Act took effect on 1st March 2003.

12/02/2003

Legislative Bill. 60 of 29th January 2003, changing the “Alien’s Law” and “Integration’s Law”. This concerns legal cases of unaccompanied minor asylum seekers. Law came into effect on 1st April 2003.

01/02/2003

Consolidated Act nr. 3 of 2nd January 2003 about regulating the subsidies for refugees according to “Alien’s Law” § 11, stk. 5, nr. 3, if.

30/01/2003

Legislative Bill concerning “Ethnic Equal Treatment” presented by the Minister of Integration.

27/01/2003

Election of “Representative Body” for Council of Ethnic minorities” and election of the council. Consolidated Act nr. 1008 of 11th December 2002

23/01/2003

Legislative Act nr. 1044 of 17th December 2002 regarding termination of “Yugoslavia Law” concerning temporary residence to some person from Ex-Yugoslavia.

8. Legal instruments against racism and discrimination

Denmark has signed and ratified a large number of international legal instruments relevant in the field of combating racism and intolerance, for example:

- n The European Convention for the Participation of Foreigners in Public Life at Local Level
- n European Charter for Regional or Minority Languages
- n European Social Charter
- n Denmark has incorporated the European Convention on Human Rights into Danish law, but has not incorporated other human rights conventions into national law particularly the Convention on the Elimination of All Forms of Racial Discrimination.
- n Denmark has not ratified the European Convention on the Legal Status of Migrant Workers or UN Convention on the rights of migrants and their families

Danish constitutional and other provisions

- n Danish Constitution, which is often referred to as the Bible of Danish laws, contains no articles that expressly prohibit racial discrimination nor does it guarantee the equality of all citizens and religions.
- n Article 70 contains a clause prohibiting any restriction of civic or political rights for reasons of creed or descent. This article dates from the first Constitution of 1849 and appears in the context of other articles addressing the freedom of religion and worship.
- n Article 266b of the Danish Penal Code prohibits hate speech and propaganda in public places or to a wide circle of people. Private statements are not covered by this provision. This provision dates back to 1939, when it was introduced to combat anti-Semitism. In 1971, 1987, 1995 and in 2002, it was amended to include sexual orientation, racist propaganda etc.

Specialised bodies and other institutions

- n 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.
- n The Board for Ethnic Equality, established in 1997 was granted a specific mandate for combating racism and related discrimination. The Board was closed in 2003 as a political compromise with Danish People's Party in exchange for its abandoning of demand that Centre for Human Rights be closed.
- n Ministry of Integration also has its own "Council of Ethnic Minorities" with mandatory ethnic representations sent by "Integration Boards" locally set up by municipalities. It was established by a law but now this has been changed. Municipality can decide to establish an "Integration Board" or not thus disconnecting even this token advisory body.

9. Ethnic Equal Treatment Law

On the 8th June 2001, the ministry of the interior set up the Equal Treatment Committee and its task was to prepare a proposal for the most expedient implementation in Danish law of the EU-Directive of 29th June 2000 commonly known as Race Directive.

EU asked all member states to establish before July 2003 a special body where ethnic minorities can register and launch an individual complaint of racial discrimination.

In Sept. 2002, the Equal Treatment Committee submitted report no.1422 on implementation of Directive and proposed that the Directive be incorporated in Danish law by means of a new act on equal treatment.

The Complaints Committee for Ethnic Equal Treatment was established at The Institute for Human Rights on grounds of Act no. 374 of 28 May 2003 on Ethnic Equal Treatment.

On 1st July 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.

The Institute however in a note to the Government, declared:

"Since the institute has been given the task of treating complaints, it makes it necessary to reorganise the institute on 2 levels. First, the work with complaint cases must be treated in a department that is totally independent. It will thus ensure the integrity and the trustworthiness of the new committee. Secondly the institute cannot give advice to the victims of discrimination and at the same time give judgement on their cases. Since the law has given the institute both tasks, it must make sure that these functions are separated and placed in 2 independent units under the institute."

The Complaints Committee for Ethnic Equal Treatment

The Complaints Committee consists of a chairman and two members appointed by the board of The Danish Institute for Human Rights.

The present members of the Committee are:

Professor Claus Haagen Jensen (chairman)

Professor, Dr. Jur. Ole Espersen

Senior Researcher, PhD. Pia Justesen

The objects of the Complaints Committee

The object of the Complaints Committee is to hear complaints of discrimination on grounds of race or ethnic origin. Furthermore, the Complaints Committee will hear

complaints in which a person has been victimised as a reaction to the person's complaint of discrimination on grounds of race or ethnic origin.

The Complaints Committee can decide whether there has been a violation of the Act on Ethnic Equal Treatment's prohibition against discrimination or against victimisation. The Committee cannot impose any sanction on the respondent or award the complainant any kind of damages as a result of discrimination.

In cases where the Complaints Committee finds that there has been a violation of the prohibition against discrimination or against victimisation, the Committee can recommend granting free legal aid at the courts. In addition, the Complaints Committee can on its own initiative conduct independent surveys concerning discrimination, publish reports, and make recommendations.

Which cases can the Complaints Committee hear?

The Complaints Committee can hear complaints of violation of the prohibition against discrimination with in all public and private sectors in relation to:

Social protection, including social security and healthcare

Social advantages

Education, unless vocational

Access to and supply of goods and services which are available to the public including housing

Membership of and involvement in an organisation of workers or employers

The Committee cannot hear complaints of discrimination regarding employment and occupation, including complaints related to participation in vocational education. Furthermore, the Complaints Committee cannot hear complaints of discrimination related to activities of a strictly private nature.

Discrimination on grounds of race or ethnic origin

The prohibition against discrimination includes direct and indirect discrimination on grounds of race or ethnic origin. In general, the term race refers to membership to a group of persons that are socially defined on grounds of physical criteria. It is noted that use of the term 'race' is not an expression of acceptance of the biological race theory. In general, ethnic origin refers to membership of a group of persons that are defined on grounds of common history, traditions, culture or cultural background, language, geographical origin, and so forth.

Direct discrimination occurs where one person is treated less favourably than another in a comparable situation.

Indirect discrimination occurs where an apparently neutral provision, criterion or practice would put persons of a racial or ethnic origin at a particular disadvantage compared with other persons, unless it is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

The prohibition against discrimination includes harassment on grounds of race or ethnic origin. Harassment is deemed as discrimination when an unwanted conduct related to race or ethnic origin takes place with the purpose or the effect of violating the dignity of a

person and of creating an intimidating, hostile, degrading, humiliating or offensive environment.

Filing a complaint to the Complaints Committee

It is free of charge to submit complaints to the Complaints Committee. The intention is to ensure the single person an easy access to review of complaints of discrimination on grounds of race and ethnic origin.

A complaint shall contain:

Information about the complainant, including name, address, and telephone details

Information about who the respondent is

A statement of the actual facts explaining the reasons for the complaints, if possible with exhibits enclosed.

The complaint must be submitted, in writing, to:

The Complaints Committee for Ethnic Equal Treatment

When the secretariat of the Complaints Committee has received the complaint, it will be decided whether the complaint can be heard by the Committee. If the secretariat concludes that the complaint is qualified to be heard, a copy of the complaint will be sent to the respondent.

What is missing?

New law also stipulates that:

- n This specialised body shall not pass judgement nor can it take the individual cases relating to labour market or religious discrimination.
- n It can neither reach binding judgements nor can it fine the discriminatory party or demand compensations from it in favour of the discriminated.
- n In short, it can only come up with suggestions and recommendations.
- n In case the instructions are ignored, the aggrieved part should go to the court and start a civil suit – just as it is the practice today.
- n However the new law not only asks the accuser to prove that he/she is discriminated, but also the accused is required to prove his/her innocence.

The Minister of Integration Bertel Haarder pointed out to the newspaper Politiken (22 Jan.2003) that this newly proposed law “in no way changes the legal conditions in Denmark”. He explicitly stressed that the Institute for Human rights can only give advice and guidance to the involved parties in a discriminatory case. The Minister also made it clear that the Institute should not touch Labour market cases. That should be handled by the Labour Market’s own system.

It must be remembered that Denmark has two existing legal instruments against discrimination. One law from 1976 which forbids differential treatment on the grounds of race and the other from 1996 dealing with discrimination in the labour market. These laws are rarely used and even then, the minorities have to go through lengthy and costly procedures.

10. Government's 'Action Plan for the advancement of equal treatment and the fight against racism'

As a follow-up on the 2001 World Conference against racism, racial discrimination, xenophobia and related intolerance in Durban, the Integration Ministry commissioned the preparation of a national 'Plan of Action for the promotion of Diversity and Tolerance.' It was not called Plan of Action against Racism. After objections and publication of an alternative report from NGOs(DRC and POEM), the government decided to include NGO proposals to a limited extent.

In conjunction with the official judicial work to advance ethnic equality, the Danish government in November. 2003 published a "**Plan of Action**" to fight racism. It has many worth while plans and initiatives. But once again the blame was squarely put on ethnic minorities. In October 2003, the Integration Minister Bertel Haarder in an interview to the magazine 'Danske Kommuner' said: "It is an act of compassion to shut the money box for an immigrant or a refugee who can work but does not want to get up in the morning. It is nice to close this money box for a person who will not accept an educational offer, who will not work or learn the Danish language. Such measures will force such people to learn good habits".

It is very interesting that the same Minister on the 19th December 2003 contradicts himself in another interview in the national daily 'Jyllands-Posten'. Commenting on the OECD report which claims that Denmark has the worst record of integrating refugees and immigrants in all the developed countries, the minister said: "The bad integration in Denmark is not because of the foreigner's own attitude but the attitude they are confronted with. It is not that people do not want to work because they do work in other countries. It is because they are not allowed to work."

In the Danish Official Plan, there is too much focus on lack of education and language competence among immigrants and too little talk of eradicating racism or of using the existing legal provisions to bring racist attackers to justice. It is common practice among Danish politicians and authorities to deny the existence of racism and instead call it 'Cultural conflicts'.

Implementation of Human Rights Conventions in Danish laws

Denmark has no special institutions or agencies mandated to deal with complaints about human rights violations. If a person believes that the State has violated his or her rights, one has to go through general complaints system meaning courts. The European Human Rights Convention was enshrined in the Danish law by Act no. 285 of April 1992 but not the UN Human Rights Conventions. A committee set up by the Ministry of Justice in October. 2001 did however recommend that UN Conventions should be incorporated into Danish law.

11. Think-Tank recommendations on integration in Denmark

The present government regularly publishes very alarming population prognoses. The official explanation is to inform the public about the development taking place in society especially concerning the increase in population among ethnic groups. How these numbers are then used in public debates seldom bother the authorities?

In March 2003, a government established Think Tank published another report based on calculations by DREAM, which is officially called an independent economic institution but which is under the Ministry of Finance. In this report the social consequences of the population development and the integration of foreigners were examined.

The basis for this report is presumably the fact that Denmark faces a considerable and permanent increase in the 'support burden'. Presently the population is divided into almost two equal parts; i.e. those in the labour force and those outside of it. Around 2040 the labour force is projected to be significantly less than 50% of the population. For every ten persons in the labour force there will be 13 children, elderly or persons unfit to work to support. It is projected that this situation will not change significantly for the rest of the century.

There are two reasons for this increase in the support burden. First of all, the population is ageing, which means that about the same number of persons in the working age shall support significantly more pensioners. Secondly, immigrants' and descendants' participation in the labour force is much lower than that of the Danes, and the immigrants' and descendants' share of the population is growing.

The support burden is a collective problem, because it puts pressure on the government's resources: in this case it is partly due to increasing expenses related to medical care and services for the elderly and partly due to an absolute increase in the number of welfare recipients.

The calculations of the report show that if immigration and integration rates are unchanged in the future, then the support burden in 2005 and forward, *ceteris paribus*, will consume an extra 14.3 billion Dkr. from the Danish budget every year. This amount will necessarily have to be financed either through budget cuts or by increases in taxes.

Integration problems should be solved first

With these 'basic assumptions' in mind the Think Tank asked for calculations to show how much it means for the support burden and the public finances, when there is either an increase in immigration or an improvement in the integration of immigrants and descendants into the labour market. The calculations are made with the help of the DREAM model, a macro economic model.

By holding a number of economic variables constant the DREAM model can estimate the effects of either increased immigration or better integration. In the rest of the report the

results are summarised in one measure: the estimated budget cuts necessary, so that the public budgets are balanced in the long-term perspective.

There is a very great economic potential in better integration

It should not be surprising that better integration is good for the national economy. But the calculations show that there are very large amounts involved. Roughly calculated the inadequate integration of foreigners in the labour market will cost the public sector some 23 billion Dkr. annually from the year 2005. This is the difference between the basic assumptions and the hypothetical situation of equal labour market participation among foreigners as compared to Danes.

This assumption of 'perfect integration' is not realistic. An ambitious, but not impossible goal would be that immigrants with at least 15 years residency would attain the same labour market participation as Danes (though allowing a somewhat smaller participation rate for women). According to the calculations this 'improved integration' would relieve the pressure that the population development puts on the public budgets and even make it possible to expand the budgets with some 4 billion Dkr. annually from 2005.

Increased immigration will not by itself lessen the support burden – just the opposite. Increased immigration will augment the future support burden. This is due to the lower labour market participation of immigrants compared to Danes. This is especially true for immigrants from the lesser-developed countries.

At the same time increased immigration can hamper the total integration effort, if the integration effort cannot hold pace with the rate of immigration. The Think Tank is therefore of the opinion that only a significantly improved integration of immigrants and descendants in the labour market can contribute to solving the increasing support burden.

The calculations are optimistic

A macro economic model like the DREAM model can give the 'big picture' of chosen economic variables, when assumptions are defined in advance. Some of these assumptions result in calculations that underestimate the pecuniary costs of immigration.

The calculations of the basic assumptions and the two scenarios concerning increased immigration assume that immigrants and descendants will have the same labour market participation in the future as they had in 1999, when there was a peak in the Danish macro economic cycle. This assumption will of course not be met, if there is recession in the macro economy

Second, it is assumed that immigration will not affect the unemployment rate in the long term. In other words the unemployment rate is assumed not to increase with the absolute number of immigrants and descendants. This assumption is hardly realistic. The unemployment rate will increase, if there are not enough job offers to the growing number of immigrants and descendants with relatively weak qualifications.

Third, the unemployment rate is not divided up among Danes, immigrants and descendants, and it is assumed that employed foreigners have the same salary as Danes. At the same time it is assumed that individual public service expenditures and some public welfare benefits are equivalent for all population groups.

Fourth, the statistical definitions of the population groups imply an optimistic estimate of integration, especially when it applies to some children of immigrants and descendants. They are categorised as ‘Danes’, if at least one of the parents is a Danish citizen and had been born in Denmark. This means that their labour market participation is assumed to be the same as that for other Danes.

Fifth, it is assumed that descendants from lesser-developed countries participate in the labour force as much as descendants from more developed countries do. If this assumption is changed in the basic assumptions, so that descendants from lesser-developed countries have a lower labour market participation rate than descendants from more developed countries, then the expected necessary budget cuts will increase by another 3.9 billion Dkr. annually.

New principles for better integration

As a natural extension of the calculations in the report the Think Tank has formulated some principles for policy making that can strengthen the integration of foreigners in the labour market. All the principles are based upon the assumption that the workplace is the central element of successful integration. The main purpose is therefore to give as many immigrants and descendants as possible a faster and better connection to the labour market. The principles combine two important elements:

- n An attitude change among all the parties concerned in the integration process - from foreigners themselves to employers, Danish colleagues, municipalities and the Public Employment Service. We have to unequivocally signal that active support by everyone is required for better integration.
- n More effective incentives for foreigners to learn Danish and search for jobs and for municipalities to give the relevant and necessary help for attaining employment. The incentives towards foreigners can both be positive – for example the chance of attaining permanent residency faster – and negative - for example the reduction or loss of welfare benefits. In extreme cases it shall be possible to send people back to their previous residence, if conditions in that area and international conventions should allow for it.

The policy is thought of as guiding principles - not as detailed proposals, but the principles challenge the present rules and norms in many areas and thereby the will of politicians and organisations to see unbiased on changes in these rules and norms. In that way the Think Tank wished to provide the basis for the necessary political debate on the goals and methods of the future integration effort. The calculations in this report show that it costs society several billions of Dkr. each year the longer we wait. In the report the

figure for 2005 is used, when the necessary budget cuts are given in billions of Dkr. The necessary budgets cuts (in billions of Dkr.) will increase by the same rate as GDP from 2006.

The calculations are based upon the expected population development presented in the report “Population Development 2001- 2021 – Possible Developments” by the Think Tank, which was published in January 2002. The calculations therefore do not take into account the effects of the latest changes in the legislation on asylum, immigration and integration.

12. Government's own “Vision and strategies for improved integration”

In January 2003 the Government set up a Group of Ministers composed by the Minister for Integration (Chairman), the Minister for Employment, the Minister for Social Affairs and Gender Equality, the Minister for Culture and the Minister for Education. 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 of the integration policy for the coming years:

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

We have looked at the official proposals carefully. The overall ideas and aims of the many initiatives presented in the government's own leaflet are summarised here in original official wording.

The Government's vision

The Government's integration policy agenda has been formulated to cover three overall strategies, which have together resulted in more than 100 concrete initiatives. Four fundamental principles are common to the three strategies and the many initiatives, and together they set the new course of the integration policy:

- n We have to make room for diversity and learn how to profit from it.
- n We have to abandon clientification and show respect by imposing demands.
- n We have to abandon any lack of consistency whatsoever.
- n We should not use 'culture' as an excuse for suppressive family patterns.

The Government's vision for improved integration is a society which offers all its citizens the same opportunities for being involved in and contributing to society so that the individual gets the best conditions possible for developing his or her own potential – with due respect to the fundamental values of society.

This vision points towards a society exhibiting both freedom and diversity where everyone regardless of sex, colour and belief has the same opportunities for obtaining a share of society's growth and welfare – a society which is also tied together by generally accepted and supported fundamental values.

Today, the proportion of immigrants and their descendants constitute 8% of the population – a proportion that will increase naturally in the future, even if the influx of newcomers is reduced. In other words, an increasing proportion of the population has grown up with cultural traditions and norms differing from the prevailing traditions and norms of the Danish society. Added to this are the 'welfare problems' arising when welfare benefits and caseworkers replace the will to be self-supportive that most foreigners have when they first arrive.

13. NGO's response to governmental proposals

No one can disagree with the government's visions of a better integration for ethnic minorities in the Danish society. But integration is a 2 way street. Visions alone cannot solve the problem. The DREAM team has also pointed out that foreigners are not allowed to work because of discrimination and barriers in the labour market. Poor integration is basically due to official policies and not an ill will on the part of the victims of racism.

In order to highlight the concerns of ethnic minorities, some NGOs pooled their resources together and arranged a seminar to discuss the issue of integration. On 7th September 2003, ENAR-DK, Fair Play, POEM, Ethnic Debate Forum and Danish Moroccan Friendship Society invited 70 representatives of NGOs to look at the '114 Points Plan' of the 'Government's Vision and Strategies for Improved Integration.' The Minister of Integration Mr. Bertel Haarder was invited to explain to the NGOs how his plan will better the chances for minorities and listen to the minorities as to what they think of his plan and what alternative they want to propose.

Along with the Minister, NGOs invited the Mayor of Education in Copenhagen, Mr. Per Bregengaard to talk about his vision of integration in the capital city which houses nearly 20% of all minorities in Denmark.

In his opening speech and during the question session, it became very clear to NGOs that the Minister was in no mood to accept the fact that unemployment was mainly due to discrimination and that minorities feel very badly treated by the Danish society. The main focus of the ministerial speech was the adoption of Danish culture, Danish values and the moving away from forced as well as arranged marriages.

The whole question of a successful mutual integration was explained in terms of the unwillingness of minority groups especially the Muslim communities to adjust and adopt. The Minister did not tell what the government plans to do with respect to socio-economic well being of these groups in a more practical way.

In contrast to the Minister, the Mayor focused on jobs, education, housing and social integration. In the workshops the participants made their views known by narrating their day to day experiences in society with respect to job searching, applying for accommodation and horrible stories in the media about their cultures and religions.

Their main concerns were the future of their children, to uphold their political rights, social acceptance and a decent living standard. Media and politicians came under fire for their unbalanced coverage of minority life and derogatory signals making society more hostile and unfriendly. There have been many other failed attempts on the part of NGOs to have a dialogue with the authorities. The official position is very stiff and clear. We know what problems minorities have and what is best for them.

14. OECD: Denmark has the worst record of integration

According to the latest survey (Jyllands-Posten newspaper, 1.11.03) conducted by OECD (Organisation for Economic Co-operation and Development), Denmark has the worst record for integrating foreigners into the labour market. According to figures from the Danish Employers Association, nearly 50% of ethnic minorities are outside the labour market. Black people are discriminated against, even for cleaning and dish washing jobs.

Educated minority youths are often refused apprenticeship opportunities. There are cases where ethnic candidates with Danish degrees have applied for 300 – 400 job vacancies without receiving so much as one interview call. There is some taxi company (News – UK- 14.11.03) who not only do not hire ethnic drivers, but who also refuse to take foreign passengers.

According to many reports and even some TV interviews, former employees of some Danish companies admitted that they were asked by their superiors not to entertain applications from people with ‘strange names’. There are reports of some ethnic youth changing their names to Danish sounding names, using ‘blue contact lenses’ and dying their hair blonde – just to get an interview.

While in most European countries, the state provides the funding for non-European children to learn their mother tongue language; Denmark has by law abolished this right. Pakistani children with British citizenship are denied this right even if they should be provided this service under a EU Directive of 1979. EUMC (European Union Monitoring Centre) has criticised Denmark (Politiken 4.12.03) in its Yearly Report 2003.

EM’s research manager, Mr John Wrench accused Denmark of considering multiculturalism as a weakness that should not be practised.

Speaking of children, SFI (Social Research Institute) in cooperation with the humanitarian organisation ‘Save the children’ has recently issued a report on the subject of ‘Child poverty in Danish Municipalities, 1984-2001’. This disturbing report states that in Denmark there were 200,000 children who were touched by poverty in 2001. The hardest hit were ethnic minority kids. In 2001, poverty among children of ethnic minorities was at 65%, while the figure for Danish children was nearly 12%.

According to the Director of DRC (Documentation and Advisory Centre) Mr. Niels-Erik Hansen (Urban 08.12.03), racism is on the rise in Denmark, especially against Muslims and Jewish people. In 2003 alone, there were more sentences handed down by the courts to racism cases than in the last 20 years combined. The Danish government, in DRC’s opinion, does not even live up to the UN Plan of Action against Racism.

15. Ethnic minorities under constant media spotlight

The role and power of media in spreading information in a modern society is awesome. Once information - right or wrong, manufactured or factual is released to the public, it creates its own rhythm. One can retreat, amend or correct it but you can't nullify it. A word, spoken, written or heard has its own life. In public discussions and in this atmosphere of non-cooperation and national chauvinism, there is very little space for different identities.

The Danish media has both a powerful influence on people's attitudes and perceptions and a weighty responsibility to contribute to this process of change. It can help in social integration of ethnic minorities. Unfortunately a great deal of media attention in Denmark is given to the seemingly insurmountable differences that divide people, religions and cultures. This leaves minimal focus to highlight the efforts, which are put in to place to overcome the differences. Media has the means, will power, goodwill and technology to build bridges between the majority and the ethnic minorities living in Denmark but chooses not to. Danish journalists can help people to understand that diversity can be a powerful source of social development to eliminate stereotyping based on religion, culture, gender, race, class, nationality and ethnicity from media programming. But the majority of Danish media refuses to be a partner in change. Ethnic minorities as consumers are a very insignificant percentage thus making it difficult to have their voices heard. Many NGOs have for years tried to establish a bridge between minority groups and the media with partial success.

Danish media landscape

Denmark's main public broadcaster, Denmark's Radio (DR), operates two TV networks and national and regional radio stations. DR is funded by a licence fee.

TV2, a national public service TV station, is partly state-funded. Private TV stations are available via satellite and cable. There are some 250 local commercial and community radio stations on the air. Two commercial networks, one national and one semi-national, were launched in 2003 and quickly gained substantial audiences.

Many grassroots organisations – Danes as well as ethnic groups - until recently received financial support to make local TV and Radio programmes in Danish and many ethnic languages. This helped the elderly and women among minorities to be informed about the political situation, laws, cultural norms and social development in Denmark. This possibility has suffered a severe setback because the cultural ministry has drastically reduced the amounts and the numbers of recipients. Many well-liked programmes are thus threatened and could be closed due to lack of funds.

Freedom of expression is provided for in law and the Danish media reflect a wide range of political views. The media are frequently critical of government policy but are also very careless when it comes to ethnic minority issues. More than 60% of Danes had Internet access by mid-2002.

The press

The most well known dailies are: Morgenavisen Jyllands-Posten, Berlingske Tidende, Politiken, Dagbladet Information and Christian Daily. Ekstra Bladet and BT are daily tabloids. The Copenhagen Post is a weekly English language paper. There is also the weekly Habar, which is in the Turkish language. There are also hundreds of local and provincial newspapers and weeklies throughout Denmark.

Television

DR TV is a public service channel with 2 separate channels. DR1 and DR2. TV2 is also a public-service broadcaster that is funded by state and advertising revenues. TV3 is a commercial satellite/cable TV channel while TV- Danmark is a network of local commercial stations.

Radio

DR Radio is a public service radio, which operates many programmes like P1, P2, P3, and P4. Then there is Sky Radio and a host of national/commercial radios.

15.1 Danish media and racist ideas

Some of the Danish media has been actively promoting xenophobic and sometimes racist ideas about individuals of non-Danish origin, contributing to a climate that is hostile to these individuals. Some media continue to promote negative stereotypes and prejudices about individuals of non-Danish origin and sensationalise any incidents involving members of minority groups. On the other hand, insufficient coverage is given to the ordinary activities of these individuals as residents and citizens of Danish society. Danish authorities have not given due consideration to these factors when renewing licences and granting financial support to the media.

Fair Play, an antiracist NGO specialising in media monitoring in Denmark publishes its reports every 3 months. In 2003, its magazine MediaWatch looked at the mainstream media's coverage of ethnic minorities for 1 week. It chose 8 national newspapers and 2 TV channels for its survey. This survey was a part of a larger EU project 'European Day of Media Monitoring' MediaWatch Magazine undertook to carry out this survey on behalf of NGOs. The project dealt with the presentation of minority people in the press and television as well as the portrayal of minority/multicultural issues. The project involved not only the collection of material but also analysing the collected data and evaluating the media coverage.

MediaWatch's competent panel of media experts and political analysts looked at the collected material and made an evaluation. They read all the newspapers very minutely and cut the following sections for coding, analysing and evaluation:

- n Stories written by journalists
- n Editorials
- n Opinions, debate columns and feature articles written by researchers, scholars, cultural personalities, ethnic minority representatives, students and politicians
- n Letters to the editors
- n Cartoons and photos

They taped prime time news from 2 national TV channels. DR which is the main national TV channel 30 minutes TV-Avisen at 6.30 p.m while TV2, the second largest TV channel, it's most important news broadcast at 7.00 p.m. They used 3 viewers to look at the TV coverage. They divided the quantitative analysis up into three groups:

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

Findings

Racism: In the negative category this related to what right wing politicians love to call 'reverse racism'; i.e. blacks hating whites. Or in the truer Danish version: Muslims hating Christians.

Anti-Semitism: It is closely connected to reverse racism. In the Danish press it has been limited to Muslims vs. Jews; but also – especially in the newspaper Jyllands Posten – encompasses just about every criticism of Israel.

Terror: This category contains only allegations and (mistænkeliggørelse). No actual terror incidents have occurred.

Terror, Islamophobia and anti-Semitism

Perhaps the most disconcerting was the fact that there was very little crime to be covered, no terror actions at all and not a single episode of anti-Semitism. The crime was of decidedly lesser gravity – no murders, no rapes, no aggravated assaults, no robberies.

All terror and anti-Semitism was of general character. And regarding the latter, it is worth noting that the controversial EUMC report on anti-Semitism was very well covered.

It should also be noted, that the press, also the progressive Politiken have hugely and repeatedly ignored all cases of Islamophobia, both in Denmark and abroad. This is in

glaring contrast to the fact that Jyllands-Posten had an entire appendage on anti-Semitism included just about every form for opposition to the policies of the Israeli government. The line followed by Jyllands-Posten reminds us of the days when any criticism of USA's Vietnam policies was automatically taken as anti-American.

Not surprisingly, JP is together with the Danish People's Party (DF) also forerunners in the current Danish nationalist lobby's struggle to conduct cold war hearings to 'expose' left-wing activists in Denmark. Not for espionage, not for covert activities, but quite simply because they were communists.

15.2 Media survey results

Topics and number of articles/stories in the selected Danish media – 17th – 23rd Nov.03

Group 1: Ethnic minorities are a problem														
	Berl	B.T.	EB	inf	JP	KD	Pol	Met	Urb	DR	DR A ₂	TV 2 ₁	TV 2 ₂	Total
POEM	1	2	3	1	5	1	1	1	1	0	0	0	0	16
KJ	0	1	0	0	0	2	0	0	0	0	0	0	0	3
Women	0	0	0	0	2	0	2	0	0	0	0	0	0	4
Labour	2	0	0	0	3	0	1	0	0	0	0	0	0	6
Immigra	0	1	1	0	0	0	0	1	2	0	0	0	0	5
Islam	0	0	0	0	0	0	1	1	0	0	0	0	0	2
Housing	1	0	0	0	1	0	1	0	0	0	0	0	0	3
Racism	0	1	0	1	0	0	0	1	1	0	1	0	0	5
AntiSemi	1	1	0	1	7	1	0	0	0	0	0	0	0	11
Refugees	0	0	0	0	0	0	0	0	0	0	1	0	0	1
Terror	3	1	2	0	6	0	0	0	0	2	2	0	0	16
Crime	2	4	1	0	6	0	2	0	1	0	0	0	1	17
Total	10	11	7	3	30	4	0	4	5	2	4	0	1	89

Group 2: Ethnic minorities have a problem

	Ber	B.T.	EB	inf	JP	KD	Pol	Met	Urb	DR A ₁	Dr A ₂	TV 2 ₁	TV 2 ₂	Total
KJ	0	0	0	2	0	0	1	0	0	0	0	0	0	3
Educat	0	0	1	0	2	0	1	0	2	0	0	0	0	6
Citizens	0	0	0	0	1	0	0	0	0	0	0	0	0	1
Women	0	0	0	0	5	1	0	0	0	0	0	0	0	6
Labour	0	0	0	0	0	2	16	0	0	0	0	0	0	18
Housing	0	0	0	0	0	0	1	1	0	0	0	0	0	2
Racism	1	0	1	0	0	0	0	0	0	0	0	0	0	2
HEW	1	0	0	0	0	3	0	0	0	0	0	0	0	4
Total	2	0	2	2	8	6	19	1	2	0	0	0	0	42

Group 3: Ethnic minorities are getting on with it

	Berl	B.T	EB	inf	JP	KD	Pol	Met	Urb	DR A ₁	DR A ₂	TV 2 ₁	TV 2 ₂	Total
Labour	0	0	0	0	0	0	0	0	0	1	0	0	0	1
Racism	0	0	0	0	3	0	1	1	0	0	0	0	0	1
Integ	0	0	0	1	0	1	0	0	1	0	0	0	0	3
Islam	0	0	1	0	0	1	2	0	0	0	0	0	0	4
Persons	0	1	0	0	0	0	0	0	0	0	0	0	0	1
Total	0	1	1	1	3	2	3	1	1	1	0	0	0	10

Total Coverage

	Berl	B.T	EB	inf	JP	KD	Pol	Met	Urb	DR A ₁	DrA 2	TV2 1	TV 2 ₂	Total
Stories	12	11	10	6	41	12	22	6	8	3	4	0	1	141
Negative %	83,3	92	70	50	92	33	0	67	62	67	10	0	100	63.1

15.3 Conclusions of the media survey- daily doses of xenophobia

As we have said, there have been no major incidents during the week in question. This means nothing to put on the front page. Much of the crime reported during the week was only mentioned in small doses. Still enough to give the daily doses of xenophobia. And only Politiken, (see the charts) had any substantial features, in support of the ethnic minorities.

Ethnic individuals are named only rarely in the news sections as part of society and thus are not considered worthy of mainstream coverage. As a rule one must look to the cultural or sport sections to find the names and pictures of ethnic individuals making a positive contribution to society. In the news sections we read and see stories of illegal workers, tax evading shop owners, knife-wielding youths, indifferent parents etc.

When it comes to the coverage of young girls and women, they are primarily presented as victims of Islamic primitive traditions, brutal parents and violent husbands. Or as in the case of East European women, they are only mentioned in relation to illegal prostitutes and human slave trade. While little attention is paid to the fact that most battered ethnic women have been mistreated by Danish men after they were brought to Denmark as wives or tourists. And while some, though little, attention has been paid to the legal rights of battered ethnic women and to ethnic prostitutes, even less is done about it by the law or social services.

But this too is consistent with previous studies. The coverage has been overwhelmingly generic, that is group-concentrated. A politician of Syrian/Palestinian origin who in the period had been involved in a rather heated debate about a health issue which has nothing to do with ethnic minorities whatsoever.

Individual cases came to light only when they were used by the media to show for example the catastrophic effects of Denmark's horrid labour market apartheid. In this particular case, the labour market articles first and foremost were in the 'Politiken' and dealt with the Integration Ministry's new laws about 'Start Help', meaning that refugees and in some cases even Danes returning from abroad are forced to accept much lower social benefit payments.

The argument used by the government is that refugees do not want to work because of higher social benefits and low work moral. Therefore lower 'Start Help' will force the refugees to go to work even when they will get lower than minimum wages and there are few jobs. Politiken has done much to expose this Orwellian logic and terminology.

While admitting that an analysis of a single week's coverage cannot even come close to being scientific, so are the findings consistent with earlier and ongoing studies of the Danish media, which is a part of the problem rather than a solution in this country. On the one hand a proEuropean state, on the other a rapid super nationalist fiefdom. On the one hand open and warm, on the other closed and ominous. On the one hand, media talks about integration and participation but at the same time does not live up to its obligation

to be neutral, factual and a reporter of events. In Denmark, media has become a player in the debate together with politicians and right wing movements. In a situation where Danish state and authorities have to weigh 'Freedom of speech' contra 'Protection of minority rights', even the judicial system favours the former. The situation is deteriorating very rapidly specially with the arrival of this present government which openly talks of a 'Danish tribe', 'superior Danish values' and 'love it or leave it' attitude towards ethnic minorities.

What can be done?

In the case of Danish media, the journalist's great contribution lies in helping political leaders to reexamine the path via which a modern society gets its pluralistic nature. Tomorrow's journalists should no longer be obsessed with the idea of a single identity, even less so by the quest of a strong sense of Danish civilisation. They must advance towards a flexible and open society. They will then become vanguards in a society where journalism will not focus on race, culture, religion and colour but on fellowship of human beings.

If Danish journalists really want to have a pluralistic and cosmopolitan coverage then they must do away with Dano- centrism and enlarge the scope of professionalism to be all-inclusive. They must think multicultural, multiethnic and multireligious.

16. Extremist political signals

In his annual TV address to the nation, (1st January, 2004 kl. 19.15) the Prime Minister of Denmark used his allocated 15 minutes to talk about his worries concerning the present state of affairs in Denmark and his vision for the future. He opened his speech with Iraq, spending nearly 6 minutes dealing with the issue. His closing remarks dealt with ethnic minorities and the problems they have created for the Danish society. He spent almost as much time on ethnic minorities as he did on Iraq.

Prime Minister's remarks:

“ It is my ambition that we Danes should be among the highest educated people in the world. And that Denmark over the next 10 years, develops, without qualifications, into one of the world's most technologically advanced societies. Here in lies the source of future development, prosperity and welfare. Both for the individual as well as for the country. It requires a society where all participate in creating our prosperity. Unfortunately, that is not the case today.

For example, many years of ill-conceived alien's policy has given rise to immigrant ghettos, where men are unemployed, women are isolated and families only speak their native languages. Children grow up without learning proper Danish. Some are influenced by the hardened criminals. They confuse the Danish sense of open-mindedness and inconsistency, the Danish sense of freedom with emptiness, the Danish sense of equality with indifference. And they look upon the Danish society with contempt. The establishment of ghettos leads to violence, crime and confrontation. This we know from other countries. And this we neither can nor will accept in Denmark. We must stop this unfortunate formation of ghettos.

We must insist that children learn correct Danish before entering public schools. The young disinclined immigrants should move away from idleness, street corners and criminality. They should work and have an education. They have to understand and respect those values upon which the Danish society is built. My message to them is: Learn from those immigrants who do well in the Danish society. They have jobs that provide for themselves and their families. They create their own businesses and enterprises. They excel in the world of sport. They teach at our universities. Yes, they involve themselves in local government and are even in the Parliament. It pays to make an effort”.

The whole of Mr. Rasmussen's speech is in stark contrast to the one, Queen Margrethe delivered on the evening of 31st December 2003.

The Queen very graciously asked:

“But is it such a bad thing to, once in a while speak one’s mind with out reservation? It can clarify matter both for oneself and for others. It can clear the air if we allow our feelings and thoughts to surface. One should not compromise just for the sake of peace. We should lay our cards on the table on the table when it matters most; mutual respect is more easily attained when everyone’s position is clear. Only then can the dialogue begin.

But it is the important that it is a conversation, talking together, listening to the other side so that it does not become two monologues between two deaf persons. Each clinging to one’s own and not understanding what the other has to say just because one believes that he/she already knows it.

That openness we ought to display towards other opinions we should remember to show to other human beings, irrespective of the fact that some speak up while others keep quiet. It is not easy to find the right words and thus be heard. Most people have more to offer than we think. The richness of a dialogue is that our ears receive those many different tunes each human being possess. Many tensions in society originate from those dialogues which never took place”.

16.1 ENAR - DK responds to Prime Minister’s speech

There was a huge outcry in the country regarding Prime Minister Rasmussen’s statement, but very little protest from NGO’s. ENAR-Denmark prepared a written response to all the allegations in his speech and sent it to the prominent politicians including the Prime Minister, intellectuals and to the media at large. The main points in ENAR’s response were:

- n There were lots of accusations, half-truths and out right lies in Prime Minister’s speech as far as ethnic minorities are concerned. The whole burden of proof was squarely put on the shoulders of those groups who have no power in society, economic, political, organisational or cultural. Majority society was presented as blameless and very innocent. It was the fault of ethnic groups if they are not accepted or that integration has failed on many fronts.
- n Ethnic minorities are presented as a homogeneous group, cleverly ignoring the fact that ethnic minorities constitute 160 nationalities, many have Danish citizenship; have various historical backgrounds, educational levels, social standing and that 90% of them live a normal life, free of crime, violence as well as contempt for Denmark. On the contrary, most ethnic minorities are very appreciative of Denmark.

There was not one word about racism, discrimination or the unequal treatment melted out to ethnic minorities experience on daily basis in every segment of Danish society. In a survey carried out among 1007 persons of ethnic background, in March 2000 by a

reputed research institute, Catinét Research (in cooperation with the Danish Refugee Council, Forening Nydansker, HK, Mellem Folkeligt Samvirke and Union of Advisory Sociologists), reveals wide spread discrimination. People were allowed to name multiple categories in their responses.

On the question of, “**How do you experience discrimination now?**”, the results showed:

42% ethnic minorities felt more discrimination than before
46% at the same level
6% did not answer
6% experienced less discrimination

On the question of, “**Which areas they felt discrimination?**”, the results were:

23% labour market
19% educational system
22% employment agencies
20% public transport
26% shops and businesses
20% in housing.

16.2 Selective housing market

It is true that a large percentage of ethnic groups live in rented housings often in those areas which are not socially attractive to Danish people. This is because of the selective nature of the housing market in Denmark where most people buy their property. Lack of financial means and legal constraints make it very difficult for minorities to own accommodations. Cooperative housing among minorities is non-existent because of the lack of personal contacts. This leaves only the rented option available to ethnic minorities. Even here, there is a waiting time between 14-15 years before one’s turn comes up. That is why, minorities can’t afford to say no to the accommodations they are offered.

The interesting question which no one asks in relation to high concentration of ethnic groups in some areas is: “**Who sends these people to these so-called ghettos?**” In Denmark, ethnic minorities are routinely directed to and allocated accommodation in the suburbs by housing corporations, co-ops and municipal authorities. The authorities are the real reason that in some urban areas, there is a highly visible presence of different ethnic groups. Why should this be a problem only in Denmark? Is it the colour, which bothers Danes? How would the authorities distinguish between, a white unemployed Dane and a white Bosnian lecturer, an Afro-American taxi driver and a Nigerian musician, a Pakistani kiosk owner and an Argentinean factory worker? What would be the criteria for dispersing people? A job, Danish language skills or simply their appearance? No one within the Danish establishment is prepared to look at the solutions, only in placing the blame.

Danish society exclusively uses the word ‘Ghetto’ for those areas or housing estates where ethnic minorities live. In many cities, socially deprived Danes and underprivileged single parents also live in such quarters, but no one will dare to call them Ghettos. If one uses the concept of **Ghetto** in its true meaning (one ethnic group living in one place under guard or by its own choice), then there are no ghettos in Denmark. There is no rundown, poorly built and dysfunctional housing in the whole country.

16.3 The political climate

The political climate in Denmark is so negative and poisonous that historian and religion researcher Michael Rothstein from Copenhagen University called it (K.D.Blad, 27.12.03) ‘undemocratic and uncivilised’ the way ‘Head Scarf’ discussions have been conducted in the media and the public. Parliament Member and Priest, Margrete Auken described the situation as ‘Hopeless’.

To make matters worse, Integration Minister Mr Bertel Haarder, who has a very liberal background, often sends confusing signals to society and to ethnic minorities. During his pep talks, he often refers to the ‘Danish Tribe’, ‘Danish Values’ and the ‘Danish way of life’. When asked to explain in a recent newspaper interview (Berlingske 19. Sept. 2003) what he meant by Danish values, he replied: “Human rights, democracy and a modern concept of gender equality”. To make his point clearer, he proudly proclaimed:

“ When we say that our own values are correct, it is a sort of cultural imperialism. Yes, I am a cultural imperialist”.

Such opinions are not only expressed by Mr Haarder, but by many other past and present ministers and opposition politicians. Danes regularly remind minorities of the virtues of the western style of living.

A few years back, the Danish Parliament established a Survey Board whose task it was to look at Danish society with respect to internal power structures in the country and report back as to how Danish democracy can deal with the 21st century challenges. A book published by the ‘Institute of International Studies’ in connection with these surveys gives some very alarming signals. Senior researcher Mr. Hans Moritzen in an interview (Berlingske, 25.05.03) said:

“Danes, inclusive politicians are so sceptical and apprehensive towards outside influences that it can be described as “Fundamentalism”. We will help refugees and immigrants as long as they stay where they are. No one should come here and try to teach us anything”.

In a newly published book, **“When the rope tightens hard”**(Oct. 2003) many eminent scholars, journalists and even a member of the Danish parliament with ethnic background, have heavily criticised the present and past governments for their discriminatory practices, their tightening of “Alien’s Law” and creating an atmosphere of hate where racism and discrimination has become the order of the day.

The present government has actually based its parliamentary majority on the Danish People’s Party. This party is so far to the right in its policies and opinions that Austria’s notorious politician Jörg Haider and many members of the British Conservative Party (Berlingske 28. Sept. 2003) refused to meet the party leader, Pia Kjærsgaard describing her views as ‘racist’. The Danish Supreme Court in 2003 upheld a High Court decision which concluded that Danish People’s Party Chairperson, Pia Kjærsgaard does have racist opinions. In 2003 alone, five of this party’s prominent politicians have been convicted and sentenced for violating the antiracist laws. And this party which has single handedly forced the mainstream political parties to follow its lead, is calling the shots in Danish politics and in Danish homes. According to newspaper Politiken and Danish People’s Party’s own magazine, two international tourist guides – Time Out – London and Thomas Cook Travellers have written about Denmark, describing it as: ‘The secret life of Danes-racism’ and ‘Racism marches in Denmark’. Not a good tourist publicity.

The severity of the situation can be summed up by quoting one of the governing party’s own hard-liner and many years critic of progressive policy on asylum and family reunion, Mr. Eyvind Vesselbo who in a long interview said:

“After taking part in many foreign media debates of Danish immigrants policy, I have come to realise that we live in our own little fairy land. We have become used to a harsher and harsher immigrant debate. We widen our borders of discussion. I think that debate has let go of humanity and we have forgotten that those we debate about are also human beings. They should function in the Danish society. It looks like we indulge in politics only for politician’s sake. Some politicians think that if they are hard enough towards foreigners, Danish public will back them with votes. This results in a very evil and very violent debate.”

If there can be any hope of having a humane society, which lives up to its responsibilities, it can only be achieved by outside pressure. Danes love to praise themselves and talk about their human rights record; their fight against apartheid in South Africa, their help to Jewish refugees during the 2nd World War, their opposition to the Vietnam war and more recently Denmark’s support for USA in toppling Saddam Hussain and the Taleban. All very worthy causes. But when it comes to treating its ethnic minorities, people of colour and communities belonging to Islam, Denmark has a very bad record. It is here Prime Minister Mr Anders Fogh Rasmussen should use some real time in creating a just society for all.

17. What do ordinary Danes say about racism in Denmark?

Looking at media debates, one sometimes comes across a cry of protest. We have chosen a few voices for the readers.

Most racist country in Europe

“According to many foreigners Denmark is now the most racist country in Europe. For me it is without comparison the worst racism since it is the only one I am responsible for. Institutionalised racism might be worse in America, but since the Danes are more outspoken in their views and have not learned the political correctness of Americans; individual racism is far more extreme over here. Indeed, when I recently lived in the Ku Klux Klan head quarter in America it struck me after weeks of interviewing the Klan members that they had less hate in their hearts than what I find in my fellow Danes right now.”

Jacob Holt- American Pictures – Copenhagen writes in his website

Misguided debate about foreigners

“It is a big problem that things are inflated in the media. We always hear about those who are badly integrated but never about those who are successful, functioning well and living a decent life. I do not care if people are Muslims, Christians or yellow or green. We are all human beings and wish for the same things in life, to be loved, have food in the stomach, good friends and closeness”.

Journalist Pia Kaiser in Ekstra Bladet, 24.1.2004

Government in dilemma

“ Danish People’s Party which supports both discrimination and racism is now asking the Danish state to terminate its obligation to human rights conventions so that it can freely discriminate persons of foreign background. This puts this government in a strange dilemma; How to keep a coalition partner and respect human rights conventions at the same time.”

Kit Aastrup in newspaper Information, 17.07.04

17.1 Racist violence in Denmark

As we have pointed out in the beginning of this report, racial violence, murders and physical harm against ethnic minorities happen seldomly. Experience shows that people often do not report incidents of violence and police also are not very cooperative in taking complaints. DRC tries to keep track of racial violence. In its report prepared in November. 2003 with the help of different NGOs and official organs, DRC concludes

that racist crimes and violence decreased after 2001, but in 2002 and 2003, it was again higher than the level before 2001.

The official monitoring of racist violence is carried out by the Danish Police. In 1992 and again in December, 2001, the Chief of PET(Danish Secret Service) sent a circular concerning the reporting of racist incidents to all law enforcement agencies. In the **9 months** of 2003, there were **15 complaints** of hate speeches and **7 cases** were brought in front of the courts. The number of racial violence incidents in the same period was **24** with vandalism and harassment topping the list.

18. High unemployment among ethnic groups

Due to discrimination, the unemployment ratio among different ethnic groups is extremely high compared to native Danes. According to the information obtained from the Danish Statistic Bureau and calculations made by the one of the largest newspaper, Jyllands-Posten (1.6.2003), there is a huge difference among immigrants work frequency.

The figures below show the percentage of employment in the Danish labour market for ethnic minorities, between the age of 16 – 66 years.

Minority group	Men	Women	Total
Western countries	67	58	62
Non -Western	52	38	45
Bosnia	53	40	47
Iraq	29	12	22
Iran	56	40	50
Ex-Yugoslavia	60	46	53
Lebanon	39	14	28
Pakistan	63	30	47
Somalia	23	9	16
Turkey	63	41	53
Danes	80	73	77

This fact was confirmed recently by the media reports. In 2003, unemployment among ethnic minorities increased by 4% compared to 1% among native Danes. In Sept. 2003 unemployment among Turks, Pakistanis, Somalis, Iranians, Iraqis and Ex. Yugoslavians increased by 18%. (Danish Statistic Dept. November. 2003)

According to the second largest Danish National Television Channel TV2 (17.02.04) unemployment among ethnic groups is alarming. According to their research large number of ethnic minorities are not part of the Danish labour market. Here are some figures:

Minority Group	% Employment
Iraqis	12.70%
Somalis	21.20%
Pakistanis	55.50%
Turks	64.00%

One of the reasons given by the authorities for the high ratio of unemployment among ethnic minority youth is their lack of professional qualifications and poor command of the Danish language. To a degree this may be true, but this perception however has been time and again punctured by many research reports.

Even the Minister of Sciences, Helge Sander had to admit in the Danish Parliament that in the 1990s there has been an equal percent increase in university education for students both with the highly developed and less developed country background. In some cases, minority children are over represented in medicine, engineering and IT studies.

19. Religious Freedom in Denmark

The Danish Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Evangelical Lutheran Church is the state church and enjoys some privileges not available to other faiths.

Religious demography

As of January 2003, 84.3 % of the population belonged to the official Evangelical Lutheran Church. (DR TV Survey). The second largest religious community is Muslim, constituting approximately three % of the population, followed by the Catholic Church, Jehovah's Witnesses, Baptists, Pentecostals, the Church of Jesus Christ of Latter-day Saints (Mormons), and Jews. The remaining approximately 9 % of the citizens are without a religion.

Missionaries operate within the country, including representatives of the Mormons and members of Jehovah's Witnesses; however, there is no detailed information available on missionary activity.

Status of Religious Freedom in Legal/Policy Framework

The Government at all levels strives to protect religious rights in full and does not tolerate its abuse, either by governmental or private actors.

The Constitution stipulates that the Evangelical Lutheran Church is the national church, and it is the only Church that is subsidised directly by the Government through the tax system (although any tax payer may choose not to contribute), and pastors from the Evangelical Lutheran church receive wages that are subsidised by the state and not fully covered by voluntary taxes. Members of other faiths, notably Catholics, have argued that the system is not fair, and that although the Government provides for religious freedom, it does not provide for religious equality. Allowing other religious organisations to be given the same status and privileges as the Evangelical Lutheran Church would require changes to the Constitution.

The Government does not require that religious groups be licensed; however, the State's permission is required for religious ceremonies, such as weddings, if they are to have civil validity. Although there is no civil or criminal penalty for not registering, non-registered religious organisations do not qualify for tax exempt status. Eleven other religious organisations have official recognition by royal decree (essentially the State's permission for a religious organisation to perform religious ceremonies that have civil validity).

Guidelines for future approval of religious organisations, linked to the 1969 Marriage Act and published in 1999, established clear requirements that religious organisations must fulfil. These include providing the following: A written text of the religion's central traditions; descriptions of its most important rituals; an organisational structure accessible for public control and approval; and constitutionally elected representatives who may be

held responsible by the authorities. Additionally, the organisation must "not teach or perform actions inconsistent with public morality or order."

19.1 No graveyard or mosque for Muslim communities in Denmark

After several years of searching for an appropriate site, the Muslim community identified a piece of land in Brøndby, a municipality outside Copenhagen, on which they wanted to build the country's first Muslim cemetery. The Ministry of Ecclesiastical Affairs, the Copenhagen municipal government, and the Brøndby municipal authorities agreed to the sale. However, little progress was made towards that goal because of disagreements concerning the value of the land and a battle between two municipalities.

A growing number of municipalities since then promised to set aside pieces of land for the purposes of building Muslim cemeteries but nothing has materialised as yet. Some parishes have allocated sections of their cemeteries for Muslim burials. Nonetheless, these sections do not meet all of the requirements of the Muslim community, so it still prefers to have a cemetery of its own.

The Muslim community has also been attempting to identify a site and funding for the construction of a full-scale mosque in the country but it is still a dream. There is no mosque in Denmark because of official and public opposition and especially because DPP and some section of the media has made it a question of national identity.

There were isolated incidents of anti-Semitic, Islamophobia and anti-immigrant vandalism, primarily graffiti in 2003 which is attributed to discussions in the media and Middle East situation. (From International Religious Freedom Report 2003 on Denmark published by the Bureau of Democracy, Human Rights and Labour. December 18, 2003)

19.2 Religious affiliation among minorities is decreasing

In Danish society, it is often claimed that religious fanaticism among Muslim minorities is on the rise thus making it impossible for them to integrate, learn about democracy and be a good citizen. Islam is under constant focus for being the root cause of the problems.

Analysis Institute Catinet asked 1002 persons in Denmark with immigrant and refugee background, their relationship with religion. Among those asked were 85% Muslims, 4% Christians, 3% other denominations, 7% atheists and 1% would not disclose their religion.

When asked, "Do you go to a mosque?", 25% said **Yes** while 74% said **No**. On the question of degree of religiousness, only 16% said that they were very religious while 84% fell between not very religious to religious.

19.3 Government plans to introduce new restrictions on radical religious leaders

As part of a new package of strict new immigration regulations, the government in 2003 started planning new legislation to curb the activities of 'Radical' religious leaders. The new rules will oblige the religious leaders to be financially self-sufficient, speak Danish and respect 'Western values'. These rules are meant for Muslim Imams. Peter Skararup, the spokesperson for the Danish People's Party, which forced the government to adopt these proposals, says that in theory, these rules apply to all clerics of all religions but in practice, they target the Imams.

Integration Minister Bertel Haarder told the newspaper Jyllands-Posten that Imams have negative effects on Muslim youth and their parents. He said that some Imams would be forced to leave Denmark because they would not be able to comply with the new rules and would therefore be refused residence permits.

Muslim organisations in Denmark have called on the government to provide state funding for a democratically elected national council to represent Denmark's 180,000 Muslims. In their opinion, this council then can represent all Muslim communities thus limiting the influence of hard line clerics.

In April 2003, ECRI cited anti-Muslim bias in the Danish society particularly towards Somalis. According to the ECRI report, Muslim communities were very vulnerable to xenophobia and discrimination. (IRR European Race Bulletin No 45-46)

Hizb-ut-Tahrir's leader sentenced

Fadi Ahmad Abdel Latif, who is a self-styled spokesperson in Denmark of Hizb-ut-Tahrir, an international Muslim religious political movement was convicted on charges of incitement to hatred in court in April 2003. On its website and in a leaflet distributed in public the organisation incited racial hatred against Jewish people.

There has been a lot of talk of banning the organisation but the justice ministry refused to ban it on the grounds of 'Freedom of Speech'. Another argument forwarded was the risk of making the organisation more attractive to the tiny minority of Muslim youth who looks at society as their enemy culturally and religiously. (Politiken. 8.11.03)

20. Denmark tries to influence other countries

Denmark has been in the forefront of those countries which not only pride themselves in formulating restrictive asylum laws, visa policies and family reunions rules, but also try to export their ideas to other countries. In December 2002 Denmark tried and partially succeeded in pushing such agenda in the EU Summit in Copenhagen. In 2003 Denmark, under the pretext of regional stability, called another meeting. This time ministers from the Nordic countries and representatives from the Balkan countries met in Ellsinore (Denmark) 24 September 2003.

Bertel Haarder, the Danish Minister for Refugee, Immigration and Integration Affairs, hosted this meeting of ministers and officials from the Nordic countries and representatives from Albania, Bosnia-Herzegovina, FYROM, Croatia and Serbia and Montenegro with responsibility for asylum and immigration issues. Søren Jessen-Petersen, chairman of MARRI under the Stability Pact for South Eastern Europe, an initiative to strengthen regional co-operation in the asylum and immigration field in the Balkans, attended the meeting. A briefing was given on the progress of the European acquis in terms of asylum and immigration policy. The importance of effective action in this field was emphasised, also in relation to the association process. At the meeting, the Nordic countries expressed their satisfaction with the good cooperation between the Balkan countries and the Nordic countries in relation to return and readmission. It was agreed to continue and further develop the cooperation in this field as much as possible. According to the official version, the meeting took place as part of the Danish Presidency in 2002-2003 for the Nordic High Level Cooperation Group for Refugee Issues, but the real aim was to discuss asylum and immigration from the developing countries. Nordic countries and Balkan countries traditionally have no geo-political cooperation or common economic interests. All the proposals and ideas coming from this conference dealt with one single issue: 'How best to keep asylum seekers away from Nordic countries'. Here are some of the highlights of the meeting.

- n At the meeting, the ministers and officials discussed the possibility of the Balkan countries setting up a regional cooperation forum in the asylum and immigration field along the lines of the cooperation between the Nordic countries. Such cooperation will be anchored in MARRI under the Stability Pact.
- n Ministers and officials agreed to continue their cooperation and to follow up the discussions by a meeting at official level to discuss migration flows between the Balkans and the Nordic countries, particularly the questions of how to fight illegal immigration and trafficking in human beings.
- n The meeting also discussed the need to launch information campaigns in the Balkan countries to fight illegal immigration and stop trafficking in human beings. It was agreed that any Nordic country that wants to do so could launch campaigns

in full cooperation with the Balkan countries to a certain extent.

- n Cooperation in return and readmission is an important element of the fight against illegal immigration.

21. Re-consolidation of “Alien’s Law” of 2002

Danish People’s Party, the Social Democrats and the government agrees

On 30th September, 2003, the Danish government struck a deal to push through a new series of restrictive measures to change the already restrictive ‘Alien’s Law’ passed in 2002, after this government came to power in November, 2001. The new restrictions were to be applicable on the following areas:

- n Family reunion. A person wishing to bring a spouse must have a Danish citizenship for a minimum period of 28 years or have lived in Denmark for 28 years without a pause
- n Condition of ‘Connection’ criteria to Denmark to be removed for those who have fulfilled the above condition
- n Marriages between ‘Cousins’ will not be recognised
- n An arranged marriage in the family can be detrimental to other coming marriages in the family
- n Age limit for family reunification of children is lowered from 18 to 15 years
- n If one of the parents do not live in Denmark, family reunion of children can be curtailed
- n Foreign missionaries could only obtain stay permits if they are economically self-sufficient and produce a proof of relevant qualifications and a valid contract with a parish in Denmark. They should speak Danish in order to perform marriages and they should live up to the confidence Danish society has shown them by accepting residence permits. This they should show at their parish and outside it.

In a separate deal with Danish People’s Party, the government agreed that in the 2004 ‘Finance Law’ negotiations, the DPP would raise the question of rejected asylum seekers. The partners also agreed that persons who are convicted of serious crimes could have their citizenship revoked. The government would continue negotiating with DPP regarding sending asylum seekers in the ‘nearby areas’ and that there will be an evaluation of the proposed bill in the autumn of 2004.

21.1 Consequences of these latest discriminatory laws

Even if the statistics show that these restrictions are not only the sharpest and toughest in EU, but in the whole western world (Newspaper Jylland-Posten- 20.9.03), the Chairman of DPP is not satisfied with the results of all these restrictions.

When asked: ‘When would it be enough for her?’ Pia Kjærsgaard said: “Not yet.” She wants to turn back the clock to 1983 when minorities had very few rights. The immediate consequences of these latest discriminatory laws are:

- n Numbers of asylum applicants is down by 50%. Only 2,000 refugees came to Denmark in the first 6 months of 2003 compared to 12,000 in 2001
- n 2 out of 3 asylum applicants are now rejected as compared to 1 out of 2 before

- n The number of family reunion applications is down by 50%. In the first 6 months of 2001, 15,000 applied as compared to only 4,000 in 2003. 60% of the applicants received rejection compared to 30% in 2001
- n In 2003, 6,000 were granted citizenship. In the 90s, 20,000 people were granted citizenship
- n Forced repatriation of rejected asylum seekers is increasing many fold, especially from Afghanistan, Iraq, Kosovo and Somalia

21.2 Numbers of family reunions and asylum seekers have dropped

More and more young people are moving to Sweden and Germany to be united with their spouses because it is almost impossible to be reunited with their families in Denmark because of the strict laws passed on 1st July 2002 and again in 2003.

EU rules make it easier for Danish citizens to get their families in to other EU countries with very minimum requirements.

According to the newspaper Politiken, more than 1,000 couples have moved to Sweden in the last year. The trend is accelerating among large ethnic groups such as Turks, Pakistanis and stateless Palestinians. Every month almost 50 families move to Malmö in Sweden. People living in Jylland province have started to move to Germany. The initiative was taken by the organisation 'Marriage without borders' and DRC-the advisory centre against racism. This situation arose due to the revised Danish Law on Aliens, which took effect on 1st July 2002.

One consequence of this law, which authorities either overlooked or did not research thoroughly, was the legal condition of 'A couple's joint connection to Denmark must be stronger than their connection to another country'. This condition made it impossible for even Danes living abroad to come home with foreign spouses. In 2003, there was a huge outcry from Danish public and especially from those Danish expatriates who lost the right to bring their foreign born spouses to Denmark on their return.

These protests took the government by surprise. Due to the prolonged, severe criticism of the law, the government finally agreed that to be reunited with a spouse in Denmark, there should be no criteria of 'Connection' but on the other hand, the age limit was increased from 24 years to 28. It means that one has to live in Denmark for at least 28 years to be eligible to bring a spouse in to the country. This new adjustment to the "Alien's Act" was reached in a cross-party agreement between the Social Democrats, the government and Danish People's Party.

2003 saw a drastic drop in the number of asylum applicants in Denmark since the introduction of new rules. In 2003, it was down by 27%. Denmark received 3,384 asylum applications from January. 2003 to September. 2003. This development has not only resulted in less asylum seekers but also 17 asylum centres are closed and 600 Danish Red Cross workers are laid off.

21.3 Very few forced marriages

The present government has put all its authority behind the notion that most arranged marriages are in fact forced ones and the only way to stop this practice is to make strict laws. But looking at the figures from the Danish Immigration Department, one would be surprised that only 4 marriages were declared 'forced' by the department from 1st January, 2003 to 30th June 2003. But other reasons such as 'Connection criteria' did reduce the numbers of family reunions. In the first 6 months of 2003, 1805 asked for family reunion. 1,079 were rejected while only 726 were allowed. (Politiken 10.08.03)

21.4 Less benefits for refugees in Denmark

In July 2002, the Danish government introduced through a law, a new concept of lower social benefits for those refugees and immigrants in Denmark who have lived in the country less than 7 years. It was called "Start Help". The reason given by the authorities was that less benefits would give these people incentive to seek work and thus supplement the social benefits as well as get a foothold in the labour market. This has proven extremely fruitless and wrong in practice. The amounts given as start help are much below the minimum social benefits given to other people in Denmark. The Union of Social Advisors has called this law discriminatory. Here is a comparison of both benefits.

Status of the recipients	Social Benefits	Start Help
Single over 25 years	8.172 Kr.	5.266 Kr
A couple without kids	16.344 Kr	8.732 Kr
Couple with 1 child	21.718 Kr	9.824 Kr
Couple with 2 or more kids	21.718 Kr	10.916 Kr

CASA (Centre for Alternative Societal Analysis) has surveyed the total number of foreigners in the labour market, before and after the introduction of "Start Help". It shows that 25% of those who received normal social benefits got a regular job while only 20% of those who received "Start Help" got a job. The National Union of Municipalities (KL) has criticised government's initiative. KL believes that this new arrangement in fact curtailed integration instead of advancing it.

A new survey by the Institute of Social Research (SFI) has revealed that a single refugee over the age of 25 or a married couple arriving in Denmark actually receive less benefits than in Sweden, the UK and Holland. This survey contradicts a statement by Integration Minister Mr. Haarder who often says that newly arrived refugees who are only given a 'Start Help Package' of social benefits than Danish social recipients, still receive just as much money as in other countries. (Politiken 15.11.03)

21.5 Danish government wants opt-out on immigration policy

The Danish Prime Minister Anders Fogh Rasmussen announced that he is in favour of Denmark opting-out of a joint EU immigration policy. The Prime Minister said that there was no advantage for Denmark to participate in a common EU policy as long as the EU had a softer policy than Denmark in this area. “The immigration policy we have in Denmark has wide support not only in Parliament but also among public. We do not wish to undermine this” said the Prime Minister in a radio interview.

This position was criticised by Denmark’s neighbour Norway a non-EU member. Norway has demanded that EU forces the Danish government to reach a solution that brings this country in line with EU asylum policy. Because Denmark is not a party to the so-called Dublin 2 Agreement, Norway cannot send back asylum seekers who arrive there from Denmark. (Refugees Magazine – UNCHR Sept. 2003)

22. Legal action concerning expulsion of Roma from Denmark

In May 2003, European Roma Rights Centre filed an urgent request to the European Court of Human Rights in Strasbourg to stop Denmark from implementing measures to expel a Kosovo Romani family, including three minor children, back to Kosovo. The applicants fled their home in Prizren, Kosovo in August 1999, following physical attacks by members of the Kosovo Liberation Army (KLA) in their home, who accused them of having assisted the Serbs in the ‘ethnic cleansing’ of Kosovo Albanians. The family made an attempt in May 2001 to return to Kosovo, but were forced to flee again by stone-throwing neighbours. They applied for refugee status in Denmark.

The family’s request for refugee status was rejected by the Danish Refugee Board on April 14, 2003. On that same date, their attorney filed an application for permission to stay on humanitarian grounds. As of May 9 2003, that application was still pending. Despite this, the Danish police on April 29, 2003, sent a letter giving the applicants to May 15 to ‘voluntarily’ leave the country and receive financial assistance or face forced expulsion and possible detention.

ERRC has credible reports that numerous refugees from the former Yugoslavia received the same letter from the Danish police, despite extensive evidence of the life-threatening situation faced by many Kosovo Romani returnees.

The Strasbourg application relies on Article 3 of the European Convention on Human Rights, which prohibits torture and inhuman and degrading treatment. It cites numerous alarming reports prepared by international human rights organisations, including a recent April 2003 report prepared by Amnesty International documenting numerous disappearances and abduction, attacks and threats directed against Roma returnees in Kosovo as well as severe denial of freedom of movement and access to health care.

The United Nations High Commissioner for Refugees in a January 2003 report stated:

“Members of non-ethnic Albanian minorities originating from Kosovo continue to face security threats, which place their lives and fundamental freedoms at risk.”

Commenting on the threatened expulsion, ERRC Legal Director Gloria Jean Garland said:

"Denmark has in the past year become a leader among those European states seeking to expel foreigners or otherwise exert pressure on such persons to leave Denmark, regardless of the conditions such persons may face upon return to their country-of-origin. Danish policies in this area call seriously into question the government's commitment to upholding international human rights standards." (European Roma Rights Center, May 9, 2003)

23. Police and judicial system is also discriminating

DRC (Documentation and Advisory Centre on Racial Discrimination) has publicly complained that prosecutors often dismiss violations of anti-racism laws concerning hate speech §266b, when it is a politician who utters such statements. This lets politicians get away with most outrageous utterances.

DRC also claimed that courts often take a different view on racism and prosecutors fail to take cases where it is clearly desirable to do so. Since it is a prosecutor who decides to take a case or not, much hangs on his/her discretion. In a test case, which came in front of the Danish Supreme Court, the court ruled that a politician in this case Peter Neerup Buhl was guilty of making racially motivated remarks. He was given a suspended prison sentence.

In another test case, the prosecutor decided to charge Mr. Mogens Camre, the member of European Parliament for Danish People's Party for racist remarks. Unfortunately, his immunity was not lifted by the European Parliament, thus making it impossible to put him on trial.

Police and politicians often claim by citing statistics that immigrants and refugees especially immigrant youth are more criminal because they are over represented in certain crimes. This prejudice was cleansed in 2003 by researchers from Justice Ministry's own research unit. In a survey published in February 2003, the chief researcher Britta Kyvsgaard's team looked at all the charges of violations of laws for 1,000 persons in every municipality in Denmark. Then this number was contrasted with individual's social status, income, and education level, geographical placement and area's population demography. The results were amazing, an immigrant is not more or less criminal than an average Dane. The rate of crime depends on socio-economic rather than ethnic background.

In a conference titled, "ethnic minorities and the judicial system", organised in the Parliament on 31st January 2003 by the Danish Criminologist Union, research consultant Britta Kyvsgaard proved that:

The judicial system in Denmark treats ethnic minorities harsher than Danes

Minorities are more likely to come in contact with the authorities

Ethnic youth are arrested or charged 59% more frequently than the Danish youth while they are also often found 'not guilty' or that the prosecuting authorities had to give up the cases against them. In the case of elder immigrants, the ratio of arrests and charges being brought is 35% higher than Danes

This kind of relationship between police and ethnic youth has not been very healthy. In a recent interview, one of the police commissioners in Copenhagen police however admitted that when one minority youth commits crime, his friends and cronies at the scene are also dragged to the police station for interrogation.

24. NGO's and the police contacts

The Copenhagen police have for many years consulted minority and antiracist organisations through a 'Consultative Group' about the state of relations among the majority and minorities, as well as new trends among minority youth. The members of this group are also asked to help tensions in local areas through their contacts. One of the topics of discussion in this contact group has been the statements given by some police officers to the media in cases of murder or violence among minorities. It has been noticed that often police officers try to connect the reasons behind such acts to the cultures, traditions and religions of the accused. Words like honour killing, family feuds, clan wars, tribal instincts and religious values are used to explain the reasons of fights, murders or individual clashes among ethnic minorities.

The secret police PET(Danish Secret Service) has also sought advice from ethnic organisations before launching the information campaign regarding new laws against terrorism, especially when people give money to charities. PET was concerned that lack of information can result in innocent people becoming the victim of injustice.

Another area of concern among minorities which has been brought to the notice of police authorities is the petty crimes among ethnic youth and its consequences on the criminal record. It is a common practice in Danish courts that criminal cases are often processed in a courtroom with only the judge and the prosecutor present but no counsel for the defendant. Such cases include a number of minor offences such as shoplifting or fighting in the street. Those convicted in 'minor cases' often receive notification indicating that they now had a criminal record that will remain with them for up to five years. Since the early 90s, criminal records have been an increasing problem for many people wanting to enter the job market. This has put extra burden on ethnic minority youth who get involved in petty crimes in their teens.

Because employers increasingly demanded from their employees a perfect record or a spotless police report, these petty crimes barred many from getting a job. Thus a case, which the courts considered to be 'minor', usually has crucial significance for the future of an individual, who had been unjustly denied a defence counsel. The Society for Humane Criminal Policy (KRIM) recommended that the concept of petty crimes or misdemeanours be prosecuted as usual, but omitted from the police record.

25. Prohibition of discrimination in Denmark through international control mechanisms

ECRI (European Commission against Racism and Intolerance)

The Commission has visited Denmark twice, first in 1998 and then in 2000. Its second report was published in May 2001. In this report ECRI asked Denmark to ratify the revised Social Charter and the European Convention on the legal status of migrant workers. It also repeated its concern over the lack of provisions in the Danish Constitution expressly prohibiting racial discrimination and guaranteeing equality of all citizens and religions. The commission further noted that the Danish state has not enforced the criminal code in the cases of racial discrimination and recommended that racist acts should be punished severely and racist motives should be taken into consideration in sentencing.

The commission also noted that the legal provisions in Integration Act was restrictive in its practice and may hamper the possibilities of ethnic minorities to take part in the political, economic, working, social, religious and cultural lives on an equal footing with other citizens. (www.ecri.coe.int)

CERD (Committee on the elimination of racial discrimination)

The committee will look at the Danish situation on 8th June 2005 when Denmark will submit its 16th and 17th reports. The committee has however shown its concern to Denmark in May 2002 when it comes to distributing refugees in different municipalities for a minimum period of 3 years.

The committee also recommended to Danish state that it should monitor discriminatory incidents and hate speech in accordance to article 2 and 4 of the Convention and paragraph 85 and 115 of Durban declaration and Programme of Action, which highlight the key role of politicians and political parties in combating racism. The committee was also concerned that housing dispersal policies, the quota system in nurseries for minority children and prohibition of the use of mother tongue may lead to indirect discrimination.

The European Council

The European Council is discussing reports that describe extremism and hatred against foreigners as threats to the European democracies. The report itself does not name the people and parties that cause this problem, but one of the members points directly to the Danish People's Party as the main culprit. He referred to the statements made by members of this party in recent years, like:

- n Muslims are in the same category as paedophiles
- n Muslims reject and have contempt for every thing Danish and Christian
- n Muslims are male chauvinists and they do not respect human rights
- n Muslims belong to dark ages

Mr Per Dalgaard who represents DPP in the European council rejected these allegations directed towards his party. (Politiken 29.09.2003)

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