

COUNCIL OF EUROPE  
COMMITTEE OF MINISTERS

**Resolution ResCMN(2005)9  
on the implementation of the Framework Convention for the Protection of National  
Minorities  
by Denmark**

*(Adopted by the Committee of Ministers on 14 December 2005  
at the 951st meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as “the Framework Convention”);

Having regard to Resolution (97) 10 of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the voting rule adopted in the context of adopting Resolution (97) 10;<sup>1</sup>

**Note**

Having regard to the instrument of ratification submitted by Denmark on 22 September 1997;

**Note**

Recalling that the Government of Denmark transmitted its state report in respect of the second monitoring cycle under the Framework Convention on 14 May 2004;

**Note**

Having examined the Advisory Committee's second opinion on Denmark, adopted on 9 December 2004, and the written comments of the Government of Denmark, dated 3 May 2005;

**Note**

Having also taken note of comments by other governments,

1. Adopts the following conclusions in respect of Denmark:

a) Positive developments

Denmark has made welcome progress in developing anti-discrimination legislation, notably in relation to the passing of the Act on Ethnic Equal Treatment, which provides additional safeguards against discrimination in a number of societal settings.

A further positive development has been the establishment of the Danish Institute for Human Rights together with its Complaints Committee for processing and providing opinions on complaints of discrimination.

Denmark has established good practice in terms of the consultative structure with the German minority in the form of the Secretariat of the German Minority in Copenhagen and the Liaison Committee concerning the German minority.

The system of German minority language education through the German minority schools and day care facilities in South Jutland is to be welcomed.

The Copenhagen-Bonn Declarations have been a central pillar for developing the rights of persons belonging to the German minority in Denmark, and their importance was attested at 50th Anniversary of the Declarations in March 2005.

b) Issues of concern

There are *shortcomings as regards consultation with representatives of civil society and representatives of different ethnic and religious groups, including in relation to the monitoring under the Framework Convention.*

*The restrictive personal scope of application* of the Framework Convention by the Danish authorities continues to be of concern.

A seam of intolerance within Danish society is noted, *inter alia*, in the political arena as well as in certain media. There are concerns that legislation, such as the reform of the Aliens Act, and policy, such as *the Government's policy towards integration, may contribute to a climate of hostility towards different ethnic and religious groups.*

*Concern remains about the equality of education for Roma children taught separately in a class for Roma children with high rates of absenteeism.*

The privileged funding of the Danish National Church raises issues of equality of treatment with other religions. The registration of names with the Danish National Church raises issues of conscience for persons not belonging to the Danish National Church.

There are few possibilities for the use of German in Danish television or radio broadcasting, or for the use of German with the local administrative authorities.

The *culture, history, language and religion* of the German minority and *other ethnic and religious groups* need to be better reflected in the curriculum and in the textbooks used in schools.

There is a need to give special attention to the impact that the implementation of the administrative reforms may have on persons belonging to the German minority, notably in terms of political representation at the municipal and regional levels and as concerns the system of German minority schools and day care facilities.

#### c) Recommendations

In addition to the measures to be taken to implement the detailed recommendations contained in sections I and II of the opinion of the Advisory Committee, the authorities are invited to take the following measures to improve further the implementation of the Framework Convention:

- *Consult more widely* with representatives of civil society and representatives of different ethnic and religious groups concerning the implementation of the Framework Convention.

- Act upon manifestations of intolerance and xenophobia, including in the political arena, and *counter these phenomena with the tools available.*

- *Address criticisms* of the Aliens legislation and the Government's integration strategy in order to further promote tolerance and *ensure that issues of discrimination are tackled.*

- *Find alternative solutions for the Roma children who remain in a separate Roma class in order to guarantee equal education.*

- Review the situation of the privileged funding of the Danish National Church and the system of registration of names by the Danish National Church.

- Examine how further support can be provided to local radio and televisions broadcasting for the German minority.
- Examine, *with those concerned*, how to better *reflect the culture, history, language* and religion of persons belonging to the German minority and *other ethnic* and religious groups in the curriculum and textbooks.
- Ensure that the implementation of administrative reforms does not have an adverse impact on the effective participation of the German minority at the municipal and regional levels or on the system of German minority schools and day care facilities.

**Note**

<sup>1</sup>In the context of adopting Resolution (97) 10 on 17 September 1997, the Committee of Ministers also adopted the following rule: "Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour."