

Royal Danish Ministry of Foreign Affairs

**SIXTEENTH AND SEVENTEENTH PERIODIC REPORT OF DENMARK
CONCERNING THE INTERNATIONAL CONVENTION ON
THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION**

JUNE 2005

Table of contents

I. GENERAL OBSERVATIONS	3
II. INFORMATION RELATING TO ARTICLES 2 TO 7 AND ARTICLE 14 OF THE CONVENTION	3
Article 2	3
Article 3	10
Article 4	11
Article 5	16
Article 6	29
Article 7	31
Article 14	35
III. Reporting on Greenland	35

List of annexes

- Annex 1: Danish Government Action Plan to Promote Equal Treatment and Diversity and Combat Racism (2003)
- Annex 2: Reporting from the Danish Institute for Human Right (2005)
- Annex 3: A New Policy for Foreigners (2002)
- Annex 4: Towards a New Integration Policy (2002)
- Annex 5: The Government's Visions and Strategies for Improved Integration (2002)

I. GENERAL OBSERVATIONS

1. This is the sixteenth and seventeenth periodic report submitted by the Government of Denmark in pursuance of article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination. The report deals with changes in national legislation and legal practices etc. relating to material developments since the submission of the fifteenth periodic report see doc. CERD/C/408/Add.1 of 21 May 2001 submitted by the Government of Denmark to the Committee on the Elimination of Racial Discrimination on 23 January 2001. Reference is also made to the concluding observations of the Committee on the Elimination of Racial Discrimination on that report, doc. CERD/C/60/Misc.33/Rev.4.
2. To the extent that no changes have occurred in legislation and legal practice since Denmark's last reporting to the Committee on the Elimination of Racial Discrimination, reference is made to the fifteenth report submitted by the Government of Denmark.
3. The report is compiled by the Danish Ministry of Foreign Affairs on the basis of contributions from the relevant ministries and departments of the Government of Denmark and the Home Rule Government of Greenland.

II. INFORMATION RELATING TO ARTICLES 2 TO 7 AND ARTICLE 14 OF THE CONVENTION

Article 2: General measures to eliminate racial discrimination

The Ministry of Integration

4. The Ministry of Refugee, Immigration and Integration Affairs (hereinafter referred to as the Ministry of Integration) was established by Royal Decree on 27 November 2001. When the ministry was created, several policy fields were transferred to it from other already existing ministries. The purpose of creating the ministry was to gather all key areas concerning immigration and integration in one entity and thereby strengthen policies on integration of immigrants and refugees.

The Integration Act

5. As mentioned in Denmark's fifteenth periodic report (CERD/C/408/add.1), the Act on Integration of Aliens in Denmark (The Integration Act) was adopted on 26 June 1998. The Act, which entered into force on 1 January 1999, is the first comprehensive Integration Act in Denmark, which has not previously had a comprehensive set of rules in this field.

6. In general terms, the Act aims to ensure that all newly arrived immigrants and refugees can exploit their capabilities and resources and become participatory and contributory citizens on an equal footing with other citizens.

7. The Integration Act stipulates that newly arrived immigrants and refugees must be offered participation in an introduction programme comprising Danish lessons, including classes on Danish society and culture, as well as labour market training, including short term education, work training or employment with a wage subsidy. The act aims at making third country nationals self-supporting members of the Danish society. The Act also includes rules under which immigrants and refugees who cannot support themselves receive a special introduction allowance until they can do so. The introduction allowance is fixed at a low level providing the necessary incentives for foreigners to seek employment cf. paragraph 20-22 below.

General initiatives to improve integration

8. The Government is continuously developing new initiatives on how to improve the integration of foreigners into the Danish society.

9. On 17 January 2002, the Government published its policy paper "A new policy for foreigners". The paper stresses the general need to adapt employment policies in order to improve labour market integration of immigrants. The policy paper is enclosed as annex 3.

10. On 5 March 2002, the Danish Government published its policy paper "Towards a New Integration Policy". The policy paper is enclosed as annex 4. The policy paper emphasises that participation in the labour market is the key to successful integration and that new citizens living in Denmark must be seen as a group of people with resources and skills of great importance to the Danish society in general and Danish industry and business in particular. It furthermore emphasises that integration implies active participation in all aspects of social life so that new citizens can become actively involved in, for example, associations and local school boards. It stresses the need to improve teaching in the Danish language. It finally emphasises that integration is a common concern for the entire Danish society. The policy paper outlines a number of initiatives aimed at improving the integration of new citizens in Denmark.

11. In January 2003, the Government set up a Steering Group on Improved Integration to follow-up on initiatives already taken and to look at various other aspects of the integration efforts. The group members were 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.

12. On the basis of work of the Steering Group, the Government's integration policy agenda was published in June 2003 in "The Government's Vision and Strategies for Improved Integration". The policy agenda is enclosed as annex 5 to this report.

13. This policy paper contains more than 100 concrete initiatives. The strategies consist of efforts to ensure a coherent and open democratic society, efforts to help persons of an ethnic background other than Danish to manage better in the educational system and efforts to help more foreigners get a job.

Integration councils

14. The rules on the establishment of integration councils were changed with Act no. 1206 of 27 December 2003 amending the Integration Act. According to the amendment, local municipalities are no longer under an obligation to establish integration councils, but can decide to do so if need be.

15. The Act was initiated by a number of local authorities that saw a need for introducing a greater degree of flexibility into the process of determining which councils and commissions should be established locally. The Act aims to promote local democracy and formed part of a broader initiative aimed at transferring decision making on the establishment of local boards etc. within a number of different policy fields to local authorities. There have been no amendments to the rules concerning the functions of the integration councils.

16. Today, around 70 integration councils have been established. The councils play an advisory role in the municipalities and contribute to the implementation of local integration projects.

Measures to improve employment opportunities

17. In paragraph 6 of its concluding observations concerning Denmark's fifteenth periodic report (CERD/C/60/Misc.33/Rev.4.), the Committee welcomed the improvement of employment opportunities for minorities and refugees in the public sector, the creation of integration councils to ensure ongoing integration efforts, and the relative success in procuring housing for refugees, in line with article 5 of the Convention.

18. These efforts are being pursued further and the question of participation in the labour market is given particular attention. The Government has emphasised that participation in the labour market is the key to successful integration into Danish society. Promoting labour market participation of immigrants and refugees thus constitutes one of the basic principles and objectives of Danish integration policy.

19. In that context, the Government has put special emphasis on ensuring that integration and labour market policies aim at providing the necessary incentives and opportunities for immigrants and refugees to become participatory and contributing citizens on an equal footing with the rest of the population.

20. In June 2002, the Government passed Act No. 361 introducing a new starting allowance to all persons who have not lawfully resided in Denmark for at least 7 out of the preceding 8 years. The rules apply to Danish nationals as well as resident foreigners. They also apply to immigrants and refugees who receive introduction allowance under the Act on Integration. The Act came into force on 1 July 2002.

21. According to the Act, social benefits for newly arrived immigrants and refugees are reduced in order to entice these groups to seek employment.

22. The legislation on starting allowance ensures that persons who are not entitled to cash benefits will, as a minimum, receive assistance corresponding to the rates of state educational support (SU), which is a subsidy for persons under education.

23. According to Act No. 364 of 6 June 2002 amending the Integration Act, planning of the introduction programme is based on an individual contract, which must be prepared by the municipality in cooperation with the individual immigrant or refugee.

24. The contract must be elaborated on the basis of an assessment of the individual's abilities and background and should aim towards introducing the individual to the labour market or relevant education.

25. The duty to conclude a contract applies to all foreigners within the scope of application of the Act on Integration, to immigrants who come to Denmark for family reunification and to refugees who have been granted asylum.

Labor market training

26. New policies on labour market training have been implemented since Denmark's fifteenth periodic report (CERD/C/408/Add.1).

27. Labour market training for newly arrived immigrants, refugees and long-term residents have been strengthened as part of the implementation of the labour market reform "More people into employment", inter alia through strengthened contact procedures (a personal interview with the unemployed person every 3rd month as a minimum), new and simplified labour market training instruments, focus on job seeking activities and activation. The part of the reform, which relates to the Integration Act, was passed as Act No. 425 of 10 June 2003.

28. The new and simplified instruments provide the possibility of step-by-step upgrading of skills for the labour market with a flexible combination of language teaching and education/training, work training or ordinary employment with a wage subsidy.

29. Every person covered by the scheme will have an individual contract/action plan drawn up, which describes the aim of the linguistic and professional training and the subsequent employment relevant for the individual.

30. The purpose of labour market training is to promote the participation of newly arrived immigrants and refugees in the labour market. Newly arrived foreigners, especially refugees, may often have a special need to improve their social, linguistic and/or vocational qualifications in order to enhance their participation in the labour market. The purpose is furthermore to offer individual companies a better possibility to evaluate and test the employment opportunities of the individual refugee or immigrant.

31. In order to promote the introduction of the individual refugee or immigrant to employment or to an education, the municipality may grant support to a mentor scheme for newly arrived immigrants and refugees, who participate in labour market activation. The municipality may

furthermore grant support to a mentor scheme for a newly arrived immigrant or refugee in ordinary employment. The role of the mentor is to provide support for the immigrant or refugee at the work place and help this person to learn about and adapt to the Danish labour market.

Strengthening of the Public Employment Service's (PES) placement activities.

32. The integration measures have been strengthened with "Job net", which is an Internet based job and CV-bank. Newly arrived foreigners must - like other unemployed persons whose only problem is unemployment – register with the Public Employment Service (PES) and provide information relevant to their possible work placement to the Job and CV-bank.

33. Furthermore, five knowledge centres for clarification of the competences of refugees and immigrants have been set up to contribute to getting more refugees and immigrants into ordinary employment. The centres aim to provide the municipalities and the PES with better access to qualified knowledge. The centres can offer advice on possibilities in educational institutions and on contacts, the enterprises can offer.

34. Mainstream policies and legislation on social inclusion and employment etc. reflect the desire to promote the integration of unemployed and socially marginalized, long term immigrants and refugees.

Effective and flexible Danish courses aimed at employment – language training.

35. Since Denmark's fifteenth periodic report (CERD/C/408/Add.1), the Danish Parliament has passed the Act on Danish Courses for Adult Foreigners and Others of 28 May 2003. The Act contains detailed regulations for the provision of Danish language classes for both newly arrived immigrants and refugees as well as for long-term residents.

36. It is a basic principle of the Danish approach to language training that Danish courses should not prevent the participants from taking employment, but should complement employment or labour market training.

37. In recent years, the Government has therefore put stronger emphasis on second language training and has taken initiatives aimed at providing more effective and flexible Danish courses for adult third-country nationals.

38. The Act on Danish courses for adult foreigners and others aims to assist third-country nationals in acquiring the necessary Danish language proficiency and knowledge of Danish culture and society, including knowledge of the Danish labour market. The courses are aimed at strengthening the employment opportunities of the individual third-country national and must be planned on the basis of the individual third-country national's background and integration goals.

39. The Danish courses must be planned in a flexible way in terms of time, place and content to enhance interaction with the student's employment, labour market training or education. The

classes should complement work training or employment and may take place during or outside working hours in order to enhance the employment opportunities of the third-country national.

40. In order to make the provision of Danish courses more effective and flexible, Danish courses are now provided not only by municipal language centres, but also by public educational institutions, private language centres or other private providers. Thus, Danish courses can take place at public educational institutions where the third-country national receives further education or at public or private enterprises where the third-country national receives work training or has obtained ordinary employment. Reference is made to para 143.

Research on employment

41. When the Integration Act entered into force, the Government initiated an action plan for evaluation of the Act. As mentioned in Denmark's fifteenth periodic report (CERD/C/408/Add.1), the action plan – among other things – led to a survey among the local authorities in Denmark. The Government continues to monitor closely the effects of the Integration Act.

42. In April 2004, the results of the initial research were published on the effects of the integration efforts by the local municipalities after the enactment of the Integration Act. The research shows that the municipalities have adjusted their integration efforts since 1999 and now pursue a more active line of action. The efforts are more directly targeted towards employment, coordination between activation and Danish lessons has improved and sanctions may be imposed if foreigners do not follow the introduction programme.

43. Every year the Ministry of Integration publishes "Statistical Yearbook of Foreigners in Denmark" including analyses on the number of foreigners in Denmark and on their integration into Danish society. The 2004 Yearbook contains a chapter on the integration efforts of the local municipalities. Furthermore, the Ministry has published "Key Figures from the Municipalities concerning Foreigners" containing statistics on foreigners and integration in the municipalities.

44. The yearbook shows that the municipalities have improved the activation of refugees and immigrants in recent years. This is a positive development, but there are still notable differences between the municipalities and in some municipalities there is still room for improvement. However, the general frequency of activation has improved.

45. In January 2005, the Ministry of Integration published an evaluation of the implementation of the Integration Act focussing on how the local municipalities handle the integration efforts in an operational perspective. The evaluation shows that the integration efforts of the local municipalities have improved, since the implementation of the Integration Act in 1999. This means, inter alia, that the municipalities cooperate with private companies to a much greater extent than before.

46. The Ministry has initiated an examination of the occupational and educational effects of the introduction programme. Also the effects of the Danish lessons will be measured in research

initiated by the Ministry. The results of the abovementioned research are expected to be published within the next six months.

Article 2 (c): Review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations, which have the effect of creating or perpetuating racial discrimination wherever it exists.

Incorporation into Danish law

47. In para. 3 of its concluding observations concerning Denmark's fifteenth periodic report (CERD/C/60/Misc.33/Rev.4.), the Committee welcomed the recommendations by the Inter-Ministerial Committee to incorporate the International Convention on the Elimination of all Forms of Racial Discrimination into Danish Law.

48. The Government has taken note of the recommendation of "The Incorporation Committee", but has decided not to incorporate the Convention into Danish law. This decision is based on several considerations.

49. *Firstly*, the Convention itself does not place any obligations on the State parties to incorporate the Convention into domestic law. When ratifying the Convention, the Danish Government followed the standard procedure and assessed, whether domestic law and practice were in conformity with the provisions of the Convention or, whether any changes to domestic law and practice were necessary prior to ratification.

50. After ratifying the Convention, the Government has continuously taken steps to ensure that Danish law and practice is in conformity with the Convention, for instance when drafting proposals for new legislation.

51. Hence, the Government is of the opinion that even though the Convention has not been incorporated into Danish law, Denmark fully respects the provisions of the Convention.

52. *Secondly*, the human rights conventions ratified by Denmark are all relevant sources of law regardless of the method of implementation, as emphasised by The Incorporation Committee. Conventions that have not been specifically incorporated, because harmony of norms has been ascertained, can be and are in fact invoked before and applied by the Danish courts and other law-applying authorities.

53. Considering that the existing state of law in Denmark ensures that the Convention and other ratified - but not incorporated - UN human rights conventions are relevant sources of law and are applied by the courts and other law-applying authorities, the Government finds that it is neither legally necessary, nor politically appropriate to incorporate the Convention into Danish law.

54. Incorporation would only be of symbolic character, since it would not change anything with regard to the existing state of law in Denmark. The Government is of the opinion that laws should not be passed if they only are of a symbolic nature.

Asylum and refugee regulations

55. In paragraph 17 of its concluding observations concerning Denmark's fifteenth periodic report (CERD/C/60/Misc.33/Rev.4.), the Committee expressed concern about the introduction of new, more stringent asylum and refugee regulations, and encouraged the State party to maintain its standards and ensure that all cases of asylum seekers are decided on merit and without discrimination.

56. Since Denmark's last report to the Committee (CERD/C/408/Add.1), the provisions of the Danish Aliens Act regarding asylum have been amended several times.

57. When Denmark submitted its last report, the former Aliens Act stated that a residence permit would be issued to asylum-seekers who were not covered by the Geneva Convention, but who, for reasons similar to those listed in the Convention or for other weighty reasons resulting in a well-founded fear of persecution or similar violations, should not be required to return to their country of origin. At that time such asylum-seekers were issued a residence permit as *de facto* refugees (*de facto* status).

58. By Act No. 365 of 6 June 2002 amending the Aliens Act, the Marriage Act and other Acts, the possibility of obtaining *de facto* status was replaced with the possibility of obtaining *subsidiary protection status* under section 7(2) of the Aliens Act. In accordance with the new section 7(2), a residence permit will be issued to an alien if the alien risks the death penalty or being subjected to torture or cruel, inhuman or degrading treatment or punishment in case of return to his country of origin.

59. The *subsidiary protection status* is in line with the EU Directive on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection.

Article 3: Prohibition against racial segregation

60. The "Act on Prohibition against Discrimination on the Basis of Race" prohibits discrimination in connection with commercial or non-profit businesses on the basis of a person's race, colour, national or ethnic origin, religion or sexual orientation. The Act was adopted in connection with Denmark's ratification of the International Convention on the Elimination of All Forms of Racial Discrimination, cf. Consolidated Act No. 626 of 29 September 1987. The Act and its associated case law are described, inter alia, in Denmark's fourteenth report (CERD/C/362/Add.1, para's. 246-251).

61. Information concerning cases of violation of the Act since Denmark's fifteenth report (CERD/C/408/Add.1) is given under the comments on article 5 (f).

62. In para. 16 of its concluding observations concerning Denmark's fifteenth periodic report (CERD/C/60/Misc.33/Rev.4), the Committee recommended that the State party monitor the situation of harassment carefully, take decisive action in protecting the rights of victims and in dealing with perpetrators, and report on this matter in its next periodic report. Reference is made to the information provided in para. 87 and 172-189 concerning the establishment of a special complaints body and the existence of a national reporting system of criminal acts and incidents on a presumed racist background, and to annex 2 to this report.

63. The Act on Prohibition of Discrimination on the Labour Market etc. has been amended by Act. No 253 of 7 April 2004 due to implementation of the EU directive 2000/43. Since 2000, there have been three Danish Court-cases. All three cases concerned questions of indirect discrimination of Muslim women insisting on wearing head cover on job. The first case concerned a practical trainee work in a department store. The employer rejected to employ the woman as a trainee. The High Court sentenced the employer a fine for infringement of the discrimination act. The second case concerned an employee at a chocolate factory wishing to wear a scarf instead of a hat as required according to company regulations. The employer was acquitted by the High Court. However, afterwards the employee and the employer jointly designed a head cover that met the safety requirements of the company as well as the religious needs of the employee. In the third case, the Supreme Court dealt with the same issue and found that the company regulations, which banned any kind of head cover and required a neutral appearance in a large supermarket-chain, were legitimate and did not constitute indirect discrimination on the grounds of religion. The Supreme Court thus acquitted the employer.

Article 4(a): New legislation concerning crimes with a racist motivation

64. On 16 March 2004, the Danish Parliament adopted an Act, which – among other amendments – inserted a new provision into section 81 of the Criminal Code (*straffeloven*). The Act entered into force on 2 April 2004. The purpose was to include in the Criminal Code a number of aggravating circumstances, which were already considered as such in determining the penalty of a perpetrator according to existing case law.

65. Section 81 of the Criminal Code has the following wording (in extract):

“In determining the penalty it shall generally be considered as an aggravating circumstance,
i)-v)...
vi) that the offence is based on others' ethnic origin, faith, sexual orientation or the like,
vii)-xi) ...”

66. The general scope of the provision in section 81 of the Criminal Code is not limited to crimes or instances where the motive of the perpetrator has been to threaten, insult or degrade

a person or a group of people. For instance, depending on the circumstances the provision in section 81 is also applicable in cases concerning economic crimes committed to support a racist organization, of which the perpetrator is a member.

Criminal cases concerning racist statements

67. Section 266 b of the Criminal Code prohibits the dissemination of statements or other information by which a group of people is threatened, insulted or degraded on account of their race, colour, national or ethnic origin, religion, or sexual orientation.

68. According to subsection 2 of Section 266 b, it shall be considered an aggravating circumstance if the conduct can be characterized as propaganda. Propaganda is understood to be systematic, intensive or continuous efforts with a view to influencing opinion formation. If the statements are made as part of the activities of an organisation, indications are that they will be considered as propaganda.

69. According to Section 80, subsection 2, it shall be regarded as an aggravating circumstance if several persons commit the offence together.

70. In order to ensure proper and uniform enforcement, the Director of Public Prosecutions in September 1995 stipulated that he must be notified of all violations of Section 266 b of the Criminal Code, which are dismissed by the police on the grounds that no offence is assumed to have been committed. It is further stipulated that all cases in which a charge has been made must be submitted to the Director of Public Prosecution together with a recommendation as to the question of prosecution.

71. From 1 January 2001 to 31 December 2003, the Danish courts have considered 23 cases concerning violation of section 266 b of the Danish Criminal Code, which prohibits the dissemination of racist statements and racist propaganda. In some of the cases more than one person was indicted. In one case, the court acquitted the person indicted and in another case the court acquitted one of the two persons indicted. In the remaining 21 cases, the courts convicted all the persons indicted.

72. As to the manner in which the statements/propaganda were disseminated, four cases concerned private persons shouting at someone in a public place like the street, a shop or a bus; seven cases concerned statements published on the Internet; two cases concerned statements published as advertisements; and two cases concerned statements expressed at political party conferences. In three cases, the statements were given to the press during interviews or sent to the press as a press release. In three further cases, the statements were sent by e-mail or by ordinary mail to a number of politicians.

73. As to the persons expressing these statements, 10 cases concerned statements/propaganda from politicians (one of whom was acquitted) and one case concerned a spokesperson for a religious movement, whereas the majority of the rest concerned statements expressed by private persons.

74. As to the level of sanctions, in five cases the persons convicted were sentenced to suspended imprisonment (14 - 40 days) though in one of these cases two out of six persons convicted were given day-fines and the rest a suspended prison sentence. In the remaining 17 cases resulting in convictions, the sentence was day-fines, the number and size of which differed according to the nature of the crime, the motive, the personal circumstances of the persons convicted and their financial situation (usually 10 - 20 day fines).

75. Finally, the public prosecution service decided to withdraw charges for violation of section 266 b of the Criminal Code in six cases in 2001, seven cases in 2002 and six cases in 2003 pursuant to section 721 of the Danish Administration of Justice Act (*Retsplejeloven*), inter alia because of lack of evidence.

76. Below is a summary of a few of the convictions:

- (a) By judgment of the District Court of Frederikshavn of 31 May 2001, a former editor was sentenced to 10 day-fines of DKK 200 for having shouted “Nigger” several times to the President of the Republic of South Africa visiting Denmark.
- (b) By judgment of the District Court of Haderslev of 20 November 2001, two local politicians (A and B) were sentenced to (A) 20 day-fines of DKK 300 and (B) 15 day-fines of DKK 300 for statements to a journalist, who quoted the statements in a newspaper. A had stated that “In five or six years the blacks [meaning Muslims] will have bred like rats, ...” and “the blacks must be punished according to the Muslim Penal Code. If they steal, we cut off their hands”. B had supported the statements put forward by A and stated: “I could have said exactly the same. It is true: They breed like rats.”
- (c) By judgment of the District Court of Hvidovre of 11 October 2002, four young politicians were sentenced to 7 days’ suspended imprisonment for having placed an advertisement on the Internet and in several technical periodicals stating: “Mass rape, serious assault, insecurity, forced marriages, suppression of women, gang crime. This is what a multiethnic society has to offer.” (accompanied by pictures). The District Court did not consider the advertisement to be a statement of a propaganda-like character. Two editors who had printed the advertisement in their periodicals were sentenced to 5 day-fines of DKK 500 each. The Eastern High Court characterized the advertisement as propaganda and increased the sentence of the four young politicians to 14 days’ suspended imprisonment – the two editors did not appeal their sentences.
- (d) By judgment of the Eastern High Court of 14 March 2003 a spokesperson for a religious movement was sentenced to sixty days’ suspended imprisonment for having stated on a home page on the Internet and in a leaflet that was handed out: “Kill them wherever you find them and drive them away from the place that they drove you away from. The Jews are a slanderous group of people, and they betray and violate obligations and pacts, and they invent lies...” and “coward Jews...” and other similar statements.

- (e) By judgment of the District Court of Næstved of 2 September 2003 a person was sentenced to 10 day-fines of DKK 250 for having painted a swastika on the front of a shop owned by a person of non-Danish ethnic background.
- (f) By judgment of the Supreme Court of 3 December 2003 a politician was sentenced to twenty days' suspended imprisonment for having stated on a home page on the Internet: "The solution is a three stage plan: 1) Capture all Muslims in Denmark (for this purpose approximately 10,000 additional policemen are needed). 2) Gathering of the Muslims in concentration camps (one concentration camp in each county). 3) Deportation to a destination of choice (the living standard in the camps must be gradually reduced for each month that the deadline for leaving the country is overrun)" and other similar statements. The City Court of Copenhagen had found that the statements did not have a propaganda-like character and only fined the politician 6 day-fines of DKK 500. The Eastern High Court, however, characterized the statements as propaganda and increased the fines to 20 day-fines of DKK 500. The Supreme Court also characterized the statements as propaganda and ordered the above mentioned twenty days' suspended imprisonment instead of day-fines.
- (g) By judgment of the Eastern High Court of 5 February 2004 a politician was sentenced to 10 day-fines of DKK 400 for having stated the following regarding Muslims in e-mails to 44 Members of Parliament: "Criminals, potential freeloaders of society and confidence abusers, psychopath-like fighters against the unbelieving" and similar statements.
- (h) In the case mentioned in para 33 in CERD/C/408/Add. 1 (concerning two Swedish nationals who, at a demonstration arranged by the Danish neo-Nazis, wore t-shirts bearing the inscription "kill them all – big and small" on the front and "smash the Jews" on the back) the District Court in Malmö (Sweden) by judgment of 27 February 2001 found the two persons guilty of having violated section 8 in chapter 16 of the Swedish Criminal Code (violent agitation against an ethnic group)

77. In 2004, prosecution was initiated in two cases, one of which has yet to be decided by the courts. The other ended with the withdrawal of the charge pursuant to section 722(1)(iv) cf. section 89 of the Danish Criminal Code, because the perpetrator was found guilty on other charges the day after the violation of section 266 (b) took place and because it was unlikely that the perpetrator in question would have been sentenced to an additional punishment of any significance if he had been sentenced for the violation of section 266 b, too.

78. The statistics concerning violations of section 266 b may be summarized as follows:

Year	Number of cases prosecuted	Number of persons indicted in the cases prosecuted	Number of cases where charges were withdrawn
2001	7	6	6
2002	10	17	7
2003	6	7	6
2004*	2	3	3

* From 1 January to 29 October 2004.

Article 4 (b): Prohibition against organisations and all other propaganda activities, which promote and incite racial discrimination

Radio Oasen

79. In para.11 of its concluding observations concerning Denmark's fifteenth periodic report (CERD/C/60/Misc.33/Rev.4), the Committee took note of the information on the temporary suspension of the licence of Radio Oasen and recommended that the Danish Government take decisive steps to prohibit such organisations in accordance with the Convention.

80. Since its temporary ban from broadcasting in 2002, Radio Oasen was later that same year given a new licence to broadcast until 1 May 2006. In accordance with the Danish Broadcasting Act (Consolidated Act 506 of 10 June 2004), the licence was issued by the local radio board "Greve Local Radio Board". The licence contains the condition that the programmes of Radio Oasen may not express attacks on or terms of abuse against specific groups in society. The programmes may not in any form contain incitement to hatred on grounds of race, sex, religion or nationality. A violation of this condition will cause immediate withdrawal of the licence.

81. Taking into account the right to freedom of expression, the Government is not considering changing the law in order to prevent Radio Oasen from broadcasting. Unless Radio Oasen abuses its licence in violation of the Broadcasting Act or of the conditions of the licence, the local radio board cannot withdraw the licence.

Article 4 (c): Promote or incite racial discrimination

82. In para. 10 of its concluding observations concerning Denmark's fifteenth periodic report (CERD/C/60/Misc.33/Rev.4), the Committee expressed awareness of an increase in hate

speech in Denmark. While acknowledging the need for balance between freedom of expression and measures to eradicate racist abuse and stereotyping, the Committee recommended that Denmark carefully monitor such speech for possible violations of articles 2 and 4 of the Convention.

83. Furthermore, Denmark was invited to take particular note of para. 85 and 115 of the Durban Declaration and programme of Action, respectively, which highlight the key role of politicians and political parties in combating racism, racial discrimination, xenophobia and related intolerance. Political parties were encouraged to take steps to promote solidarity, tolerance, respect and equality by developing voluntary codes of conduct so that their members refrain from public statements and actions that encourage or incite racial discrimination.

84. The Danish Government gives high priority to the fight against discrimination in any form, including hate speech. The number of criminal proceedings against politicians for violating section 266 b of the Danish Criminal Code mentioned above with regard to article 6, illustrates i.a. that the prosecution authorities and the courts do not hesitate to set limits for the freedom of expression for politicians when the said politicians have uttered racist comments, in some cases even comments bordering on hate speech.

85. The Durban Declaration and Programme of Action have been forwarded to the Danish Parliament as have the concluding observations of the Committee concerning the fifteenth periodic report from Denmark (CERD/C/60/Misc.33/Rev.4/Add.1).

86. In para. 16 of its concluding observations concerning Denmark's fifteenth periodic report (CERD/C/60/Misc.33/Rev.4), the Committee recommended that Denmark monitor the situation of considerable increase in reported cases of widespread harassment of people of Arab and Muslim background since 11th September 2001 carefully, take decisive action to protect the rights of victims and deal with perpetrators.

87. As described in para. 184-189, a reporting system is in place to ensure that criminal acts with a presumed racist or religious background, which are punishable by law, are reported to the National Commissioner of Police. The number of criminal acts reported in relation to Article 6 indicates that there has been a decrease in such acts from 2002 to 2003. Hence, the situation concerning harassment of people of Arab and Muslim backgrounds since 11 September 2001 now seems to have improved. The Government will, however, continue to monitor the situation carefully.

Article 5: Guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law

Article 5 (d) (i): The right to free movement and residence

88. In paragraph 9 of its concluding observations concerning Denmark's fifteenth periodic report (CERD/C/60/Misc.33/Rev.4), the Committee noted that the Act on Integration of Aliens in Denmark (1998) transfers the responsibility for aliens' integration from the central to the local authorities. While the Committee welcomed the efforts by the central government to carefully monitor the local authorities, it recommended that the State party pay particular attention to ensuring that the geographical distribution of aliens within the State party is organised on the principle of equity and does not lead to violation of their rights recognized under the Convention.

89. In paragraph 12 of its concluding observations concerning Denmark's fifteenth periodic report (CERD/C/60/Misc.33/Rev.4), the Committee expressed concern that policies and practices such as the housing dispersal policy, the quota system of admitting a defined percentage of minority children to certain crèches and nurseries and the reported prohibition of the use of mother tongue in some of these establishments, might lead to indirect discrimination against minorities and refugees, though aimed at facilitating better integration. The Committee requested more information on this situation in the next periodic report.

90. As regards policies of housing of newly arrived recognised refugees, the provisions in the Act on Integration on housing of refugees throughout the country seek to promote the successful integration of newly arrived refugees. The provisions ensure that refugees are provided with permanent housing as soon as possible after their arrival in the municipality, whereas previously refugees were often settled in temporary housing for up to one or two years.

91. The system also provides the municipalities with certainty for the planning of the introduction programme for the individual refugee to the benefit of both the municipality and the refugee. Finally, the system seeks to avoid segregation and promote the integration of refugees and Danes in daily life in both smaller and larger municipalities.

92. The Integration Act stipulates that it is left to the municipalities on a voluntary basis to reach an agreement on the number of refugees to be housed in the individual municipality. However, if no agreement can be reached, the Immigration Service makes the decision. The Government receives information on voluntary agreements that have been reached among municipalities and these agreements generally indicate an even distribution of the refugees housed in the local municipalities.

93. When the number of refugees to be housed in each municipality has been decided, the Immigration Service decides on an individual basis in which municipality the individual refugee should live. In that context, the Immigration Service must take into account the personal circumstances and the needs of the refugee. The Immigration Service examines each case on its individual merits. For this purpose, the Executive Order on Housing Allocation, section 14, subsection 1, offers a non-exhaustive list of individual circumstances – e.g. language, culture, networking possibilities, family ties, specific wishes – to be considered, and subsection 2 lists a number of factors to be considered in relation to the receiving municipality.

94. In 2003, the Immigration Service allocated in total 1866 refugees. Of these, 1325 refugees had requested to be housed in specific municipalities. Of these, 501 refugees were housed in the requested municipality and 458 refugees were housed in a different municipality, but in the same county as the requested municipality.

95. Furthermore, the legislation on housing of refugees provides a possibility for housing refugees in a particular municipality on the basis of the personal circumstances of the refugee, even though the quota of the municipality does not allow housing of additional refugees among the local municipalities.

96. A refugee may settle in a different municipality if he wishes to do so. In order to continue his or her introduction programme in the new municipality, this municipality must accept responsibility for the introduction programme. If the new municipality denies assuming responsibility for the introduction programme and the refugee decides to move anyway, this may have consequences for the refugee's access to introduction allowance and permanent residence permit.

97. However, under certain circumstances the new municipality is obliged to assume responsibility for the continuation of the introduction programme, i.e. if the refugee has been offered employment in the new municipality.

98. Furthermore, if the new municipality refuses to assume responsibility for offering an introduction programme, the refugee in question may still be given access to the labour market, educational facilities and other social and health services. The decision by the new municipality only applies to participation in the introduction programme.

Bilingual children

99. The Government pays particular attention to the subject of allocation of bilingual children in day-care facilities and the children's possibility of speaking their mother tongue in such facilities.

100. In accordance with the rules for allocating bilingual children in day-care facilities, local authorities must lay down guidelines for the admission of such children. In this context, local authorities may decide that special consideration must be given to ensuring a reasonable composition of age groups in terms of age, gender and ethnicity.

101. Local authorities should, in compliance with existing legislation and in consideration of the children and the learning process, strive to ensure that individual institutions do not have more than a reasonable share of bilingual children, but the authorities cannot establish fixed quotas for the number of bilingual children in each institution.

102. The question of children's opportunity to speak their mother tongue in day-care facilities is not governed by legislation. However, a new "Guidance for compulsory language stimulation for bilingual pre-school infants" is being prepared for publication in 2005.

Guidance to children and young people belonging to ethnic minorities.

103. In January 2002, the Government issued guidance on special support to children and young people from ethnic minorities. The municipalities must pay special attention to the cultural, ethnic and religious background of the families in connection with guidance to families from ethnic minorities.

104. The same conditions must be taken into consideration when the municipalities appoint a special adviser for a child or a young person or a permanent contact person for a child, a young person or an entire family.

105. If the municipalities reach the conclusion that a child or a young person should be placed outside its home, the above-mentioned considerations must be part of the plan of action and the election of the placement outside the child's home.

Research on the distribution of refugees

106. At the time of Denmark's fifteenth periodic report (CERD/C/408/Add.1), the Government had carried out or initiated three surveys or studies evaluating the Integration Act, including the question of geographical distribution of refugees.

107. In 2003, the Ministry of Integration initiated an additional study on the geographical distribution of refugees. The purpose of the study was to examine the effects of the Integration Act on the movement patterns of refugees.

108. The study shows that prior to the Integration Act, newly arrived refugees were housed mainly in the cities and larger towns. After the introduction of the Integration Act, the allocation of housing for refugees is more widely dispersed, and many smaller municipalities have received comparatively high numbers of refugees. The study also concludes that the introduction of the Integration Act has had an effect on the movement patterns of refugees – at least in the short term.

109. The analysis shows that most refugees who have arrived in Denmark after the enactment of the Integration Act – and who are therefore covered by the rules described above – stay in the municipality where they were initially settled at least for the three-year introduction period. Only 10 pct. of these refugees move from the municipality, in which they were initially housed, during the third to fourth year in Denmark. There is a clear trend that refugees covered by the Integration Act move to larger municipalities. Refugees not covered by the Integration Act, because they arrived before 1999, generally chose to move shortly after their arrival.

110. It is still very difficult to identify the long-term implications of the distribution of refugees, but the Danish Government intends to follow developments closely. An analysis on the reasons and consequences of segregated housing is expected to be carried out in 2005-2007 with financial support from the Government.

Article 5 (d) (iv): The right to marriage

111. In paragraph 14 of its concluding observations concerning Denmark's fifteenth report (CERD/C/60/Misc.33/Rev.4), the Committee restated its concern that equal attention be paid to economic, social and cultural rights, particularly with respect to minorities. The Committee was concerned about the impact of the amendments to the Aliens Act (May 2000), particularly as they abolished the statutory right to reunification of spouses under the age of 25 years. The Committee encouraged the State party to take effective measures to ensure that the right to family life is guaranteed to all persons in Denmark without distinction. It recommended that the State party report on this issue in its next periodic report.

112. Since Denmark's last report to the Committee (CERD/C/408/Add.1), the provisions of the Danish Aliens Act regarding spousal reunification have been amended several times. It is now a condition that both spouses must have attained the age of 24 years and that the spouses' aggregate ties with Denmark must be stronger than with any other country. Moreover, in order to attain spousal reunification the spouse residing in Denmark must provide a bank guarantee of DKK 50,000 to cover any public expenses for assistance to the foreign spouse, and may not have received any public assistance for sustenance within the last year before the family reunification.

113. The condition that both spouses must have attained the age of 24 to be eligible for family reunification is set out in section 9(1) (i) of the Aliens Act. This condition was inserted into the Aliens Act by Act No 365 of 6 June 2002 amending the Aliens Act, the Marriage Act and other Acts, and replaced the previous 25-year-rule.

114. According to the explanatory notes relating to the current 24-year-rule, the rule is designed to reduce the risk of forced and arranged marriages. The older a person is, the better he/she can resist pressure from his/her family or others to contract a marriage against his/her own will. The rule also promotes better integration because it contributes to improved educational and work opportunities for young people.

115. This condition applies to everybody, that is, all persons living in Denmark irrespective of ethnic origin, be they Danish nationals or resident foreigners.

116. According to the current Aliens Act, another condition for family reunification is that the spouses' aggregate ties with Denmark must be stronger than their ties with any other country, cf. section 9(7) of the Aliens Act. This condition was also inserted into the Aliens Act by Act No. 365 of 6 June 2002 and replaced a more lenient condition of ties.

117. According to the explanatory notes relating to the current condition of ties, integration is particularly difficult in families where generation upon generation fetch their spouses to Denmark from their own or their parents' country of origin. Among foreigners and Danish nationals of foreign extraction who live in Denmark, there is a widespread tendency to marry a person from one's own country of origin, among other reasons due to parental pressure. This tendency contributes to the retention of these persons in a situation where they, more

frequently than average, experience problems of isolation and maladjustment in relation to the Danish society. The tendency thus renders the successful integration of foreigners newly arrived in Denmark more difficult.

118. The purpose of the condition of ties set out in section 9(7) of the Aliens Act is to ensure the best possible starting point for the successful integration of family members wanting to be reunited with their family in Denmark, while protecting young people against pressure from their family or others to enter into arranged marriages or forced marriages with spouses from a country and with a cultural background distinctly different from the young people's own daily lives and cultural reality.

119. The condition of ties applies to everybody, that is, to all persons living in Denmark irrespective of ethnic origin, be they Danish nationals or resident foreigners.

120. Since it was introduced in 2002, the current condition of ties has been modified by Act No. 1204 of 27 December 2003 amending the Aliens Act. Accordingly, no married couple has to satisfy the condition of ties if the spouse living in Denmark has been a Danish national for 28 years or more.

121. It follows from the explanatory notes relating to the exemption from the condition of ties that persons who have not been nationals for 28 years, but who were born and raised in Denmark or came to Denmark as small children and were raised here, will usually be exempt from the condition of ties if they have resided in Denmark for 28 years. These people are in practice subject to the same treatment as persons who have been Danish nationals for 28 years.

122. As already mentioned, a person living in Denmark must normally provide a financial security of DKK 50,000 to cover any future public expenses for assistance to the foreign spouse, cf. section 9(4) of the Aliens Act, in order to obtain family reunification. Furthermore, the spouse living in Denmark must not have received any public assistance for sustenance for the period commencing one year prior to the date of the application for reunification and ending when residence is granted, cf. section 9(5) of the Aliens Act. These conditions were inserted into the Aliens Act by Act No. 365 of 6 June 2002 and complement the condition that the spouse living in Denmark must undertake to maintain his foreign spouse.

123. According to the explanatory notes relating to the conditions introduced, the general rule is that everybody must maintain him- or herself. This also applies to foreigners coming to Denmark to be reunited with a spouse. The condition of financial security as a prerequisite of family reunification ensures that foreigners reunified with a person in Denmark will not become a financial burden to society, but contribute to achieving broader popular goodwill towards and understanding of aliens. Indications are that a person living in Denmark has a better chance of making a positive contribution to the integration of a foreign spouse into the Danish society and labour market if he has been working himself over a period of time.

124. These conditions apply to everybody, that is, all persons living in Denmark irrespective of ethnic origin, be he or she Danish nationals or resident foreigners. Finally, according to the explanatory notes, the said conditions of family reunification will be administered in such a way

that family reunification will be granted in situations where refusal thereof would be contrary to Denmark's international obligations, in particular Article 8 of the European Convention on Human Rights on the right to family life and Article 12 on the right to enter into marriage and found a family.

125. As an example, it will be considered to grant family reunification to a refugee living in Denmark, although not fulfilling all the conditions usually imposed, if he must be considered excluded from taking up residence in his country of origin. As another example, granting of family reunification will also be considered in special cases, where it would be particularly burdensome to expect the couple to take up residence in another country.

126. On 15 December 2004, the Government put forward a bill (Bill 149 of 15 December 2004 amending the Aliens Act, the Marriage Act and the Repatriation Act) in which it was proposed to insert an explicit reference to the regard for family unity in relevant provisions related to family reunification. The proposal aims to clarify the right to family reunification. It states that the possibility of granting residence permit despite non-fulfilment of one or more of the statutory conditions should be considered in each individual case so as to ensure sufficient regard for family unity.

127. The proposal should be seen as a result of the Government's dialogue with Mr. Alvaro Gil-Robles, Council of Europe Commissioner for Human Rights, who submitted a report containing a number of recommendations to Denmark in the field of immigration in July 2004.

128. However, due to the fact that parliamentary elections were called on 8 February 2005, the Bill was withdrawn, but on 23 February 2005 it was reintroduced as Bill 78 of 23 February 2005 amending the Aliens Act, the Marriage Act and the Repatriation Act.

Article 5 (e) (i): The right to work, to free choice of employment, and to just and favourable conditions of work

Measures to increase the quality of work

129. In para 15. of its concluding observations concerning Denmark's fifteenth periodical report (CERD/C/MISC.33/Rev.4), the State Party was reminded that although it is not obliged to provide work permits to foreign residents, it should guarantee that foreigners who are entitled to a work permit are not discriminated against in their access to employment.

130. The Government is working to improve measures aimed at increasing the quality of work in the fields of equal opportunities and education. The Government finds it important that its strategy creates a synergy between considerations of social inclusion and social security on the one hand, and considerations of economic efficiency on the other. This is becoming increasingly important in the light of the demographic development, which will increase the need for labour in the future.

131. The Government is also working to create an *inclusive labour market* by promoting a dialogue on this matter, subsidised employment for persons with reduced working capacity, social chapters in collective agreements and corporate social responsibility.

132. The Government has followed up on its objectives and the initiatives launched in the field of integration. The overall objective continues to be integration that allows all foreigners to participate in working and social life on an equal footing with the rest of the population. Unemployment among immigrants and descendants from non-Western countries continues to be significantly higher than among Danish citizens. The reason for the higher unemployment rate among persons of foreign origin is complex. A large proportion remains outside the labour market due to lack of educational skills, lack of working experience as well as to some extent lack of incentive to seek employment.

133. The framework for integration has most recently been supplemented by simplified activation offers, including guidance and upgrading of skills, practical work experience and wage subsidies. In addition, mentor arrangements and Danish language lessons are available. The new rules came into effect in 2004. The main strategy underlying the new rules is that foreigners coming to Denmark should be given an active start and find employment as soon as possible – primarily through a combination of lessons in Danish and attachment to a workplace. Five centres have been established to seek clarification on the qualifications and competences of foreigners in order to contribute to raise their employment rate.

Unemployed persons

134. Reference is made to the information provided in para 35-40. The Public Employment Service (PES) may offer Danish language training to unemployed persons with an ethnic background other than Danish. This serves as an early activation measure after 1 month of unemployment, if such language training is necessary in order to improve the possibility of the unemployed person to enter the labour market. The language training is targeted at the job market. It consists of “pure” language training with a view to passing a language test. Job-related language training, e.g. on a vocational training centre in connection with vocational training courses, may also be offered.

135. In November 2003, the Government presented its “Action plan to promote equal treatment and diversity and to combat racism”, enclosed as annex 1 to this report. In 2004, the focus has primarily been to ensure effective follow-up measures to the initiative of the preceding years and to ensure that the improved legislative framework is fully exploited by the municipalities, the Public Employment Service and the enterprises. Furthermore, a “Government strategy against ghettos” was published in May 2004. One of the objectives of the strategy is to turn residential areas housing ethnic minorities into positive platforms for labour market integration of immigrants and refugees.

136. The Action Plan includes a number of initiatives targeted at the labour market, including an initiative concerning workplaces based on diversity as well as an information campaign concerning the causes of labour market exclusion and intolerance on the labour market.

137. The “ice-breaker scheme” - a scheme of wage subsidies - was discontinued at the end of 2002. The experiences have been good. Today, unemployed persons with an ethnic background other than Danish receive enterprise-targeted offers in pursuance of the Act on active employment measures, “More people into employment”. This involves jobs with wage subsidies, practical training in enterprises and the mentor scheme.

Social responsibility of Danish enterprises

138. The most recent studies of the social responsibility of Danish enterprises seem to indicate that the Government’s initiatives to promote and support social responsibility have been successful. According to the studies, there has been an increase since 2001 in enterprise led initiatives in most fields. On integration, the studies show that more than 20 per cent of enterprises employ immigrants/refugees. The number of immigrants/refugees in employment has increased by more than 40 per cent.

139. About 71 per cent of all immigrants and descendants in Denmark originate from a non-Western country (i.e. countries outside Scandinavia, the EU and North America).

140. The unemployment rate for immigrants and descendants from non-Western countries was 11.7 per cent as of January 2003, while the Danish unemployment rate is 4 per cent. The participation and employment rate are respectively about 79 per cent and 77 per cent for Danes, and 53 per cent and 47 per cent for immigrants and descendants from non-Western countries.

Average unemployment according to origen, 2000-2003						
	Average no unempl. acc. to origen			Average unempl. pct. acc. to origen		
	Foreign	Danish	Sum	Foreign	Danish	Sum
2000	19247	131148	150395	13.3	5.0	5.4
2001	18329	126637	144966	12.2	4.8	5.2
2002	17782	126839	144621	11.2	4.8	5.2
2003	21754	148724	170478	13.1	5.6	6.1

141. The table above shows that persons of foreign origin have a higher unemployment rate than those of Danish origin.

Measures in the public sector

142. In 2000, workplaces in the state sector set the target of increasing the share of persons employed on special terms and the share of immigrants/refugees. In 2003, the target for employment of persons on special terms was met (3.5 per cent of the employees). The share of

immigrants/refugees has also increased, but the target – 3.5 per cent of the employees – has not yet been reached.

Article 5 (e) (iii): The right to housing

Strategy against ghetto-isation

143. The Government has given the subject of housing of immigrants and refugees special attention in more than one area, cf. the above mentioned under article 5(d) (i) concerning the right to freedom of movement and residence. Thus, in May 2004 the Government set out a strategy against ghetto-isation.

144. In the strategy, “ghetto-isation” is defined as a process in which more and more people with little or no contact to the labour market or the educational system gradually inhabit a housing area.

145. In Denmark, such a process is most often observed in public housing areas characterised by a high rate of social problems and an over-representation of inhabitants with immigrant or refugee background. Ghetto-isation, in this sense, becomes a barrier to the successful integration of refugees and immigrants into Danish society.

146. The strategy contains a long list of specific initiatives that are intended to improve the integration of immigrants living in areas with a high rate of social problems into the Danish society.

147. These initiatives include the development of business job creation projects, economic stimulation, e.g. a new type of loan (“get started”-loan) to be used as initial capital in connection with the implementation of a business idea, the establishment of jobcentres in the areas and support for voluntary work in the areas etc. has been introduced.

148. Furthermore, the strategy contains initiatives related to youth and children such as homework-help, participation of young immigrants in local - especially sports - associations, the use of role models, crime prevention initiatives.

Bill against ghetto-isation

149. A major part of the Government’s strategy against ghetto-isation is a new bill, which was introduced on 8 December 2004. The bill is directed at public housing areas with a large share of inhabitants left outside the labour market. It will, once adopted, make it possible to direct social security beneficiaries (receiving social assistance, starting allowance and introduction allowance) who are at the top of the waiting list to a family dwelling in a public housing organisation in one of such areas, to an alternative public housing area. The original dwelling will instead be let to tenants who are active in the labour market thereby improving the area’s overall link with the surrounding society.

150. It is, however, an important consideration in the bill that the social beneficiary in question must not in this way lose the opportunity of attaining a public housing dwelling altogether. The municipality is thus obliged to allocate another appropriate substitute dwelling to the social beneficiary. Allocation must, if at all possible, take place within 6 months.

Article 5 (e) (iv): The right to social services

151. In para. 12 of its concluding observations concerning Denmark's fifteenth periodic report (CERD/C/60/Misc.33/Rev.4), the Committee was concerned about the quota system of admitting a defined percentage of minority children to certain crèches and nurseries and the reported prohibition of the use of mother tongue in some of these establishments.

Quota system.

152. It is not legal to operate with defined quotas, whereby minority children are admitted to certain nurseries. The Government expects the municipal administrations to act accordingly.

153. Any child who is in need of language stimulation is guaranteed to receive an offer for help to this end. For bilingual preschool children who require language stimulation, the offer is compulsory. The aim of the duty to participate is to ensure that the children possess the best language qualifications possible before school start. The language of teaching is Danish in the public school "Folkeskolen". It is therefore expected that children, when they start school possess Danish at the expected level according to their age. If a child does not possess Danish at this level, the child will be offered classes in Danish as a second language.

154. Language stimulation can be conducted within an institution i.e. a nursery. The municipalities have the responsibility to plan according to the needs for language stimulation.

Article 5 (e) (v): The right to education and training

Danish Education system in general

155. In general, the Danish educational system aims at preventing racial discrimination through its overall goals and guidelines. For primary and secondary education in the Danish public school system ("Folkeskole"), which covers ages 7 to 16 years, the objectives are the following:

- (1) The Folkeskole shall – in cooperation with the parents – further the pupils' acquisition of knowledge, skills, working methods and ways of expressing themselves and thus contribute to the all-round personal development of the individual pupil.
- (2) The Folkeskole shall endeavour to create such opportunities for experience, industry and absorption that the pupils develop awareness, imagination and an urge to learn, so

that they acquire confidence in their own possibilities and a background for forming independent judgements and for taking personal action.

(3) The Folkeskole shall familiarise the pupils with Danish culture and contribute to their understanding of other cultures and of man's interaction with nature. The school shall prepare the pupils for active participation, joint responsibility, rights and duties in a society based on freedom and democracy. The teaching of the school and its daily life must therefore build on intellectual freedom, equality and democracy.

156. During the Danish EU Presidency in 2002, Denmark hosted an EU conference on “Lifelong Learning and Active Citizenship”. At the conference, the Danish Minister for Education pointed out the objectives of The National Curriculum. The National Curriculum secures for all pupils, students and adults, irrespective of social background, culture, race, gender, differences in ability and disabilities, an entitlement to a number of areas of learning and to develop knowledge, understanding, skills and attitudes necessary for their self-fulfilment and development as active and responsible citizens.

Recognition of education from other countries

157. The Danish Centre for Assessment of Foreign Qualifications (CVUU) was established in January 2000 with the aim to make it easier for holders of foreign credentials to enter the Danish labour market or undertake further education. The Danish Centre for Assessment of Foreign Qualifications

- Carries out assessments of non-Danish qualifications
- Receives and transmits applications from EU/EEA citizens for recognition of professional qualifications concerning the regulated professions
- Makes decisions on the recognition of non-Danish teaching qualifications
- Develops and communicates standards for assessment
- Provides municipal and other authorities responsible for the integration of foreigners with advice on identifying foreigner's qualifications
- Contributes to initiatives aimed at identifying the qualifications and competencies of particular target groups
- Provides information and guidance concerning assessment and recognition procedures
- Provides information about the education systems of other countries
- Informs foreigners and foreign authorities about the Danish education system
- Is the Danish European Network of Information Centre on academic recognition and mobility (NIC) and National Academic Recognition Information Centre (NARIC) and participates in cooperation regarding the assessment of higher education within the frameworks of EU and the Council of Europe, and
- Is the National Reference Point with regard to information about vocational education and training and participates in the EU network of national reference points.

Counselling and language training

158. At all adult education centres (VUCs), there are counselling services on educational as well as vocational matters. Guidance counsellors guide the student so that he or she can make the best possible entrance into VUC. The guidance counsellor advises the student on the subjects that are to be taken, on possibilities for subsequent education or on getting a job after general adult education. The guidance counsellor may also provide information about financial and social matters.

159. Since Denmark's fifteenth periodic report (CERD/C/408/Add.1), a specific programme to support entry into the Danish labour market has been established – directed towards refugees and immigrants. This programme is mainly targeted at upgrading unemployed people with insufficient Danish language skills combined with an improvement of their practical work skills. The target group is refugees and immigrants either already in the Danish labour market or unemployed.

Article 5 (f): The right of access to any place or service

160. Pursuant to the Act on Prohibition against Discrimination on the basis of Race, it is a criminal offence for commercial or non-profit businesses to refuse to serve a person on the same terms as others because of his or her race, colour, national or ethnic origin, religion or sexual orientation. It is also an offence to refuse admittance to a person on the same terms as others to a place, performance, exhibition, meeting or the like that is open to the public (cf. Consolidated Act No. 626 of 29 September 1987).

161. During the period under review, the Copenhagen Police has obtained convictions in four cases of violation of the Act:

- (a) By judgment of the City Court of Copenhagen of 3 September 2002 a doorman at a discotheque was sentenced to a fine of DKK 1,000.
- (b) By judgment of the City Court of Copenhagen of 15 July 2003 a doorman at a discotheque was sentenced to a fine of DKK 1,000 and to pay compensation of DKK 1,000 to the aggrieved party.
- (c) By judgment of the City Court of Copenhagen of 2 April 2004 a doorman at a discotheque was sentenced to a fine of DKK 1,000 and the board of the discotheque was sentenced to a fine of DKK 5,000.
- (d) By judgment of the Eastern High Court of 1 September 2004 a doorman at a discotheque was sentenced to a fine of DKK 1,000.

162. In two cases the accused was acquitted. The total number of cases nationally in which convictions have been obtained during the period under review is not available.

Article 6 Establishment of a special complaints body

163. In paragraph 13 of its concluding observations concerning Denmark's fifteenth periodic report (CERD/C/60/Misc.33/Rev.4, the Committee commended the State party for having invested in its human rights institutions and in a number of non-governmental organisations, which have promoted human rights and served the needs of minority groups, but was concerned by plans to reduce their financial means and the potential impact of these plans on such NGOs. In the light of recommendations of the Durban World Conference against Racism to strengthen human rights national institutions and NGOs, the Committee urged the State party to ensure that the organisational restructuring of the functions of the Board of Ethnic Equality and the Centre for Human Rights would strengthen the overall work on human rights and in particular the protection of the rights of ethnic minorities. It was concerned about the withdrawal of funds from other NGOs. The Committee recommended that the State party include information on this matter in its next periodic report.

164. Since its fifteenth periodic report (CERD/C/408/Add.1), a number of steps have been taken aimed at assuring everyone effective protection and remedies against acts of racial discrimination.

165. The Government has established the Danish Centre for International Studies and Human Rights cf. Act No. 411 of 6 June 2002. The Centre, which started its work on 1 January 2003, was established with the aim of strengthening research, analysis and information activities in Denmark concerning international affairs as well as human rights in Denmark and abroad. The purpose of establishing one common institution was to strengthen and promote a more coherent and concentrated research environment in Denmark. The Centre consists of an Institute for International Studies and an Institute for Human Rights. The Institute for Human Rights replaces the former Danish Centre for Human Rights and is based on the so-called Paris principles.

166. As regards the protection of ethnic minorities, specific powers have been assigned to the Institute for Human Rights and specific funding allocated to the Institute for this purpose. Thus, the Institute for Human Rights has been established as the Danish body for the promotion of equal treatment as required by Article 13 in the EU-directive on Racial Equality concerning prohibition against racial discrimination outside the labour market (2000/43/EU).

167. In accordance with the requirements of Article 13 in the Directive, the Institute has been given the power to assist victims of discrimination, to conduct surveys concerning discrimination and to publish reports and make recommendations on discrimination. In this regard the Institute replaces the former Board of Ethnic Equality.

168. The Danish Parliament has subsequently decided to further expand the competence of the Institute for Human Rights within the field of ethnic equality. It has done so by also granting

the Institute the power to deal with individual complaints on racial discrimination both within and outside the labour market. The EU Racial Equality Directive does not require this, and the Danish parliament has, thus, moved beyond the Directive.

169. The Institute has been allocated 6,0 mill. DKK on a yearly basis to perform the above mentioned tasks. Further detailed information on the complaints mechanism is provided in annex 2 to this report.

170. In addition, new legislation has been adopted and existing legislation amended in order to strengthen the protection against discrimination on the grounds of race and ethnic origin. In May 2003, the Act on Equal Ethnic Treatment was adopted. The Act aims to ensure a high level of protection against racial discrimination.

171. The Act prohibits discrimination on the grounds of racial and ethnic origin as regards access to social protection, including social security and health care, social advantages, education, access to and supply of goods and services, including housing, and membership of and access to services from organisations, whose members carry out a particular profession. The Act also prohibits harassment on the grounds of race and ethnic origin. Furthermore, the Act prohibits victimisation, thus protecting individuals from any adverse treatment or adverse consequence as a reaction to a complaint or to proceedings aimed at enforcing compliance with the principle of equal treatment.

172. The Act includes provisions on shared burden of proof, ensuring that the principle of equal treatment is applied effectively. The shared burden of proof implies that when there is a prima facie case of discrimination, the burden of proof in court cases shifts back to the respondent when evidence of such discrimination is established.

173. The Act stipulates that victims of discrimination are entitled to compensation for non-pecuniary damages in cases where the prohibition against racial discrimination has been violated. The Act also stipulates that any such violations should normally trigger compensation for non-pecuniary damages.

174. The Government allocates funding to a large number of organisations, including NGO's, and individual projects within the field of integration and anti-discrimination policy. Since its fifteenth periodic report (CERD/C/408/Add.1), additional funding has been set aside for the promotion of equal treatment and tolerance. In total, a sum of 5,1 mill. DKK has been reserved in 2004 - 2005 for this purpose in connection with the implementation of the Government's Action Plan on Equal Treatment.

Reports of criminal acts and incidents on a presumed racist background

175. Since 1992, the National Commissioner of Police has received reports of criminal acts and incidents directed against foreigners on a presumed racist background from the 54 Danish police districts.

176. The purpose of this reporting system was to give the National Commissioner of Police a basis for ascertaining and assessing possible signs of a more organised and systematic criminal activity stemming from racism and xenophobia.

177. In December 2001, the reporting system was revised in order to make it more simple and effective. Apart from safeguarding investigative purposes, the new reporting system provides a more reliable basis for international reporting on presumed racially motivated crimes in Denmark and a basis for informing the public on this subject.

178. From 1 February 2002, only criminal acts with a presumed racist or religious backgrounds are reported, i.e. acts or omissions punishable by law. Incidents of a solely political and not racist or religious nature and incidents not punishable by law are no longer reported. Furthermore, not only acts directed against individuals of foreign origin, but also acts directed against ethnic Danes are reported.

179. An element of uncertainty in the system is, however, that the reporting is based on the police districts' knowledge or assumption of the motives behind the actual acts or omissions. Consequently, the reports cannot be presumed to give a complete picture of this particular field of activity in Denmark.

180. In 2002, 63 criminal acts or omissions with a presumed racist or religious background were reported. In 2003, 52 cases were reported.

Article 7: Combating prejudices, which lead to racial discrimination

181. A survey conducted by the research company CATINÈT, shows that in 2000, 22 per cent of immigrants and refugees in Denmark felt discriminated when applying for work, in public transportation etc. Now the percentage of immigrants and refugees who feel discriminated is down to 12 per cent. The overall number of people who feel discriminated has fallen markedly.

182. Five years ago, 42 per cent felt that they were discriminated. Today, the percentage is down to 27. 63 per cent of immigrants and refugees in Denmark is of the opinion that persons with a Danish background have become more positive towards them as persons while only 13 per cent experience the Danish population as being negatively inclined.

183. In para. 19 of its concluding observations concerning Denmark's fifteenth periodic report (CERD/C/60/Misc.33/Rev.4), the Committee recommends that the State Party take into account the relevant parts of the Durban Declaration and Programme of Action when implementing the Convention in the domestic legal order and that it include in its next periodic report information on action plans or other measures they have taken to implement the Durban Declaration and Programme of Action at national level.

184. The above-mentioned legislative measures, see para. 172-189, have been supplemented by a number of non-legislative means aimed at promoting understanding and tolerance. As mentioned in para. 144, in November 2003, the Government published an "Action Plan to

Promote Equal Treatment and Diversity and Combat Racism” which contains a number of new initiatives intended to help promote equality of treatment for everyone, regardless of race, ethnic origin and similar grounds of discrimination. The Action Plan was published inter alia as a follow up to the UN World Conference against Racism in Durban in 2001. The Action Plan is enclosed as annex 1 to this report.

185. The initiatives in the action plan are intended to provide more information about racism and discrimination and diversity and tolerance through dialogue and debate. For instance, the action plan foresees a public information campaign concerning anti-discrimination and diversity, financial support to local events that focus on the advantages of a tolerant society with room for diversity and financial support to promote the political participation of ethnic minorities in Denmark.

186. The Government, in working with the media, also wishes to highlight good examples of integrations and diversity. In addition, the Government has launched a survey to investigate why ethnic minority youth drop out of their studies and to what extent the dropout rate is due to discrimination. For 2004 and 2005, the Government has allocated DKK 2.5 million per year to implement the initiatives in the action plan.

187. A number of additional initiatives on promoting integration and tolerance have been adopted. In 2002, the Ministry of Integration launched the campaign “All young people are needed”, which aims at getting more young people of an ethnic background other than Danish to get an occupationally oriented education.

188. Another aim is to tell the stories of the many young people who do get an education and find employment. Yet another aim is to promote understanding and respect for other cultural and religious ways of living and their values.

189. Meetings have been conducted in a number of schools and educational institutions and a large information campaign carried out. A corps of young role models from different occupations has been established.

190. In 2003, a large campaign was undertaken in order to increase the number of young ethnic minorities attending health education. As part of this campaign, advertisements were placed in newspapers, in trains and on train stations. The posters aimed at attracting attention to health educations. The posters also sent the clear message that the Danish society needs everybody – and that young people of an ethnic origin other than Danish represent an important resource to the Danish society.

191. In 2004, the Ministry of Integration launched the “100 Trainee Placements in 100 Days” campaign, which seeks to ensure that young people with an ethnic background other than Danish are given trainee placements. The campaign also consists of a number of other initiatives such as additional vocational training of the employees involved in trainee placements and establishment of local trainee placement networks.

192. The most recent initiative is a recruitment campaign within the police, armed forces, emergency services and security services. The campaign will recruit and keep young people aged 18 to 25 with an ethnic background other than Danish as well as provide information about the various training and job opportunities that exist within the armed forces, the police and the security and emergency services.

193. As regards the role of politicians and political parties, it is the opinion of the Government that non-governmental organizations and associations should spearhead the efforts to have Danish political parties adhere to the “Charter of European Political Parties for a Non-Racist Society”. The Ministry of Integration has therefore forwarded the Charter to the Danish Centre for International Studies and Human Rights for further action.

Education and training of the police

194. The University of Roskilde (*Roskilde Universitetscenter, Center for Ungdomsforskning*) has conducted and published a research project in a major police district in Denmark (Elsinore Police) in 2003. The focus of the research project was “Conflict at street level – when ethnic minority youth meet the police” (*Konflikten på gadeplan – når etnisk minoritetsungdom og politi mødes*). The survey was conducted in co-operation with the police and with financial support from the Danish Ministry of Justice. The research project report has been distributed to all police districts in Denmark.

195. Based on the recommendations of this report, the Danish Police College organised local training days with police districts where problems with ethnic minority youth are substantial and frequently recur. The Police College was assisted by one of the authors of the report from the research project. Police districts have since requested the Police College to continue organizing additional training days at police district level.

196. Cultural anthropology, psychology and human rights are now integrated subjects in the curricula for the basic education of police students at the Danish Police College.

Recruitment of ethnic minorities for the police

197. The National Commissioner of Police has continued to organize large-scale recruitment campaigns in all major cities throughout the country and invited local ethnic organisations to participate at the meetings. The police also participate in a non-governmental organisation for ethnic minorities, the Organisation of New Danes (*Foreningen af Nydanskere*).

198. The police have also joined private companies in a project called “Multiplicity in Working Life” (*Mangfoldighed i arbejdslivet*) and received an award for this effort. In addition, the police participate in joint recruitment advertisements for all uniformed professions.

199. A majority in the Danish Parliament has agreed to provide special appropriations for the police in the period 2004-2006. This includes funds for a broad and diverse recruitment to the police, including ethnic minorities.

200. In 2004, the State Employer's Authority (*Personalestyrelsen*), which is an agency under the Ministry of Finance, launched a training programme for so-called ambassadors for ethnic equality. According to the National Commissioner of Police, 4 police employees have so far completed the training. The head of recruitment of new police officers has been appointed as representative for the National Commissioner of Police in the ambassador programme.

201. The number of police officers with other ethnic background than Danish in proportion to the total police force is still below the official target of 3,5%. No single element explains why some applicants with other ethnic background fail at tests for recruitment to the police. The failure elements are in general the same as for other applicants and not specifically related to an ethnic minority background.

202. The Danish National Police has an ambition to recruit individuals in cities with concentrated ethnic minority communities to serve as role models to attract other members of these communities to seek recruitment with the police.

Recruitment of ethnic minorities among prison officers

203. Since Denmark's fifteenth report (CERD/C/408/Add.1), the Staff Training Center of the Danish Prison and Probation Service (*Kriminalforsorgens Uddannelsescenter*) has implemented two more preparatory school courses for persons of other ethnic backgrounds, who want to train as prison officers.

204. 38 persons in all have participated in the three preparatory school courses, 28 have finished the whole course, and 16 have passed the employment test and thus obtained employment and access to the basic training for prison officers. All courses have taken place in the Copenhagen area.

205. On 10 January 2005, yet another preparatory school course took place, this time on the island of Funen.

Recruitment of ethnic minorities for the judiciary

206. In 2002, the Danish courts agreed on a policy of equal treatment, which has the purpose of securing an equal treatment of all employees in the courts and avoiding any kind of discrimination on the basis of sex, age, ethnic origin, race, religion, handicaps, sexual orientation or other grounds.

207. The Court Administration (*Domstolsstyrelsen*) has asked the courts to be aware of the possibility of employing persons of other ethnic origins and has requested the courts to consider concrete initiatives to improve the possibilities for persons of other ethnic origins to be employed in the Danish courts.

Article 14: Public release

208. Reference is made to para 172-189 and annex 2 to this report.

209. In paragraph 20 of its concluding observations concerning Denmark's fifteenth periodic report (CERD/C/60/Misc.33/Rev.4), the Committee recommends that the reports of the State party be made available to the public from the time they are submitted and that the concluding observations of the Committee on these reports are similarly publicized.

210. The present sixteenth and seventeenth periodic report of Denmark has been made available to the public on the internet side of the Ministry of Foreign Affairs on web site: www.um.dk. The concluding observations will similarly be made available on the same web site.

III. Reporting on Greenland

Part I

211. Reference is made to Denmark's fifteenth periodic report (CERD/C/408/Add.1, para. 125-148), concerning Greenland.

212. In para 18. of its concluding observations concerning Denmark's fifteenth periodic report (CERD/C/60/Misc.33/Rev.4), the Committee recommended that the State party include information on the claims of the Inughuit with respect to the Thule Air base.

Information on the Thule Case – Danish Supreme Court judgement of 28 November 2003.

213 A group of citizens and 422 individual plaintiffs brought the judgement of the Danish Eastern High Court of 20 August 1999 against the Prime Minister's Office to the Danish Supreme Court. The plaintiffs were granted free legal aid in full. On 28 November 2003, the Supreme Court handed down its judgement affirming the judgement of the Eastern High Court.

214. In the judgement, the Supreme Court had occasion to pronounce itself on the question of indigenous peoples in casu the Thule Tribe situated in the Northwestern part of Greenland (the Uummannaq settlement). The case originated in the relocation of the Thule population in 1953 in connection with the establishment of the Thule Air Base under 1951 US-Denmark Defence Agreement.

215. The Thule Tribe initiated proceedings against the Danish Prime Ministers Office in 1996 before the Eastern High Court claiming compensation and right to return. The High Court ruled in favour of compensation (500.000 DKK to the Thule Tribe as such + 15.000 DKK for certain individual claims). Other claims such as the right to live in and use the abolished settlement and a right to access, occupy and hunt in the entire Thule district were dismissed.

216. Furthermore, in January 1997 the Danish Prime Minister Poul Nyrup Rasmussen and Head of the Greenland Home Rule Government Lars Emil Johansen reached an agreement that constituted a satisfying solution for the Danish government as well as for the Home Rule government concerning all questions relating to the Thule-case.

217. On the date of the High Court judgement in the case in August 1999, Prime Minister Poul Nyrup Rasmussen made a statement, that the case had gone on long enough and that the government therefor did not intend to bring the case before the Supreme Court. The Prime Minister added, that it was fitting that the historical course of events that has affected the lives of many people in Thule from that time had been clarified.

218. On 2 September 1999, the Danish Prime Minister and Head of the Greenland Home Rule Government Jonathan Motzfeldt issued a joint statement in which the government, on behalf of the Danish state, offered its apologies to Inughuit, the Thule population and all of Greenland for the manner in which the relocation was decided and implemented in 1953.

219. The Danish government is aware, that the ruling of the Danish Supreme Court has been submitted to the European Court of Human Rights. Whether the European Court of Human Rights has decided to admit the case is not yet known.

The Greenland Administration of Justice system for Greenland.

220. The Administration of Justice system for Greenland is mentioned in CERD/C/319/Add. 1, paragraph 139-141, and further clarified in CERD/C/280/Add. 1, para. 306-309.

221. In 1994, the Danish Government and the Greenland Home Rule (det grønlandske hjemmestyre) set up the Commission on Greenland's Judicial System (Den Grønlandske Retsvæsenkommission) chaired by Per Walsøe, Supreme Court Judge, and totalling 16 members appointed by the Danish Government and the Greenland Home Rule. The main task of the Commission has been to perform a thorough review and reassessment of the entire judicial system of Greenland and on that basis to make proposals for its revision.

222. The report on Greenland's Judicial System was handed over to the Danish Government and to the Greenland Home Rule in August 2004. The Danish Ministry of Justice has submitted the report to the relevant institutions and organisations for comments. The Greenland Home Rule is expected to submit its comments on the report by July 2005. The Danish Government will subsequently take a decision on the various proposals made by the Commission.

223. According to section 71 a in the Penal Code for Greenland, any person who publicly or with the intention of disseminating to a wide circle of people, makes a statement or imparts other information by which a group of persons is threatened, insulted or degraded on account of their race, colour, national og ethnic origin or belief shall be sentenced. The Commission on Greenland's Judicial System proposes that this section be amended in order to include "sexual orientation", corresponding to the parallel section in the Danish Penal Code.

Part II

Article 1

224. As of January 2004, the total population of Greenland amounted to 56,854 persons, of whom 50,096 or 89 per cent were born in Greenland and 6,758 were born outside of Greenland. According to Statistics Greenland, 5,804 of the persons born outside of Greenland were born in Denmark.

225. Parliamentary elections were held on 3 December 2002 following a break down of the Siumut (i.e. Social Democratic Party) and Atassut (i.e. Liberal) coalition Government formed in December 2001. Since the election, Siumut and Inuit Ataqatigiit (i.e. Socialist) have formed a coalition Government with an eight member Cabinet.

226. In 1999- 2000, the Greenland Home Rule Government (Landsstyre/Cabinet) appointed a Commission on Self-Governance. Reference is made to CERD/C/408/Add.1, paragraph 131-135, which describes the task of the Commission.

227. The final report of the Commission on Self-Governance was handed over to the Greenland Home Rule Government in April 2003. The Committee will receive an official summary in English in due course.

228. Following the final report of the Commission on Self-Governance, the Danish Government and the Greenland Home Rule Government have appointed a joint Danish and Greenlandic commission.

229. The task of the commission is - on the basis of the current constitutional position of Greenland and in accordance with the right of self-determination of the people of Greenland under international law - to consider and propose how the Greenland Home Rule authorities can take over further responsibilities (legislative and executive powers), respecting the Danish constitution. The commission is to submit proposals on a new self-governance arrangement.

230. According to its terms of reference, the work of the commission is to be based on the principle of accordance between rights and obligations. The commission is to consider and submit proposals on a new scheme regarding economic relations between Denmark and Greenland.

231. The Danish Government and the Greenland Home Rule Government agree, that it is up to the people of Greenland to decide if Greenland wishes to achieve independence, and that this will in no way be affected by a new self-governance arrangement. If occasion should arise, independence has to be accomplished by way of entering an agreement hereon, in accordance with the procedures outlined in section 19 of the Danish constitution.

Article 5 (e) (iii)

232. Reference is made to Denmark's fifteenth periodic report (CERD/408/Add.1 para.137) outlining that: "The construction of publicly financed housing is governed by Greenland Parliament Regulation (GPR) No. 1 of 9 April 1992, concerning subsidies for the construction of housing and by GPR No. 1 of 31 October 1991 concerning cooperative housing".

233. Furthermore, in accordance with the Private Housing Construction Act, GPR No. 4 of 30 October 1998, individuals can obtain up to 40 per cent of the total cost as an interest-free 15-year governmental and municipal standing loan. This figure has been increased by 5 years to 20 years. The payback period of the standing loan of 10 years has also been extended by 5 years from 10 to 15. The individual must provide 10 per cent of the total cost out of savings, together with a letter stating that the remaining 50 per cent can be obtained from a bank or a mortgage institution. The rental of dwellings is subject to GPR No. 5 of 31 May 2001 concerning the rental of dwellings - a revision of the GPR No. 3 of 13 June 1994.

Action Plan

**to Promote
Equal Treatment and Diversity
and Combat Racism**

November 2003

The Danish Government

■ Foreword

‘All human beings are born free and equal in dignity and rights.’ So states the preamble to the UN’s International Convention on Racial Discrimination. The central message is respect for the individual. All citizens, regardless of race, ethnic origin or belief, have equal rights and duties, and everyone is entitled to protection against racism and unfair discrimination. That is classic liberalism. That is the government’s policy.

At the World Conference against Racism in South Africa in 2001, many nations around the globe, amongst them Denmark, affirmed the need for resolute action to combat all forms of racism, racial discrimination, racial hatred and related intolerance. The present action plan is a direct offshoot of the conference.

The principle of equal treatment rules out unreasonable discrimination. However, the principle of equal treatment does not mean we should treat everyone the same. The ancient Nordic saying ‘freedom for Loke as well as Thor’ promotes the principle of equal treatment while conveying the message that we are not the same and should not be forced to be alike. Equal treatment is a necessary condition for democracy, which in turn is a condition for freedom. Democracy does not require us to be the same, however. On the contrary, diversity is a prerequisite for all democratic dialogue.

In this action plan, the government sets out initiatives intended to help secure equality of treatment for everyone, regardless of race, ethnic origin and similar grounds of discrimination.

It is the government’s view that a modern welfare state should be based on liberalism, diversity and inclusiveness. An inclusive community that provides scope for personal initiative and freedom to differ, with due respect for fundamental social values. We should be true to our own values while remaining open to impulses from outside.

In 1946 – in other words, shortly after the Second World War – the Danish philosopher of law Alf Ross wrote that ‘the sanctity of the individual lies at the heart of all forms of humanism. The opposite is contempt for the individual, the intellectual core of fascism’. Unfortunately, Alf Ross’ argument proved to hold true for many years to come, and a distressing number of crimes have been committed against humanity in the name of race or ethnic origin. The process of ‘ethnic cleansing’ in former Yugoslavia and the mass killings in Rwanda are extreme examples of acts that bear the label of racism and intolerance.

Fortunately, the conditions for fascism and unadulterated racism in Denmark are poor. However, surveys show that discrimination

on the grounds of race, ethnic origin or belief is a genuine problem in modern-day Denmark, although it is hard to uncover the full extent of the problem. Nonetheless, we have to acknowledge that no society is ever totally free of racism.

We also need to recognize that legislation against discrimination is not enough. In Denmark, we have implemented a finely meshed set of regulations prohibiting discrimination. The most recent addition to legislation in this area was the Act on Equal Treatment irrespective of Ethnic Origin passed by the Danish Parliament in June 2003 to prohibit discrimination on the grounds of race or ethnic origin. In other words, the legal framework is in place, but it is important to bear in mind that legislation to a certain degree tends to focus on problems rather than opportunities and innovative solutions. Even the best-researched framework needs content. This is a lesson learned from other countries whose constitutions contain many well-intentioned ideals about equality and equal treatment, but whose practice is something else. Therefore, legislative measures cannot stand alone.

How can we create innovative solutions? First and foremost, by realising that equal treatment is not something that is ours by tradition, but a privilege we must fight for every day.

We also need to create the conditions necessary to ensure that everyone has equal opportunities regardless of race or ethnic origin. People who live under inequality see a world of inequality. The willingness to understand society, a prerequisite for democracy, is under siege if the conditions are vastly unequal. In addition to being a goal in themselves, initiatives against racism and illegal discrimination are thus a necessary prerequisite for ensuring that everyone, regardless of race, ethnic origin or belief, has the opportunity to participate in and contribute to the life of the community on an equal level with other citizens.

In a dynamic society, it is essential that no one is limited by prejudice and everyone has the opportunity for personal development. Plans to promote diversity can generate additional concrete benefits in the form of new knowledge, new competencies and new possibilities. And efforts to promote diversity and stimulate dialogue can in themselves help to eliminate discrimination.

Bertel Haarder
The Minister for Refugee, Immigration
and Integration Affairs

■ Chapter 1. Background and concepts

First and foremost, the action plan contains a series of new initiatives to promote equal treatment and diversity.

The aim of the action plan is thus not to describe in detail the wide range of public and private initiatives already launched at national, regional and local level to combat racism, intolerance and illegal discrimination.

■ Fact

Concepts

The term ‘ethnic origin’ is generally defined as affiliation with a group of people who share a common history, traditions, culture or cultural background, language, geographic origin, etc.

‘Racism’ refers generally to the view that ‘racial differences’¹ should translate into differences in social or political rights.

The Act on Equal Treatment Irrespective of Ethnic Origin (the act on ethnic equality) defines ‘illegal discrimination’ as direct and indirect discrimination and harassment. ‘Direct discrimination’ occurs when a person on the grounds of race or ethnic origin is treated less favourably than another person is, has been, or would be in a similar situation. ‘Indirect discrimina-

tion’ occurs when an apparently neutral legal provision, etc., puts people of a certain race or ethnic origin in a less favourable position than other people, unless the provision in question is impartially based on an objective purpose, and the means to achieve it are appropriate and necessary.

In the present context, the concept of ‘diversity’ refers to the view that all individuals are unique and that differences between people are a resource and source of renewal and development for the labour market and society in general.

It should be noted that these definitions are not exhaustive, but summarize the content of the individual concepts as generally interpreted or expressed.

1.1 The UN World Conference against Racism

As part of efforts to combat racism, the UN General Assembly decided in 1997 to hold a World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. The World Conference against Racism was held in Durban in September 2001.

¹ The use of the word ‘race’ does not imply any acceptance of theories that attempt to establish the existence of different human races.

■ Fact

National action plans

The world conference was concluded by the adoption of a declaration and programme of action to combat racism. It appears from the programme of action that the world conference urges states to establish national policies and action plans to fight racism.

According to the programme of action, the purpose of national action plans should be to promote diversity, equality and equal treatment; ensure opportunities for participating on an equal footing in the country's political, economic, social and cultural development; and promote democracy and political participation at all levels.

According to the programme of action, measures to combat racism and promote diversity should include legislation and other forms of government regulation and administration, the dissemination of policies and practices in certain areas, education, and educational activities.

The UN World Conference against Racism is one of several compelling reasons for the Government's decision to publish an action plan promoting equal treatment and diversity.

1.2 The Government's Vision and Strategies for Improved Integration

In June 2003, the Group of Ministers on Improved Integration submitted 114 proposals for concrete integration initiatives. In its report, *The Government's Vision and Strategies for Improved Integration*, the group stressed that making room for diversity and learning to benefit from it is a common fundamental principle of the integration policy agenda and the strategies and concrete initiatives in the report. Initiative number seven of the report is the preparation of an action plan. The report can be viewed at the website of The Ministry of Refugee, Immigration and Integration Affairs, www.inm.dk

1.3 Everyone is included

The action plan is not limited to specific groups. Every individual is entitled to protection against illegal discrimination or racism, and initiatives to promote diversity and tolerance naturally involve all spheres of Danish society.

Nonetheless, surveys show that people from ethnic minority backgrounds living in Denmark are particularly susceptible to illegal discrimination or racism. Several of the initiatives contained in the action plan will thus be specifically targeted at them.

Ethnic origin is not the only source of discrimination for people from ethnic minority backgrounds; they may also find themselves

discriminated against on the grounds of gender, age, sexual orientation or health. Although initiatives addressing these issues will be incorporated where specially relevant, they are not a specific focus of this action plan.

It is clear that people from ethnic minority backgrounds can also hold racist views or be intolerant towards other groups. Several of the initiatives should also be seen in this light.

■ Fact

Legislation

Danish law comprises a finely meshed set of rules prohibiting discrimination, the expression of racist views, etc.

Some of the provisions of the Danish Constitution contain prohibitions against discrimination: section 70, for example, on equality of treatment regardless of creed or race, and section 71 on personal liberty.

Public authorities are governed by the principle of equality applicable under general administrative law, which means equal matters must be treated in full equality before the law.

Under section 266b of the Danish Criminal Code – more popularly known as the ‘racism paragraph’ – the public expression of racist views is a punishable offence. The provision also pro-

hibits the distribution of racist propaganda.

The Act on Prohibition against Discrimination based on Race etc. – more popularly known as the ‘discotheque act’ – contains a prohibition against discrimination in two areas: the provision of goods or services, and access to certain places or events.

The Act on Prohibition of Differential Treatment in the Labour Market contains a general prohibition against discrimination on grounds of race, skin colour, religious conviction, political views, sexual orientation, and national, social or ethnic origin. Under this law, which applies to the employment area exclusively, a person whose rights have been violated may be awarded compensation for non-pecuniary damages. The prohibition applies during employment, to recruitment and dismissal, and prohibits both direct and indirect discrimination.

The Act on Equal Treatment Irrespective of Ethnic Origin, which deals with conditions outside the labour market, contains a prohibition against direct and indirect discrimination on the grounds of race or ethnic origin and a prohibition against harassment and instructions to discriminate. In addition, the act contains provisions concerning the shared burden of proof and a prohibition against reprisals. Viola-

tion of the law is punishable by a claim for compensation for non-pecuniary damages. The Danish Institute for Human Rights can hear appeals concerning violation of the prohibition against discrimination. The Institute may express its opinion about whether the law has been violated in specific cases. In such instances, the Institute may recommend that free legal aid be granted.

According to the Act on Establishment of the Danish Centre for International Studies and Human Rights, the Institute for Human Rights is also in charge of providing assistance to victims of discrimination and initiating independent studies on cases of discrimination, as well as publishing reports and making recommendations on issues relating to discrimination. These powers apply to conditions in and outside the employment area.

■ Chapter 2. Providing more information about racism and discrimination

2.1 What do we know about racism and discrimination in Denmark?

Our knowledge about the extent of discrimination and racism in Denmark is limited. Only a few actual surveys have been conducted in the area due to the difficulty of monitoring instances of discrimination.

There are, however, surveys that attempt in various ways to shed light on the occurrence of discrimination against ethnic minorities in Denmark. One study of discrimination against ethnic minorities in the Danish labour market involved having a group of young people with the same qualifications but from different ethnic backgrounds apply for the same jobs (Hjarnø and Jensen, 1997). The study showed that people with a Danish background are more likely to be invited for a job interview than ethnic minorities. The fact that ethnic minority youth have greater difficulty getting a placement than young people with a Danish background may also indicate discrimination in the labour market against young people with ethnic minority backgrounds.

The extent of discrimination against ethnic minorities in Denmark has also been studied by asking members of these groups whether they felt they were being discriminated against. This type of survey of subjectively perceived discrimination among the largest ethnic minority groups in Denmark, showed that one in three felt discriminated against

when seeking jobs, and one in four when shopping (Møller and Togeby, 1999). Several respondents also experienced discrimination on the street, on public transport and when visiting discotheques. The extent of perceived discrimination varied greatly between the different nationalities surveyed. If one disregards perceived discrimination in the labour market, those who experienced most discrimination were the most capable and best-integrated ethnic minorities.

A recent survey shows that the proportion of immigrants and refugees who feel discriminated against has fallen drastically over the past three years, from over 40% to under 25% of respondents (CATINÈT Research, 2003).

The number of calls to the Documentation and Advisory Centre on Racial Discrimination (DRC) also gives an idea of the extent of perceived discrimination. From 1997 to 2003, 1,100 people contacted DRC because they felt they had been victims of discrimination.

Perceived discrimination is subjective, and the extent of such discrimination is therefore not necessarily equal to the number of incidents that are objective examples of illegitimate or illegal discrimination against ethnic minorities. On one hand, some people subjected to certain incidents may not perceive them as illegitimate or illegal discrimination. On the other hand, some incidents that could be perceived as illegitimate discrimina-

ation do not necessarily reflect intolerance, but may be due to objective factors such as insufficient language or professional skills.

The extent of discrimination is naturally tied to the Danish attitude towards foreigners in Denmark. Comparisons with citizens of other nationalities do not present a clear-cut picture. In comparison with the EU average, Danes are both more tolerant and more intolerant. For example, almost one out of three Danes finds that people with other religions are a disturbance in their daily lives. In contrast, a majority of Danes think ethnic minorities enrich Danish culture. Comparisons over time show that Danes are becoming less racist. In 1970, more than 60% agreed with a racist statement compared with close to 30% in 2001 (Rockwool Foundation Research Unit, June 2002; Tøgeby, 1997).

Our knowledge about the number of racist acts against ethnic minorities is also limited. For example, the number of incidents ruled by a court of law as expressions of racist views is very low. Over the past six years, the Danish national police annually registered between 24 and 65 cases of violation of the 'racism paragraph' of the Danish Criminal Code. It is unlikely that all incidents of racial discrimination are reported, and police statistics cannot therefore be taken as a precise indication of the extent of racist acts in Denmark.

Thus, the picture of the extent of racial discrimination differs greatly depending on who is asked and how the results are

measured. However, although there are no precise figures about the extent of racial discrimination in Denmark, there is no doubt that the problem exists.

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2.2 How can we get more facts about racism and discrimination?

Before we can tackle racism and discrimination, we need to know exactly where and how it occurs. The existing body of knowledge and documentation on discrimination must thus be constantly updated and expanded.

Police files and other sources, such as the government’s periodical reports to the UN, contain a substantial amount of documentation on judicial cases relating to discrimination. However, this information does not exist centrally in an updated, easily accessible and comparable form. Collecting the documentation in one place would improve our knowledge about the extent of discrimination.

■ A good example

Documenting discrimination in Denmark

Under The Act on Equal Treatment Irrespective of Ethnic Origin, the Institute for Human Rights amongst other things, is in charge of initiating independent investigations of cases of discrimination. In future, it will also act

as an independent body of appeal and handle the task of regularly preparing, updating and publishing statistics on reported discrimination and court rulings in discrimination cases, under Danish law and international conventions.

The registration of reported discrimination and court rulings in racism and discrimination cases will not, however, provide a sufficient basis for assessing the extent of discrimination in Denmark. The extent of discrimination must be also be mapped in other ways.

One particular method the government wants to use to bolster documentation about discrimination, is to improve existing information on the extent to which ethnic minorities encounter intolerance in the labour market and education system, whether unnecessary requirements are demanded, and whether existing practices affect ethnic minorities harder than the rest of the population. To clarify the issue, it is important that ethnic minorities have the opportunity to voice their own opinions. To this end, the government has opened a so-called hotline.

■ A good example

The Ministry of Education’s hotline for ethnic minorities

The Government’s Vision and Strategies for Improved Integration, published in

June 2003, proposes that the Ministry of Education open a hotline. Immigrants and their descendants can call the hotline when in doubt whether educational institutions are following the rules or exploiting the options for ethnic minority students set out in the legislative framework for the various training programmes.

To illuminate the extent of direct and indirect discrimination in the education system and labour market, the government also intends to conduct surveys into certain specific issues.

One serious problem today is the excessively high drop-out rate among young immigrants and their descendants who never complete their courses of education. We need to better clarify the reasons for this widespread drop-out, including whether there is a connection between the drop-out rate and direct or indirect discrimination. For example, it is conceivable that intolerance means ethnic minorities have greater difficulty joining reading groups or become socially marginalized in other ways at places of education.

■ Initiative 1:

Room for diversity on training programmes

The Think Tank on Integration in Denmark intends to launch a survey to investigate why ethnic minority youth drop out of their studies. The govern-

ment will encourage the survey to describe the extent to which the drop-out rate is due to discrimination against or intolerance of ethnic minority youth at places of education.

Another barrier to ethnic minority youth completing training courses that qualify them for the labour market is that they often fail to meet the Danish language admission requirements. Failure to meet requirements may reflect a genuine lack of the Danish language skills necessary to complete a course of study. However, in some cases, it may be an indication that the language requirements are too high for the type of job at which the training course is aimed.

We need more accurate information on this issue. Institutions of further and higher education have themselves indicated the need to clarify whether they are demanding the right Danish language requirements of foreigners. Foreigners must be sufficiently proficient in Danish to avoid starting a training course that they cannot complete because of language difficulties. However, the necessary requirements must not in themselves be a barrier that discourages foreigners who want to study for a qualification.

■ Initiative 2:

Easier access to the education system

The government wants to implement a survey into the transitions from Danish

language teaching for foreigners to the rest of the education system with a view to giving ethnic minorities easier access to education.

First, the government will map the options for easing the transition from 'Danskuddannelse 2' (Danish for foreigners who have completed short-term education in their home country) to vocational qualification and AMU (labour market training) courses. The initiative will clarify the need and options for extra Danish language teaching to enable foreigners to complete vocational training programmes.

Second, the government will launch a survey of the transition from 'Studieprøven' (Danish for foreigners who have completed long-term education in their home country) to further and higher education. The survey is intended to establish whether Danish language admission requirements for foreigners are necessary and sufficient to complete the course.

We know that discrimination in the labour market can be one of the reasons for major disparities in the employment rate between people from ethnic minorities and the rest of the population. Another possible symptom of ethnic minority discrimination is the placement of ethnic minorities in job functions for which they are overqualified. Current information about this subject is limited.

■ Initiative 3:

More information about skills and job functions

The government wants to launch a survey of whether people from ethnic minority backgrounds are in jobs for which they are overqualified and if so, why. The survey will include a proposal on how to bridge the gap between skills and job functions so we do not waste the resources of the individual or society.

As mentioned earlier, it is very hard to measure the extent of racism and discrimination, and we will probably never find a precise method. However, this does not alter the fact that we can improve documentation in this field, particularly as regards discrimination and intolerance that create barriers to the integration of ethnic minorities in the education system and labour market.

By acquiring more information about the mechanisms behind the direct and indirect discrimination that takes place today, the government hopes to promote equality and diversity in Danish society.

■ Chapter 3. Diversity and tolerance through dialogue and debate

3.1 Introduction

The government wishes to put focus on equal treatment, diversity and the fight against racism. However, the government can only provide a framework. Basic government requirements or legislation to secure general human rights are not enough to promote equal treatment, diversity and tolerance. It is crucial for the public to take an active part in creating an inclusive society with room for everyone and tolerance and respect for diversity.

Thus, we should try to be open and tolerant whenever we meet other people. We should be better at exchanging opinions and viewpoints so we can build a platform for mutual understanding. Unprejudiced dialogue is the weapon to combat the sort of ignorance that spawns intolerance and dissension. Dialogue encourages acceptance of differences and counteracts the development of a divided society. We need to stop talking *about* each other and talk *to* each other instead.

People can meet in open democratic dialogue in a variety of ways: by active political participation, in the public sphere, workplaces, local neighbourhoods, the education system, the media, the internet and through cultural and recreational activities.

The government wants to promote diversity and tolerance through dialogue and debate. It has already launched initiatives to

increase the involvement of our new citizens in the labour market, education system, associations and organized recreational activities, the housing sector and public debate in general. But we want to do even more.

At the same time, we want to stress that each individual refugee and immigrant has a personal responsibility to actively influence his or her own integration in Danish society – culturally, politically, socially and in terms of employment.

3.2 Public debate and dialogue

Opinions are aired wherever people meet. Therefore civil society plays an important part in drawing attention to equal treatment, diversity and the fight against racism. Public organizations, immigrant associations and labour market parties also play key functional roles. They can contribute to targeted initiatives to include ethnic minorities in society and share responsibility for promoting greater public respect and tolerance.

Information, the involvement of civil society and support for public dialogue between different communities will therefore be significant elements of the government's measures on integration.

For example, the government will urge debate and dialogue with relevant stakeholders, such as religious communities, associations and organizations.

■ Initiative 4:

Information campaign on diversity and equal treatment

To prevent discrimination and combat racism we need to create awareness of the principles of equality and diversity. The government will thus launch a public information campaign aimed at relevant target groups, including professional groups, social workers and ethnic minority groups.

In this connection, the government will start preparing an information package about The Act on Equal Treatment Irrespective of Ethnic Origin and the possibility of lodging a complaint to the Institute of Human Rights in cases where this act is violated.

■ Initiative 5:

Local events focusing on diversity

In continuation of its information campaign on diversity and equal treatment, the government will allocate funds to support local events that focus on the advantages of, and potential barriers to, a tolerant society with room for diversity. Such events could be organized in educational institutions, municipalities, associations, organizations and workplaces that wish to put focus on both the norms and values that ethnic minorities have brought with them, and those on which

Danish society is based. These events will focus on bringing people together to help eliminate prejudice and create mutual understanding of similarities and differences.

3.3 Sharing responsibility for a nuanced debate

To avoid greater social polarization, it is important to stimulate public debate based on a detailed picture of people from all sectors of society. We all share responsibility for the debate – but politicians, opinion-makers, professional groups and other social commentators have a special obligation.

The media provide a forum for public debate and thus also share responsibility for promoting tolerance and understanding between people. It is important to increase the awareness of journalists, media workers and the general public about how language usage influences public opinion with regard to specific population groups.

■ Initiative 6:

Focus on diversity and good examples

In working with the media, the government wishes to highlight good examples of integration and diversity where respect for other people and equal citizenship come first.

■ A good example

Programme in journalism for ethnic minorities

The Danish School of Journalism recently introduced a two-year diploma course in journalism for people from ethnic minority backgrounds. It has attracted a large number of applicants, and the first class of students started studying in September 2003. When qualified, the new journalists will be able to use their cultural background to create a media picture that better reflects the composition of society and provides more multi-faceted coverage of social issues. The new journalists will give the media and the general public insight into the current concerns of ethnic minorities.

■ A good example

The campaign 'All young people are needed'

The Ministry of Refugee, Immigration and Integration Affairs has launched the campaign *All young people are needed*, aimed at helping ethnic minority youth to break the pattern of negative social stigma. The campaign involves role models who visit schools in selected regions of Denmark. The role models are young people with ethnic minority backgrounds who have chosen occupations that are not traditional for immigrants and their descendants.

The role models are expected to motivate and help young people select an education and answer questions about career and job choices.

The campaign also includes setting up voluntary homework schemes, targeted campaigns to employ trainees in public sector and other training programmes, creating placements and jobs, and promoting cooperation between school careers advisors and youth club workers.

3.4 Tolerance goes both ways

Discussions about discrimination and intolerance often overlook the fact that both phenomena also occur among the ranks of ethnic minorities themselves. Problems arise within and between ethnic minority groups, and ethnic minorities may also hold intolerant views about the majority population. For example, ethnic minority individuals may be harassed by people within their own group if they are perceived as having become too well integrated or having adopted Danish norms. Certain ethnic minority groups hold the opinion that women should not enjoy the same opportunities and rights as men, and in some cases, suppressive and discriminatory traditions such as forced marriage and female genital mutilation are still practised.

There have also been instances of second-generation immigrants throwing stones and

other projectiles at homosexuals, and of fundamentalists in Denmark issuing threats, abuse and incitements to kill members of other ethnic minorities.

Freedom to differ does not mean anything goes and everything is equally good. Freedom for the individual is limited by consideration for other people.

We should never use ‘culture’ – or anything else – as an excuse for suppressive behaviour such as racism, female genital mutilation or forced marriages.

Freedom to differ can only thrive if there is broad support in society for the common fundamental democratic values of freedom, equality, responsibility, duty and active participation. These values contribute to the welfare and development of society and pave the way for its citizens to work together to solve problems in society.

The Government’s Vision and Strategies for Improved Integration from June 2003 outlines numerous government initiatives already launched, which highlight the basic obligations that everyone living in a democratic and diverse society has to assume responsibility for.

The open democratic society is a natural framework for the mutual responsibility that ensures freedom and respect for minority groups. It is therefore a paradox that society includes groups of individuals who denounce the very same system that provides them with protection.

It is paradoxical not only in terms of the anti-democratic forces that exist in groups of Neo-Nazis, Islamists and others, but certainly in terms of ordinary people as well.

Why do some members of ethnic minority groups choose to turn their backs on Danish society? Why do some isolate themselves in closed environments in residential areas, private Muslim schools and so on?

Could it be that our society does not represent a credible alternative for ethnic minority groups? Could it be that our society, despite our well-meaning democratic intentions, is in many ways perceived as a closed society?

Is our society alienating minority groups when well-qualified young people have difficulty finding placements or jobs, when people do not meet acceptance of their religious beliefs, or when they have difficulty finding a suitable burial ground for deceased relatives?

And does the minority response of retreating into traditionalism and fundamentalism or showing disrespect for widely accepted norms and values actually widen the gap?

There are many signs that we are dealing with a vicious circle – a circle that the government wants to break.

In the view of the government, we can break the vicious circle by:

- Enhancing the quality of dialogue between different groups in society

- Putting the focus on the responsibilities of citizenship and common democratic values so that ethnic minorities gain a better understanding of the advantages of democracy and the process of integration
- Working to make society more inclusive and better at dealing with cultural diversity

Not everything can be regulated through legislation. Legislation is a natural and necessary bulwark against anti-democratic forces, terrorism, discrimination, racial hatred, coercion and violence.

However, our shared consciousness of what is right and wrong is far more important in helping us to get along with each other on a daily basis.

The problem today is that notions of right and wrong often seem less clear-cut than they used to. In many situations, people seem to have little understanding of or respect for what is acceptable or unacceptable behaviour.

Obviously, when people display lack of sensitivity, others will feel offended. Such behaviour could be shouting abuse at people in public or not respecting them at work, because of their gender or skin colour. Other examples could be the public burning of a national flag or derogatory comments about certain groups of society.

These are examples of personal violation as well as the violation of our collective understanding of right and wrong.

One of the government's concerns in this connection is whether we as a society can agree on some general human values that apply regardless of religion, culture and language, and could serve as common anchors for our society. Can we lay the groundwork for a set of common values that can help to instil more respect throughout society?

As mentioned earlier, Danish society is founded on values such as democracy, freedom and equal treatment. We must continue to uphold these values. At the same time, we need to understand these democratic values better so we can put them into practice, give them a concrete place in our daily lives and explain to people who have not been brought up in a democratic society, why we have certain expectations of them.

It is also reasonable to ask whether we know enough about the values represented by other cultures. Joining the debate about issues such as headscarves, halal meat and genital mutilation requires a good grounding in democratic values as well as knowledge about the values held by other cultural groups.

Do we dare to take up the challenge and engage in open dialogue, or would we rather turn our backs?

■ Initiative 7:

Dialogue about democracy, citizenship and diversity

The government intends to launch a process aimed at stimulating dialogue about democracy, citizenship and diversity.

It is important not to restrict dialogue to central-level talks between politicians, civil servants and experts. Debate should be introduced broadly at all levels of society and in local community fora where norms and values are encountered and challenged in practice.

The government envisages involving local integration councils or coordination committees in the debate along with district councils, schools, businesses, religious communities and associations.

In addition to reinforcing dialogue with public institutions, the mutual exchange of values between ethnic minority groups is another central issue the government wishes to address.

Parents, who have the main responsibility for child upbringing, religious community leaders and teachers in private independent primary schools all have an important contribution to make to the success of the integration process. Government measures will therefore focus on improving dialogue about

responsibility, duties, rights and mutual respect.

The initiative will include increasing our knowledge about how values are created, communicated and degenerated. Our knowledge about discrimination and tolerance among ethnic minority groups and towards the majority population is particularly limited.

■ Initiative 8:

Survey of norm-driven integration problems in Denmark and other countries

The government will launch a research project into the knowledge of ethnic minority groups about social conditions, basic norms and values and how they are communicated in Denmark and other selected countries. The survey also aims to highlight measures used by the selected countries to set norms and deal with norm-driven conflicts during the integration process.

3.5 Active participation in political life

Respect for minorities is a cornerstone of any democratic society. However, if our democracy is to endure, it must be strong and able to defend itself against those who denounce it. This means that the work of expanding and strengthening democratic institutions and traditions, including the political involvement of all citizens in society, is an absolute core issue.

Democracy builds on participation, discussion and mutual understanding. The government believes that the desire to influence decisions that affect our daily lives is a universal human goal that unites people and is stronger than anything that sets us apart and divides us. Taking part means making decisions and accepting co-responsibility. Political participation strengthens the community as well as tolerance and respect for other people.

■ Initiative 9:

Dialogue meetings on political participation

The Ministry of Refugee, Immigration and Integration Affairs will provide financial support to enable local integration councils or coordination committees to organize dialogue meetings focusing on ethnic minority participation in political activities. They could be local meetings held in community centres, libraries and associations, or large-scale events. Among other things, dialogue meetings will provide information about the opportunities for participating in local and national politics and forge understanding of the importance of participation for the individual and for democracy. Dialogue meetings are intended to build a bridge between ethnic minorities and the various political parties and associations.

■ Initiative 10:

Pamphlet on playing an active role in the local community

The Ministry of Refugee, Immigration and Integration Affairs will prepare a pamphlet on the opportunities for political involvement as part of daily life. The pamphlet will focus on local democracy and active participation in the local community, for example, through user committees at schools and day-care institutions, associations, and cultural and recreational activities. The pamphlet is intended to supplement the handbook *Citizen in Denmark* and will be handed out to new arrivals in the local municipality. The pamphlet will be translated into several languages and designed for use by a variety of target groups, including new citizens who have not yet learnt to read and write Danish.

3.6 The labour market

It is the government's opinion that involvement in the labour market is the key to successful integration. Having a job gives our new citizens self-respect and earns them the respect of others. Workplaces give them the chance to learn about Danish culture and improve their language skills, helping to break down prejudices about Danes and ethnic minority groups.

The employment rate for immigrants and their descendants from third countries – countries outside the Nordic region, the EU and North America – is far too low. Only 53% of 16–66-year-old foreigners from third countries are currently part of the workforce compared with 80% of the Danes. Unemployment among immigrants and their descendants who are members of the workforce, is on average three times as high as for Danes.

There are several explanations for the lower employment rate of immigrants. Part of the explanation could be the educational background and language skills of the immigrant population. Another reason could be that some Danish companies are resistant to change and organize work in a way that makes it difficult for immigrants to gain foothold in the labour market.

The barriers that keep ethnic minorities from joining the labour market are a social problem. As well as being a waste of human and professional resources, unemployment among ethnic minorities is a financial burden for society. The age imbalance expected in the population in coming years will also mean a severe decline in workforce numbers.

Fast, more effective integration in the labour market, private and public sectors alike, offers considerable potential for employment opportunities and economic growth in society. Furthermore, experience shows that employee diversity can raise the skill level of companies and stimulate business development.

Strengthening the ties of resident refugees and new arrivals with the labour market is one of the government's key priorities. On 24 May 2002, the government entered into an agreement with the two sides of industry, management and labour and the association of municipalities regarding the integration of refugees and immigrants into the labour market. Based on the government's integration proposal of March 2002, the agreement emphasizes the responsibility of all parties to help give new arrivals an active start so that they can find jobs as fast as possible, primarily through Danish language classes and workplace introductions.

Another element of the agreement of 24 May 2002 was the decision to set up regional knowledge centres to assess the qualifications of refugees and immigrants. Five centres will be set up throughout Denmark in the course of 2004. The purpose of the knowledge centres is to make sure that all public authorities have access to qualified information and advice about qualification assessment. The centres should supplement and qualify initiatives already undertaken in municipalities and the public employment service (AF).

The two sides of industry have announced a focus on incorporating solutions in collective pay and employment agreements to ensure integration is implemented according to a stepwise model. This means that individual workplaces will make local agreements on concrete working conditions, lower start pay, for example, or reduced working hours.

Businesses and municipalities can enter into agreements for refugees and immigrants to follow a cohesive integration plan in close association with a workplace.

The government has also implemented an incentive scheme starting on 1 January 2004. The municipalities will receive financial support in the form of a DKK 30,000 'result subsidy' for every foreigner in regular employment after the three-year introduction period. By agreement with the local municipality, businesses will be reimbursed for the cost of upgrading the professional and language skills of new employees.

The labour market-related tasks of the integration councils have been transferred to the coordination committees to simplify the committee structure of local integration work. The coordination committees have been bolstered by the addition of a representative from the local integration council.

The integration and employment reforms complete the government's implementation of legislative measures to pave the way for fast, effective labour market integration. It is now up to the municipalities, businesses and employees to seize the opportunities to accommodate ethnic minorities in workplaces around the country.

■ Initiative 11:

The diverse workplace

The government wishes to break down barriers that prevent ethnic minorities from forging ties with the labour mar-

ket. The government will instigate discussions with the two sides of industry, management and labour, about the need for campaigns to shape public opinion, with focus on the special professional and cultural skills and resources of ethnic minority workers.

The campaign will focus on the advantages of the diverse workplace where differences are not only accepted but actively encouraged, appreciated and used to enhance the quality of the company's products and create a stimulating and challenging network of colleagues. The campaign is also intended to help increase the cultural understanding of businesses and employees in relation to welcoming colleagues from different cultures and ethnic minority backgrounds.

■ Initiative 12:

Information campaign on reasons for exclusion and intolerance in the labour market

In addition, the government will hold discussions with the two sides of industry, management, and labour concerning the need to launch an information campaign to illuminate the possible reasons for exclusion and intolerance in the labour market.

A campaign of this nature would include good advice and examples of

how to avoid labour market discrimination. The campaign should provide information on how hiring and recruitment processes, organization of work and social staff events can accommodate ethnic minorities in the workplace on an equal footing with other groups.

■ A good example

Joint initiative for labour market integration by the Confederation of Danish Trade Unions (LO) and the Danish Employers' Association (DA)

LO and DA have launched a project called *The Whole Family at Work* intended to motivate small municipalities to work together to promote labour market integration. The project involves developing new guidance techniques and methods for the whole family (household). The idea is that families continue to be the focus of integration efforts until every member of the household is employed or receiving education.

In 2001, LO issued a publication entitled "Taking the Lead in Integration" aimed at shop stewards and employers. The publication contains integration tools for the labour market and reviews the positive and negative lessons learned by companies in their efforts to integrate ethnic minorities.

LO has also launched a *Guide Project* to support and advise young people from ethnic minority backgrounds who are having difficulty making the transition from lower secondary school to occupational training, higher education or employment. The project offers young people an adult volunteer guide who is familiar with the Danish labour market, has a broad social network and is ready to provide advice and guidance.

■ A good example

Culturally diverse staff composition

Employing staff from ethnic backgrounds other than Danish is a favourable economic proposition. Companies that employ people who are uniquely suited to offer services to ethnic minority customers have access to a growing market and can potentially enjoy the advantages of an invaluable form of marketing. Several Danish businesses are already reaping the benefits of this potential. TDC, a telecom provider, has opened a 'Turkish customer service' and the Dansk Supermarked supermarket group wants its staff to reflect the composition of the population: 8% of all Føtex, Bilka and Netto employees come from other ethnic backgrounds.

3.7 Housing

The everyday life of the local community plays a key role for the integration of ethnic minorities into Danish society. In general, contact between Danes and ethnic minorities tends to be limited due in part to the housing patterns of the various population groups.

Many ethnic minorities live in relatively concentrated districts in major urban areas, typically apartment buildings in social housing complexes. These areas are often socially isolated and rife with unemployment, social problems and youth crime. Successful, highly skilled residents tend to move away from these disadvantaged areas. This exacerbates the problem and prevents the informal, daily integration of ethnic minorities through contact with Danish neighbours that could otherwise happen in residential areas. This form of migration contributes to the isolation of ethnic minorities from the local community.

Residential areas offer many opportunities to strengthen social networks, for example, through local activities, organized sports and recreational activities, and voluntary inter-cultural initiatives. Appealing and unusual local activities give people the chance to get together on an equal footing and learn more about each other's culture, values and norms. Such activities help to give these residential areas a better reputation and make them more attractive.

■ Initiative 13:

Activities to promote integration in housing districts

The government wants to work to encourage a more varied mix of residents, particularly in larger disadvantaged social housing complexes, by allowing residents to purchase their own home, for example.

The government will also support initiatives that focus on civic democracy and activities that encourage social interaction between Danish and ethnic minority residents. Examples of such initiatives could be family-to-family and neighbourhood watch programmes, networks to help new residents settle in, and activities to inform residents about the objectives and organization of civic democracy.

Support can also be given to projects that encourage ethnic residents to join cultural, sporting or political activities in the local community outside their immediate residential area.

■ A good example

'Multicultural association' in the northwest Copenhagen urban renewal district

A multicultural association has been set up in an urban renewal area in northwest Copenhagen. The association

organizes initiatives to promote integration such as debate evenings and activities to provide information about various cultures and strengthen ties between Danish and ethnic minorities. The association has taken the initiative to launch a theatre project aimed at promoting tolerance between Danes and immigrants and upgrading the social and language skills of the participants.

■ A good example

'Blind Date Community – Dinner Dates and Cultural Insight'

An initiative has been planned in conjunction with the URBAN Programme involving the Gellerup, Hasle and Herredsvang districts of Århus. The idea is to put Danish families with solid ties to the labour market in touch with ethnic minority families who are unemployed. The families commit themselves to invite each other to their homes for both social visits, but also with the intention of building professional networks. The families are matched by professional interests and background. It is hoped that the meetings will give the families greater cultural insight, a better understanding of each other's professional situation and the opportunity to be part of a professional network whose long-term goal is to open the way for employment

opportunities for unemployed ethnic minorities.

3.8 Culture and recreation

The commitment of cultural institutions and organizations is the primary driving force behind initiatives to promote cultural diversity. The cultural sector's contribution to fostering inter-cultural understanding is usually a by-product of overall goals to create a framework for cultural development, humanitarian information and education. The government will continue to support this vital commitment, which has spawned many interesting and valuable projects such as FINFO (www.finfo.dk), an internet service catering for minority language groups in Denmark, and a library service for ethnic minorities (www.indvandrerbiblioteket.dk) plus numerous activities in museums throughout Denmark focusing on the meeting of different cultures.

■ A good example

Museum activities

'The Old Town' open-air museum of urban history in Århus has explored the meeting of different cultures from a historic perspective by studying the lives of migrant craftsmen who settled in some of the first multicultural towns and cities of Copenhagen, Fredericia and Christiansfeld. The Copenhagen City Museum and the Museum of

Cultural History in Randers have carried out surveys of integration processes seen from a local and contemporary perspective. Varde Museum held an exhibition about the historic use of headscarves in Denmark, and the South Jutland Art Museum organized an exhibition about immigrant influence on urban structural change. Viborg Stiftsmuseum and the municipality of Viborg work together to ensure all refugees in the municipality are given a tour of the town and the museum's permanent exhibitions, as part of the local integration programme. The museums in Fredericia play an active role in formulating the municipality's integration policy and are involved in integration and identity projects.

Sport provides unique opportunities to integrate new Danes into the cultural life of Denmark. Sport is universal and offers a common arena where everyone can take part regardless of cultural background.

However, the whole concept of associations as they exist in Denmark is unknown to many people who come from other countries. Mutual cultural insight should be encouraged in associations with a preponderance of ethnic minorities.

■ Initiative 14:

Integration in local societies and sports associations

The government will continue to support initiatives aimed at reinforcing integration through local sports activities. The government particularly wishes to encourage young new Danes to take part in local societies and sports associations. The political parties behind the 2003 agreement on special allocation funds (The Social Democratic Party, Venstre, Denmark's Liberal Party, The Conservative Party, The Danish Social Liberal Party, The Christian People's Party, and The Socialist People's Party) have earmarked funds to help boost the numbers of ethnic minority youth in local societies and sports associations. If the fund cannot provide enough support to finance all qualified applications, the government will look into further options for supporting these projects from other allocation funds.

■ A good example

Support for basketball, the Danish Guide and Scout Association, and 'Partier med Plads' (Inclusive Political Parties)

The Ministry of Refugee, Immigration and Integration Affairs has already supported projects such as *Street Basketball 2003* for disadvantaged ethnic

minority youth from eight socially strained districts in Copenhagen, Århus and Odense. The aim of the project is to give these young people the chance to take part in basketball training sessions and local music events in order to integrate them into volunteer-run sports activities.

The Danish Guide and Scout Association has received funds to produce a recruitment folder in various languages. The folder is aimed first and foremost at the parents of young new Danes in the hope of involving more of them in the work of the scout movement, both as regular members and as leaders.

The Ministry of Refugee, Immigration and Integration Affairs has also supported the 'Partier med Plads' project. This project for inclusive political parties, originated as a joint effort by a broad cross-section of political youth and ethnic organizations. Its aim is to create awareness of political and democratic processes among ethnic minority youth.

■ A good example

Societies and sports associations as vehicles for integration

Brøndby IF

Brøndby IF sports club has about 1,500

amateur members, of whom 30% have an immigrant background. The professional division has about 300 sponsors, representing 30,000 potential jobs. A project has been launched to create a network of young ethnic amateur members and professional sponsors and thus help young people to find jobs or to contact educational and training institutions. The project is jointly organized by Brøndby IF and the campaign *All young people are needed* from the Ministry of Refugee, Immigration and Integration Affairs.

Learning about associations

The Himmerland and Northeast Jutland branches of the Danish Gymnastics and Sports Associations have organized seven three-day courses about Danish associations, held in language schools in various local municipalities. A further three courses are planned. The courses provide an introduction to the activities of local and national associations in Denmark and help increase the involvement of refugees in Danish associations.

Køng Sports Academy

Køng Sports Academy offers a special course called the inter-cultural sports coach. The prime target group is Danes with an ethnic minority background.

The idea is to give participants an all-round course in leadership and project

management, offering tools and skills to enable them to take active part in sporting and cultural activities as trainers, leaders and promoters. The aim is to provide the new inter-cultural sports coaches with a skill set that will help them act as bridge-builders, primarily between sports clubs and people with ethnic minority backgrounds.

Organized jointly with the Danish Gymnastics and Sports Associations, the course opens opportunities for individual sponsorships.

Eight participants completed the special inter-cultural sports coach course in autumn 2002, four completed it in spring 2003 and five have been admitted for the autumn 2003 session.

For further information about Danish Folk High Schools and ethnic minorities, visit www.minoriteter.hojskolerne.dk

■ Chapter 4. Conclusion

Danish society needs to provide more room for diversity, and we need to get better at exploiting its advantages. The government wants to eradicate prejudice and intolerance and work towards creating an all-inclusive society. The government intends to combat all forms of illegal and racial discrimination.

The government has presented a series of proposals and initiatives in this action plan to promote equal treatment and diversity and combat racism. In 2003, DKK 2.6 million from the special allocation funds has been dedicated to implementing the initiatives, and DKK 2.5 million will be allocated in 2004. The government will also earmark money from the Ministry of Refugee, Immigration and Integration Affairs fund for research, urban development and the Programme for Inclusive Cities.

The government's action plan to promote equal treatment and diversity and combat racism is an attempt to build a cohesive society with room for diversity and focus on the individual. It would be naive, however, to think that we can achieve this goal through an action plan alone. The work of combating racism and intolerance will require effective long-term efforts. One of the objectives of an action plan is to attract as many players as possible and involve municipalities, the two sides of industry, management and labour, organizations, associations, local integration councils and individuals. Everyone shares responsibility for creating an open, inclusive and cohesive society where everyone makes an active, committed contribution.

Published by
Ministry of Refugee, Immigration and Integration Affairs
Holbergsgade 6
DK-1057 Copenhagen K
Tel.: +45 3392-3380
Fax: +45 3311-1239
E-mail: inm@inm.dk
www.inm.dk
First published, November 2003
English version, February 2004

ISBN:

Printed version: 87-91320-65-8

Electronic version: 87-91320-66-6

Reporting from the Danish Institute for Human Rights (DIHR)

National Strategy on Equal Treatment

In its endeavors to combat all forms of discrimination and promote equal treatment, the Danish Institute for Human Rights is in the process of developing a proposal for a national strategy on equal treatment. The strategy is based on a horizontal approach to discrimination and attempts to create a holistic dimension to the phenomenon of discrimination. The main purpose of the strategy is to compare and identify lack of legal and substantial protection in different discrimination areas, coordinate and find common methods in combating discrimination and come forth with recommendations as how concretely to implement and mainstream the principle of non-discrimination in Denmark. The strategy is being compiled in close dialogue with organizations representing ethnicity and race, age, the disabled, the sexual minorities, gender and religion and belief. The Institute hopes to be finished with the work primo 2005.

Training integration facilitators

A project with the aim to include ethnic minorities in the reception and integration of newcomers to Denmark (immigrants and refugees) has been undertaken by the Danish Institute for Human Rights, from January 2003 - July 2004. The overall goal was to create awareness of the importance of taking citizenship¹ for newcomers with refugee or immigrant background.

The more concrete aim was to develop a concept of training 'integration facilitators' whose function was to initiate conversations with newly arrived refugees and immigrants in the Danish society in order to inspire them to reflect upon their hopes and expectations for their new citizenship. The focus was on training communication and dialogue technique based on the 'Appreciative inquiry' approach. This method builds on how you as an integration facilitator through your appreciative questions invite newcomers to dialogue, focusing on the resources and best experiences of the individual. Making the individual newcomer reflect upon 'how can I contribute to the Danish society, and what are my previous experiences being a fellow citizen and with taking citizenship, taking part in decision-making; participating in the development of society.

Citizenship issues like democracy, human rights, equal treatment, diversity etc. were part of the training concept.

Participants in the training course were members of the municipal integration councils with ethnic minority background. This target group was elected because of their unique intercultural knowledge and experience, as well as for their function in a democratic organ could be a good inspiration and role-model for newcomers. The Council for Ethnic Minorities under the

¹ Citizenship in this context understood as active participation in the Danish society in a wide range of activities, being a fellow citizen, and encompassing all legal residents in Denmark, and therefore including both nationals and non-nationals. Activities such as membership of public councils, associations, institutional boards etc.

Minister for Integration, Refugee and Immigrant Affairs participated in a steering group for the project.

This project took its points of departure in the principle of 'equal treatment' (where securing equal opportunities must be seen as the human rights standard for equal treatment), and is part of the anti-discrimination work of the institute. The aim was to offer an integration perspective based on good experiences and defined and communicated by ethnic minority citizens, in order to empower the new ethnic minorities and enhance their prospects for citizenship and joint influence, and thereby ensuring equality.

The Danish Complaints Committee for Ethnic Equal Treatment

According to EU directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, also known as the Racial Equality Directive, all EU Member States shall "designate a body or bodies for the promotion of equal treatment of all persons without discrimination on the grounds of racial or ethnic origin." The Member States shall ensure that the competences of these bodies, among others, include "providing independent assistance to victims of discrimination in pursuing their complaints about discrimination."

June 2002 the Danish Institute for Human Rights was given mandate to lift this task with the passing of Act no. 411 governing the Establishment of the Danish Centre for International Studies and Human Rights. In May 2003 the Danish Parliament implemented the part of the Racial Equality Directive concerning prohibition against racial discrimination outside the labor market by passing Act no. 374 on Ethnic Equal Treatment. The Act gives the Institute powers to hear complaints over discrimination on grounds of race or ethnic origin within a number of areas outside the labor market. On this ground the Institute established the Complaints Committee for Ethnic Equal Treatment in October 2003. In March 2004 with the passing of Act no. 40 amending Act on Prohibition against Discrimination in Respect of Employment it was decided to also give the Danish Institute for Human Rights powers to hear cases of discrimination on grounds of race and ethnic origin within the labor market.

The Complaints Committee consists of a chairman and two members appointed by the board of The Danish Institute for Human Rights. Two of the members shall have a juridical background. It shall be aimed at that both sexes are represented in the Committee and that at least one member has another ethnic origin than Danish.

The object of the Complaints Committee is to hear complaints over discrimination on grounds of race or ethnic origin. Further, the Committee hears complaints in which a person has been victimized as a reaction to the person's complaint of discrimination on grounds of race or ethnic origin.

The Complaints Committee can hear cases on the basis of individual complaints or on its own initiative, for example on basis of information from NGOs, the news, and so forth.

In concrete cases the Complaints Committee can decide whether there has been a violation of the prohibition against discrimination or against victimization. The Complaints Committee also has the possibility to offer mediation as an alternative to the Committee's hearing of the case when this seems to be the best solution. The Committee's decisions are not legally binding, and the Committee cannot impose any sanction on the respondent or award the complainant any kind of damages as a result of discrimination. However, in cases where the Committee finds that there has been a violation of the prohibition against discrimination or against victimization, the Committee can recommend granting free legal aid at the courts to the complainant.

Besides hearing concrete cases the Complaints Committee can also on its own initiative conduct independent surveys concerning discrimination, publish reports, and make recommendations.

The MIA-Project - for diversity in working life

Work plays a crucial role for most people. But not everyone enjoy equal opportunity for participating in working life. Gender, as well as ethnicity, age, sexual orientation, disability and religion influences our possibilities and they are often grounds of discrimination. On the basis of the two EU-directives on equal treatment and with support from the EU, The Danish Institute for Human Rights in 2003 launched The MIA-project – a comprehensive project about diversity and equal opportunities in working life.

The overall message of the MIA-project is: “Stop discrimination and use human differences as a resource for business and society”. As such the MIA-project is not only about legislation and problems of discrimination. It is also a positive vision of a society made strong and innovative through plurality and inclusiveness. Companies are important institutions for societal development and change. The idea of the project is to target companies to raise awareness about discrimination and promote diversity in this area as well as other areas of society.

A diversity award for leadership – named the MIA Award (MIA being the Danish acronym for Diversity In Working life) was instituted in 2003 and given to three companies – a small, a medium and a big company - at a festive award event in March 2004. The MIA Award 2005 competition will be launched November 2004.

The 5 principles that companies should respect to qualify for the MIA Award are (in short):

- 1) make diversity a resource
- 2) ensure equal opportunities and combat discrimination
- 3) include all relevant minority/identity groups
- 4) target all phases of employees life cycle
- 5) Involve employees and target groups

In order to raise a societal dialogue on diversity the MIA-project has also established a network of relevant NGOs and organized a series of public seminars. At present employees of the MIA-project are preparing a pamphlet on the new legislation, an anti-discrimination compliance tool, a DVD-film on good diversity management practices, and an anthology on diversity, equal opportunity and management. For further details: www.humanrights.dk and www.miapris.dk.

17 January 2002

A new policy for foreigners

The Government's policy for foreigners rests on three fundamental considerations.

Denmark's commitments under international conventions must be honoured.

The number of foreigners coming into Denmark must be restricted, and stricter requirements as to their duty to support themselves must be introduced.

The refugees and immigrants already living in Denmark must be better integrated and get a job faster. Therefore, the incentive to seek work themselves must be enhanced.

On this basis, the Government presents the following proposals for discussion with various players, such as the local councils, which play a major role in carrying out the policies on foreigners and integration. As mentioned in the Government Platform, the Government will introduce bills by 1 March 2002 at the latest.

Asylum and refugees

Fewer refugees to Denmark

The Government will abolish the concept of *de facto* refugees. Only individuals entitled to protection under international conventions will be allowed to live in Denmark. This will mean an essential and fundamental tightening of the conditions for obtaining asylum, which the Government finds necessary. It is important to approximate the asylum practices of the EU member states. The Government will therefore support the work for common asylum rules in the EU.

Today, Denmark recognises a number of countries as safe third countries that do not, in accordance with the 1951 Geneva Convention, return asylum-seekers to countries where they risk persecution. Asylum-seekers can be refused entry and returned to safe third countries without first having their asylum applications examined. The Government will work for approval of more countries as safe third countries, making it possible to refuse entry to more asylum-seekers.

The Government will abolish the possibility of applying for asylum from embassies abroad.

Refugees are not to become immigrants

Today, refugees are issued with permanent residence permits already after three years. It must be the principal rule that refugees should return to their countries of origin. The Government will therefore change the rules so that a permanent residence permit is only granted after at least seven years in Denmark.

Refugees with no permanent residence permits are to be returned to their countries of origin if the situation changes so that they will no longer be persecuted.

If refugees who have been granted asylum in Denmark because they have ties with family in Denmark marry a person from another country, it must be assessed whether the ties with Denmark are still strong enough. If not, the foreigner is to be returned to the spouse's country of origin.

Refugees travelling to their country of origin on holiday will automatically have their cases reassessed. If they are no longer persecuted in their countries of origin, their residence permits must be revoked. Therefore, all refugees must have a travel restriction entered in their passports so that they can only travel to their countries of origin after having applied to the authorities to have the travel restriction lifted.

More stringent processing of asylum applications

Nobody who hides from the authorities will have an application for asylum in Denmark examined. This means that it will not be possible to go underground while one's application is being examined.

Asylum-seekers whose applications for asylum are refused are to leave the country immediately and not, as today, only after 15 days.

The manifestly-unfounded procedure is to be applied in more cases. Cases considered by the Danish Immigration Service to be manifestly unfounded, but incapable of determination by the manifestly-unfounded procedure, are to be determinable by the chairman of the Refugee Board on his own.

It must be made possible to carry out the expedited manifestly-unfounded procedure in one day – for example in case of entry of a large number of asylum-seekers of a nationality normally unable to obtain asylum.

The composition of the Refugee Board is to be changed. Today the Board has five members: A judge, two ministerial representatives, a representative appointed by the General Council of the Bar and Law Society and a representative appointed by the Danish Refugee Council. In future, the Board will only have three members: A judge, a ministerial representative and a representative appointed by the General Council of the Bar and Law Society.

Control with foreigners living as tolerated residents

Foreigners whose applications for a residence permit have been refused due to serious crime will not receive the usual social benefits, and legal authority to order them to reside at the Center Sandholm should be provided. In any circumstances they will have a duty to report to the police. If they contravene the duty to report, it must be possible to detain them.

Increased demands for self-maintenance

Foreigners coming to Denmark must support themselves.

As a point of departure, foreigners who have not been issued with a permanent residence permit must be returned if they cannot manage without public maintenance.

In all cases of reunification of spouses, a maintenance condition must be made.

It will be possible to make reunification of spouses conditional on the provision of a financial security of DKK 50,000 to cover any future maintenance expenses. It must be made possible to enforce claims for repayment of maintenance expenses, etc., borne by public funds.

It will be a condition that the spouse living in Denmark has not received any social benefits for a certain period before the reunification, provided that the spouse in Denmark is capable of working.

Special rules apply to refugees and persons with a protection status.

Family reunification

Fewer family reunifications in Denmark

There will be no statutory right to reunification with a spouse.

Basically, no reunification of spouses will be granted if one of the spouses is under 24 years of age.

The generally more lenient access to reunification with refugee spouses will be abolished in all cases where the marriage was only entered into after the flight to Denmark. In such cases, reunification with a spouse can be refused pursuant to the same rules as those that apply to reunification with a Danish spouse.

The condition that the spouses must have ties with Denmark must be extended to apply also to Danes living in Denmark so that also in these cases reunification with a spouse takes place in the country with which the aggregate ties are greatest. The assessment of whether the condition of ties is satisfied will emphasise several factors, including the ties of the person living in Denmark with family in the intended spouse's country of origin. When one of or both the parents of the person living in Denmark have come here from the same country as the intended spouse, the person living in Denmark will often have such ties with family in that country that the condition of ties is not satisfied.

The current access to family reunification with parents over 60 years of age will be abolished.

In family reunification cases, the local council will be asked to furnish all information of importance to the family reunification case so that the Danish Immigration Service can take it into account when examining the application for family reunification.

Marriage conditions will be tightened

The general conditions of the Marriage Act for entering into marriage will be tightened so that both spouses have to be lawfully resident in Denmark. This means that persons with unlawful or procedural residence in Denmark – such as asylum-seekers – cannot get married in Denmark.

Combat against marriages of convenience

The marriage authorities must make known to all married couples that marriage in Denmark does not automatically mean that the foreign spouse can obtain a residence permit for Denmark.

If a spouse is not living permanently in Denmark, the couple has to sign a declaration before they marry stating that they are familiar with the family reunification rules and that they know that a marriage of convenience does not confer a right of reunification with a spouse.

The marriage authorities are to report cases of suspected marriages of convenience to the Danish Immigration Service so that such information can be included in the examination by the Danish Immigration Service of any subsequent application for reunification with a spouse.

Tightened conditions for permanent residence permits

It will apply generally to all foreigners that they can only obtain a permanent residence permit after seven years. This means that refugees can be returned if the situation in their countries of origin changes within seven years so that they no longer risk persecution. Also, persons reunited with their family can be returned, for example if they are divorced from the person living in Denmark with whom they were reunited before the seven years are out.

Foreigners who have committed serious crime, such as drug-related crime, people smuggling, homicide, aggravated assault and violence, and rape will not be able to obtain a permanent residence permit. Foreigners who have committed other crimes and have not been expelled will only be able to obtain a permanent residence permit after a prolonged waiting period. The waiting period will be of at least five years if the foreigner was sentenced to imprisonment. The waiting period will increase with the severity of the crime committed by the foreigner.

It will also be a condition for a permanent residence permit that the applicant has no debt due to any public authorities.

Stricter enforcement is required of the condition that the foreigner must have completed an introduction programme offered to him or her in order to obtain a permanent residence permit. This tightening will be effected in connection with the review of the Integration Act in the parliamentary year 2002-2003.

Better control of public benefits

The Government wants the immigration authorities in future to disclose information on the foreigners' basis of residence to the local councils to prevent them from paying social benefits to ineligible foreigners.

The Government will change the rules on assistance for the maintenance of children living abroad so that the family allowance can only be obtained for children living in Denmark.

Recruitment of qualified labour

The Government will introduce a Green Card-like scheme making it easier to obtain a residence permit for people who have obtained work in fields short of qualified labour.

International initiatives

The Government will work to enhance aid to neighbouring regions of countries suffering from conflicts or civil war. In the further reorganisation of the Danish aid policy, the Minister for Foreign Affairs will draft a proposal for Denmark's aid to countries that have experienced a large influx of refugees within the framework of the Government's new focus on the action against poverty in the Danish aid policy. Proposed initiatives will concern both the bilateral aid to single countries and the aid through international organisations and NGOs.

During the Danish EU Presidency, Denmark will work for enhanced understanding for the importance of a neighbouring region strategy. In that connection, Denmark will ensure continuation of the work in the EU concerning the conclusion of agreements under which third countries undertake to take back their own nationals and other persons who have previously resided in such country for a certain period if their applications for asylum are refused, and the like.

Developing countries who will not accept expelled own nationals or nationals refused entry will be deprived of any Danish aid.

Integration in the labour market

More people are to work, and fewer people are to be on public maintenance. It must pay to work, and the employment policy will be adapted to effectively motivate and equip the individual person for ordinary jobs in the labour market. This applies to foreigners coming to Denmark, and it applies to Danes.

The Government will introduce an action plan "More People in Work" next autumn in the light of an analysis of the overall employment policy. Foreigners coming to Denmark have resources not used actively today in the Danish labour market. Integration into the Danish society is best effected through employment ties, while a larger influx to the workforce is needed in the coming years. The action plan will therefore have a special section on further initiatives aimed at the labour market for "Immigrants in Employment".

The increased requirements of self-maintenance will provide a strong incentive for foreigners to enter the labour market.

Qualifying principle for full cash benefits

As a point of departure, foreigners will not be maintained by public funds. In some cases it is necessary to deviate from this principle. This applies above all to the foreigners who obtain a status of protection.

In these cases the Government will introduce a qualifying principle for cash benefits so that only persons who have resided in Denmark for at least seven out of the preceding eight years are entitled to full cash benefits. Persons coming to Denmark in future will be subject to the new rules. This applies to both foreigners and Danes.

The Government finds that an adjustment of the rates has long been needed. So far, typically, newly arrived foreigners have received such high cash benefits that the earned income that they could otherwise obtain has been far from measuring up to this level of maintenance. With the current rates of cash benefits, two providers who both receive cash benefits receive a total amount of DKK 21,044 per month before tax. If only one of the spouses gets a job, the monthly wage before tax must be DKK 22,874 in order to correspond to the couple's total cash benefits. The wages of about two-thirds of adult wage earners in the industrial sector are below this level.

If various other benefits, such as special assistance for high housing expenses, etc., housing subsidies and reduced payment by parents for child care institutions, are taken into account, the wage has to be even higher to reach the cash benefit level.

It is important for the Government that the future rates are at a level that means that it will always pay to leave the public maintenance system and get an ordinary job.

Persons falling within the new rates during the seven-year period will, as a minimum, be certain of benefits corresponding to the level of the benefits granted to students in Denmark for their maintenance.

The new rates and disposable amounts appear from the table below. The disposable amount is the monthly amount available to the households in the selected family types for clothing, food and other daily necessities after payment of tax, housing expenses, child care institution, etc.

Current rates, new rates during the seven-year period and disposable amounts, 2002-PL

<i>Examples of family types</i>	<i>Current rules</i>	<i>During seven-year period</i>	<i>Disposable amount per month under current rules</i>	<i>Disposable amount per month during seven-year period</i>
<i>Person living at home under 25 years of age</i>	2,463	2,103	2,463	2,103
<i>Person living away from home under 25 years of age</i>	5,103	4,231	1,938	1,403
<i>Single non-provider over 25 years of age 1)</i>	7,919	5,103	3,770	2,138

<i>Couple, non-providers over 25 years of age</i>	15,838	8,462	7,688	3,306
<i>Single with 1 child 1)</i>	10,522	6,379	7,589	5,442
<i>Single with 2 children 1)</i>	10,522	7,655	9,936	8,433
<i>Couple with 2 children</i>	21,044	10,578	11,378	8,208
<i>Couple with 4 children 2)</i>	21,044	10,578	13,256	9,669

1) For singles over 25 years of age, the rate during the seven-year period corresponds to the current cash benefit rate for persons living away from home under 25 years of age.

2) A provider supplement (family allowance) is granted to the household for each child, the maximum being two provider supplements per household.

During the seven-year qualifying period, the large majority of family types will be sure of maintenance benefits constituting amounts in the order of 50-70 per cent of current cash benefit rates.

As the table shows, the incentive to take work is considerably enhanced by the new rates. The new rates have been fixed at a level at which, for all family types, it should be a financial advantage if only one of them accepts a job at the minimum wage level.

To further increase the incentive to seek work – including part-time work – people will be allowed to keep a larger part of their earned income during the seven-year qualifying period before their benefits are subject to deduction. The cash benefits will only be reduced by the part of the ordinary work income that lies beyond DKK 28 per hour against DKK 11.50 under the current rules. So in future it will also pay to take a part-time job.

The Government will also change the rules for rehabilitation benefits so that persons subject to the seven-year rule will not obtain a higher income by entering the rehabilitation system rather than receiving the new, lower cash benefit rates.

The reduced rates are an essential first step towards increasing the incentive to work for persons who have stayed in Denmark for less than seven out of the preceding eight years. Despite the reduced rates, families with children will in many cases continue to have rather large amounts at their disposal after payment of fixed expenses. This is due to other benefits, such as housing subsidies, child allowance and reduced child care institution prices. The Government will therefore review these rules carefully in connection with the analysis of the overall employment policy for the purpose of “More People in Work”.

Better introduction for newly arrived foreigners

It is crucial that the foreigners who receive public maintenance are quickly introduced to the principle on which the Danish maintenance system is based. The individual has rights and duties, and in return

he or she is sure of a basis of maintenance until self-maintenance is possible through ties with the labour market. Therefore, an individual agreement must be concluded between the foreigner involved and the local council. The agreement must clearly state the elements that are included in the introduction course and the demands for completion that are made on the foreigner. The agreement concluded will thus describe both the needs of the individual for, for example, Danish courses, upgrading courses or job training, as well as sanctions in the form of reduction of benefits in case of absence.

The municipal introduction programmes for newly arrived foreigners must thus be made more work-related. It must be clear from the start that the goal is that each foreigner enables himself or herself to work and finds a job. The duties of the local council and the newly arrived foreigner must appear in detail, and it must be clarified what sanctions apply to the newly arrived foreigner in case of absence without good cause.

The Government will discuss with the local councils how to provide better incentives for the local councils to carry out an efficient activation effort.

The Danish courses must be improved and made more work-related. The Government will check whether the financing system can be reorganised to provide better incentives for pupils, language centres and local councils to carry out efficient Danish courses.

The qualifications of the newly arrived foreigner must be clarified more easily and faster. This must be done, for example, by testing their working capacity in enterprises, by courses in educational institutions and by approval of qualifications at the Danish Centre for Assessment of Foreign Qualifications.

Effort for better integration of children and young people

The Government will propose an amendment to the Act on Independent Schools to make it clear that also these school must prepare the pupils for living in a society with freedom and democracy, and that the tuition must strengthen the respect of human rights and fundamental freedoms. The Government will also enhance the inspection of the schools.

The Government will discuss with the local councils how to ensure that all children can speak Danish when they start in school.

Nationality

The conditions for obtaining Danish nationality must be tightened to correspond more accurately to society's expectations of the individual applicant's efforts to become part of Danish society.

The applicants' knowledge of Danish will be more emphasised. It will be a condition that applicants can speak and read Danish so that they can have a job and function actively as citizens. Another condition for obtaining Danish nationality is knowledge of the Danish society, principles of law and values.

Fulfilment of these conditions must be proved by a certificate from a special test. The test can be done at the national language centres independently of courses, but against a fee to cover the costs of the test.

The current possibility of exemption from the language condition for persons over 65 years of age will be abolished.

All applicants for Danish nationality must sign a statement declaring that they will observe Danish legislation and honour fundamental Danish principles of law, including the human rights.

It will become more difficult for persons who have committed crimes to obtain Danish nationality. Crime resulting in two years' imprisonment or more will completely preclude the person from Danish nationality. For persons sentenced to a lesser punishment, the waiting period will be extended compared to current rules. The waiting period will be at least two years and will increase with the severity of the crime committed by the foreigner.

It will be a main rule that foreigners can only obtain Danish nationality when they have had a permanent residence permit for at least two years. This means that foreigners can normally only obtain Danish nationality after nine years. However, stateless persons, refugees and persons married to Danes will only need a permanent residence permit for one year. This means that these persons can normally obtain Danish nationality after eight years.

It will no longer be possible for a person to obtain Danish nationality if he or she is in debt to public authorities.

Towards a new integration policy

All citizens in Denmark should have access to working and social life – also our new citizens who have come to Denmark as refugees and immigrants. The Government intends to integrate new citizens so that they can take part in working and social life on an equal footing with the remaining part of the population. Today the proportion of our new citizens not on the labour market is far too large. If the new citizens' ties with the labour market were like those of the remaining part of the population, 60,000 more people would have a job. It is a waste of resources if these people do not get a job. Refugees and immigrants are citizens bringing qualities and competencies needed by our enterprises and the Danish society.

In the Government's opinion it is beyond all doubt that work is the key to successful integration.

Already today a number of enterprises have successfully hired staff who came to Denmark as refugees or immigrants. These enterprises have realised that many of the new Danish citizens actually have something to offer.

The municipalities also play a vital role in connection with the integration of refugees and immigrants. Several municipalities have very positive experiences of an active and frequent dialogue with local enterprises and have successfully introduced new citizens to the labour market this way.

So it is possible – we only have to become much better at it!

Work is an important way to becoming integrated, but cannot stand alone. Integration is also about becoming able to take part in other aspects of the social life so that the individual new citizen can become actively involved in associations and the local board of school governors. Not least to the children is it important that the parents are able to teach them about both their original background and the society of which they now form part.

Integration is our common responsibility. Everybody must take their turn. There is not one single way of doing things correctly, but many different ways. It is the ambition of the Government in connection with the new integration policy to create freedom to find the best solutions in each specific case.

The Government presents its proposal on how to make both newcomers like refugees and immigrants, who have lived in Denmark for some time, active and equal partners in society. The proposal of the Government can be summarised in four main themes:

- **Short-cut to the labour market**
- **Effective Danish courses**
- **Better utilisation of qualifications**
- **Integration – a common concern**

“I have seen how people are made clients. How people, who are otherwise creative and active human beings, are made inactive in the name of treatment and human care. How waiting time and rules of the Danish Aliens Act give people break-downs. This mischief sets in already while the refugees are asylum-seekers,” Majken Rhod Larsen, Danish Red Cross Asylum Department, wrote in a feature article in ‘Fagligt Forum’ on 15 June 1999.

Short-cut to the labour market

By far the majority of new citizens coming to Denmark bring along the desire to make an effort to start a new life in Denmark. They have qualities and competencies that are urgently needed by the Danish society in a situation with low unemployment and the prospect of a shortage of labour. It is therefore essential that newcomers quickly get a job which will enable them to maintain themselves and their families. To this comes the large group of new citizens who have lived in Denmark for some time, but are not on the labour market. Therefore, new citizens’ opportunities of getting access to and a foothold on the labour market must be improved.

Today we have numerous complicated rules and subsidy schemes intended to help people receiving cash assistance, unemployed receiving unemployment benefits, and foreigners receiving introduction allowance to get jobs. Various surveys have revealed that it is far too difficult for the enterprises to handle and manage the schemes. However, many enterprises want to contribute to the integration of new citizens at the workplaces and in society, and therefore it must be made easier for the enterprises to assume responsibility. Therefore the Government will bring an end to the subsidisation mentality and the jumble of special schemes focusing more on the specific scheme that is relevant for a particular person than this person’s qualifications.

Part of this new policy is about how to establish the personal contact between the individual and his employer as quickly as possible, which is crucial to regular employment.

To find work for new citizens quickly, the Government has planned the following initiatives:

1. A simple and nonbureaucratic model of on-the-job-training

The Government intends to propose one simple model for on-the-job-training which is not administratively or financially burdensome to the enterprises.

The idea is to make labour available to the employer for a period on the condition that the employer undertakes to provide general introduction and upgrade qualifications (learning from peers). These initiatives will improve the individual foreigner's proficiency in Danish. The model has the following elements:

- Persons who have had difficulties in gaining a foothold on the labour market, including refugees and immigrants, will be offered on-the-job-training with a private or public employer. The trainee period is to be fixed individually, but cannot exceed 52 weeks. The individual may also find a training place at his own initiative.
- Maintenance during the trainee period will correspond to the benefits for which the particular person is already eligible.
- Persons needing, in particular, language upgrading, but also other kinds of upgrading, will be upgraded through their ties with or presence at the workplace. The upgrading process will be agreed in detail by the employer and the allocating authority.

The practicalities of the scheme will be finalised under the Government action plan "More People in Work".

The Government proposes to introduce a simple model for on-the-job-training.

2. Introduction to ordinary employment

Companies may have doubts about the professional and language qualifications of new citizens and therefore they may be reluctant to hire people whose productivity does not match the collectively agreed wages or salaries, according to the employer's direct assessment. Therefore it must be made possible to employ citizens who find it difficult to gain a foothold on the labour market on ordinary terms, but pay them lower starting wages/salaries. The Government would like to point out two models:

- Ordinary employment for a period of up to one year at the minimum wages/salaries agreed within the industry (without any supplements/benefits under local agreements).
- Apprentice pay for a period of up to one year.

The Government encourages the social partners to offer a view of the existing possibilities of employing people on starting or minimum wages/salaries according to the applicable collective agreements.

The Government proposes that it should be possible during an introductory period to employ citizens who find it difficult to gain a foothold on the labour market on special starting wages or salaries.

3. Shorter way to a permanent resident permit for well integrated foreigners

Many new citizens make huge and successful efforts to start a new life in Denmark. They want to become integrated in the Danish society, and they work hard to accomplish that – they acquire knowledge of the Danish language, find a job and become able to maintain themselves.

Such efforts should be rewarded and boosted. Therefore it is essential to have immigration law incentives urging newcomers to find a job and otherwise become integrated quickly. The Government will therefore open up for the issue of permanent resident permits earlier than otherwise if a foreigner has made a successful effort to become integrated in the Danish society, one of the conditions being that they can maintain themselves.

The Government proposes to make newcomers who have made a successful effort eligible for a permanent residence permit at an earlier date.

4. Swift work permit procedure for specially qualified asylum-seekers

The Government wants to make it possible for asylum-seekers with special qualifications to get an ordinary job. This option should be available to IT engineers with a university degree and others who can enter the labour market directly and who are urgently needed today.

The Government proposes to make specially qualified asylum-seekers eligible for a work permit.

5. From passive to active asylum phase

The Government intends to streamline asylum proceedings and amend the rules on asylum-seekers' stay in Denmark during the examination of their applications. Some of the asylum-seekers get a residence permit for Denmark. It is essential that the waiting period is used in a constructive way. This we owe not only to the people obtaining a residence permit for Denmark, but also to people who have to return to their country of origin. Asylum-seekers must be given responsibility for daily chores at the accommodation centres. And the activities at the centres must focus on participation in the working life. The rules on pocket money, etc., to asylum-seekers must be amended.

Furthermore, it must be made a condition for receiving benefits that the individual asylum-seeker participates in the chores at the accommodation centre or that he observes the duty to work as a trainee with a local employer outside the centre.

Until it has been determined whether the asylum-seeker's application will be examined in Denmark, no pocket money will be paid out.

The Government proposes to make the asylum-seekers obliged to work either at the centre or with local employers outside the centre.

The Government proposes to make it a condition for payment of pocket money that the asylum-seeker observes his duty to work.

The Government proposes that benefits will not be paid out until registration of the application for asylum in Denmark.

6. Persons who have been reunited with their family must also work

By means of the new rules suggested in the proposal "A new policy for foreigners", a person reunited with his spouse must be maintained by the spouse living in Denmark. To strengthen its efforts towards persons reunited with their family, the Government proposes that the individual new citizen and his local council should conclude a contract stating rights and duties instead of the action plan prepared at present. Such contract is intended to ensure a high quality introduction programme and to be targeted at education or training and work.

The Government proposes to oblige persons who have been reunited with their family to sign contracts with the municipality.

7. Efforts directed more specifically at work-related training of immigrants

The educational situation of many immigrants and their descendants is alarmingly poor. Almost half of the young men and more than every third young woman has never completed and are not learning a trade or taking a qualifying course. For other young people this only applies to one in five. At the same time young immigrants and adult apprentices are over-represented in the school-based practical training schemes.

The Government will seek to utilise the funds allocated for the Labour Market (Apprentices and Trainees) Refund System and other public funds to better stimulate the hiring of young people from the vulnerable groups as trainees by enterprises, for example through more efficient use of the special subsidies financed under the Refund System and by expanding the present use of the funds of the Refund System to include subsidies for intensifying the work of approving more trainee jobs and the work of breaking new ground.

The Government proposes social and health sector models which combine training or education and ordinary employment at a workplace.

The Government proposes to provide more genuine trainee jobs.

The Government proposes to set up training courses within the social and health sector that are closely linked to jobs.

8. Efficient municipalities should be rewarded

The municipalities should be given a financial inducement to find jobs for new citizens right away.

Today the Government refunds the expenditure of the municipalities related to the first three years' integration of newcomers. After three years the municipalities have to pay a larger share of the expenditure for cash assistance, job training and Danish courses, but will receive a fixed transition subsidy for each person for another three years.

The Government wants to adjust the financing of the integration efforts. To a greater extent money is to be granted because of good results. Municipalities doing a good job will be rewarded. Passive municipalities have to pay the expenditure themselves.

The Government proposes to reorganise the transition subsidy to the municipalities. Instead the money is to be used as rewards to the municipalities who have found work or job training for new citizens.

The Government proposes to reorganise the Danish language course subsidies to motivate municipalities and new citizens to complete the Danish courses far more quickly than today:

- As a starting point the municipalities are only to receive subsidies to offer Danish courses for three years to each foreigner.

- Municipalities are to be rewarded for measurable progress made at Danish courses.

9. Quality assurance of the municipal effort

The Government will set out new quality targets for the municipalities, for example, that new citizens get jobs and learn Danish. This will make it possible to measure where in Denmark the integration effort is most successful. In Ringkøbing and Farum 60 per cent of the new citizens have jobs, while in Nyborg and Grenå the corresponding figure is less than half. The Government will work out methods for continuous measurement of the municipal effort and the effect of the effort. In the autumn of 2002 the Government will take stock of the effort.

This knowledge is to be communicated to other municipalities so that they may benefit from each other's experiences through the experience database of the Ministry of Integration.

The Government proposes quality targets and quality checks of the integration effort.

10. Local job providers

To ensure an effective employment effort, for example in residential areas with particularly high unemployment rates, the Government will initiate the establishment of local job providers.

Local job providers may be individuals, clubs, associations or others in special contact with the local community. They may include local trade associations, youth counsellors, voluntary organisations, etc. The model will not be firm, but must ensure close cooperation with the municipalities/job centres.

Job provision should also take place through the Internet and other media, including the job and CV bank of the job centres. A large part of the vacant jobs are filled without any actual job advertisements, which means that many new citizens are shut out beforehand. Provision of jobs in local, social networks may therefore contribute to breaking down the barriers to the closed labour market, as seen from the outside. New citizens should be encouraged to present their qualifications on the Internet, where the enterprises can search for and meet specialised employees. The Ministry of Integration will co-ordinate the new and existing job sites addressed to new citizens.

The Government proposes more local job providers.

The Government proposes to use the Internet and other media for job provision.

In close cooperation with local enterprises and institutions, the local job centre in Holmbladsgade, Copenhagen, has had success in getting jobs or training for unemployed persons. 43 per cent of the 365 persons who have contacted the job centre have subsequently got a job or started a training/education programme. Immigrants and refugees account for 20 per cent of this figure. The job centre is open four hours a day and has existed for nearly two years.

11. Better opportunities for entrepreneurs

Many new citizens arrive in Denmark with a strong entrepreneurial spirit, and the desire and ambition to become self-employed. The Government will pursue a policy in favour of entrepreneurs to make it easier and more attractive to set up and run your own business.

The Government is currently drafting an action plan with initiatives to improve the conditions for starting, running and developing a business. In this context, the Government specifically considers the conditions of ethnic entrepreneurs. This includes considerations on how ethnic entrepreneurs can apply their existing professional competencies to a wider extent when starting their own business.

Furthermore, the Government sees a potential in using the experiences and entrepreneurial spirit of many of the new citizens as a source of inspiration to the Danish culture of entrepreneurship.

With its 'competitiveness package' the Government has already taken the first steps to improving the conditions of entrepreneurs in Denmark. The initiatives contained in the package regarding entrepreneurs primarily focus on improving the financial latitude of owners and employees in connection with business start-up.

The Government proposes a special effort for new citizens who want to be self-employed.

The Copenhagen Ethnic Business Development Centre is a private initiative. It offers low-rent premises for entrepreneurs as well as support and advice on rules and regulations, etc. In 2001, 56 enterprises were attached to the centre and 85 were on the waiting list.

12. Equal opportunities

The Government has a special commitment in relation to public sector jobs. The Government will continue the work to ensure that the public sector fulfils the requirement that a certain proportion of its employees are immigrants and descendants. The institutions must state how they will ensure that the workplace to a wider extent reflects the composition of the population.

Furthermore, the Government will encourage the municipalities and counties to continue and strengthen their efforts to employ more persons of an ethnic background other than Danish and to remove any unnecessary system barriers.

The Government has set up an Equal Treatment Committee to examine ways to enhance equal treatment of persons who are being discriminated and the most efficient ways to provide help for victims of discrimination.

The Government proposes that the public sector should employ more persons of non-Danish origin.

The Government proposes to strengthen the effort against discrimination.

13. A more flexible framework for integration

Associations and enterprises can actively contribute to a more effective introduction of new citizens to workplaces and the local community. Today, there are a number of committees and councils, including social coordination committees, regional labour market councils, language centre councils and integration councils. Some of them work well, others less so.

The Government proposes to simplify the committee structures and adjust them to the civil society.

Two enterprises in Ry Municipality have taken the initiative to conclude partnership agreements with the municipality on employment of unemployed citizens. 30 enterprises have concluded such partnership agreements with the municipality. The enterprises undertake to offer traineeships and subsequently jobs to refugees and immigrants. An employee of the enterprise is appointed contact person, who will introduce the enterprise and establish a social network with the other employees and leisure activities, the local community and the residential area. The enterprise receives financial compensation for the time spent by the contact person on introducing the new employee. In time the project is to comprise local associations who commit themselves, through partnership agreements, to introducing the new citizens to leisure and association activities.

14. Diversity in the labour market

International experiences with diversity management show that many enterprises gain large advantages from focusing on multiplicity, a diversified view of the competencies of their employees and cooperation. The Ministry of Integration will gather foreign experiences with integration of new citizens and hold a conference, during the presidency of the European Union, on integration in the labour market with special focus on an exchange of best practices. The Government will discuss with the social partners how the Danish enterprises can benefit from the international experiences.

The Government proposes to involve the social partners in a dialogue on diversity management.

"We have a clear competitive advantage in having a diverse staff. It creates a pleasant atmosphere and a good working climate with room for people who are different. Our point is that all customers are equally important and this also applies to our staff." Peter V Jakobsen, staff manager of McDonalds. (Source: Foreningen Nydansker (the association of new Danes)).

Effective Danish courses

The Government wants to disprove the assumption that new citizens need to learn Danish before they can get a job. A requirement to speak Danish should not be a barrier to fast employment. Therefore, Danish courses should be flexible and promote the integration of refugees and immigrants in the labour market. To many refugees and immigrants, it is an important motivating factor that the Danish lessons are related to a workplace. When the enterprise plans the course, either alone or in close cooperation with the municipality, the course becomes more targeted at employment for the benefit of both the individual and the enterprise.

15. No more “Danish first, then a job”

Today, Denmark spends DKK 800-900m on Danish courses at the 51 language centres throughout the country. The Government wants to put this money to even better use.

Danish courses at the language centres should not prevent the participants from getting jobs. The important point is the connection between the course and the practical use of the language at the workplace. Moreover, Danish courses should not be a burden to the enterprises.

Therefore, the rules on reimbursement and subsidies for Danish courses will be revised so that the money follows the individual into the enterprise. This will break the language schools’ actual monopoly of Danish courses. This will ensure greater flexibility in the planning of the courses and the number of lessons.

The Government proposes that Danish courses should never be a barrier to employment.

16. Danish lessons at the enterprises

When new citizens are to begin a traineeship or an introduction programme for ordinary employment, the Danish lessons should be planned so as to meet the needs of the individual and the enterprise. The conditions for having the lessons take place at the enterprise are to be improved. To that end, when entering a traineeship agreement the municipality and the enterprise are to discuss if and how the Danish lessons can take place at the enterprise. The municipality should strive to have as many of the lessons as possible take place at the enterprise, while also ensuring the quality of the course as a whole.

For persons in traineeship or under introduction programmes for ordinary employment, the money is to follow the individual, allowing the enterprise to be in charge of the course, either alone or in cooperation with the authorities. This will enable the enterprise to choose between different language course providers and obtain the offer that best suits the needs of the enterprise and the competencies of the individual person.

The Government proposes to combine Danish courses and traineeship/introduction programmes for ordinary employment at the enterprise.

The Government proposes to enable the municipalities to let the money for Danish courses follow the individual.

17. Absence from Danish lessons is not acceptable

Several evaluation reports on language courses at the language schools show that the rate of absence remains constant at around 25 per cent. Most municipalities operate with a concept called 'acceptable absence'. In relation to the total expenses for Danish courses of DKK 900m this means that the municipalities accept a waste that corresponds to about DKK 225m.

The Government proposes to ensure that unlawful absence will lead to a reduction of the introduction allowance.

18. Understanding of society included in Danish courses

The Government wants the Danish courses also to include lessons in the understanding of society and how to set up a business. The Danish lessons are to be based on the needs of everyday life and working life and create a connection to the requirements for becoming a Danish national. Later this year the Government will publish a handbook in different languages for new citizens about the Danish society with information on Danish history and culture and practical information, including how to set up a business.

The Government proposes that the Danish courses should include lessons in the understanding of society and information on how to set up a business.

Better utilisation of qualifications

The new citizens bring qualities and competencies needed by our enterprises and the entire Danish society. Their formal educational qualifications and actual personal competencies must be mapped rapidly and in a homogenous manner so that the new citizens can get jobs as soon as possible.

19. Efficient assessment of formal qualifications

The efforts to assess and approve the educational qualifications brought by new citizens must be improved.

The Danish Centre for Assessment of Foreign Qualifications must be able to make binding decisions on recognition of foreign qualifications in a number of cases.

Educational institutions, unemployment insurance funds and hiring authorities must accept the Centre's assessment when enrolling and/or hiring persons with foreign educational qualifications.

The Centre must have increased powers in relation to decisions on the right to exercise professions subject to statutory regulation.

Persons with foreign qualifications must have a right to appeal decisions on merit made by educational institutions.

The Government proposes to improve the possibilities of mapping and recognising the formal qualifications brought by new citizens.

20. Efficient assessment of actual competencies

It is also necessary to enhance and professionalise the work of specific clarification of competencies and testing of working capacity, not least of persons without any formal educational background.

A small number of regional units for competence testing will be established for systematic identification of actual and personal competencies in collaboration with local enterprises, professional committees and educational institutions. The units are intended solely as an aid to the responsible authority, which will still have full responsibility for the effort. The units can be established in connection with existing institutions, such as technical colleges or adult vocational training centres.

The regional units will join the expertise that can:

- carry out a systematic identification of actual and personal competencies
- assign each individual to an enterprise or an educational institution for testing of his working capacity
- assist in getting formal competencies approved rapidly through contact with the Centre for Assessment of Foreign Qualifications
- draw up a profile of competencies with a proposal for an action plan aiming at ordinary employment.

The practicalities of the scheme will be finalised under the Government action plan “More People in Work”.

The Government proposes to enhance the possibilities of mapping and recognising the actual competencies brought by new citizens through testing of their working capacity.

21. Better utilisation of the resources of newcomers

Refugees’ resources must be utilised in the best possible way. The Government will therefore improve the quality of the information on the individual refugees’ circumstances and competencies and on employment options, educational institutions, etc., in the municipalities, on which the Danish Immigration Service bases its decisions on where the refugees are to live.

The Government proposes to emphasise refugees’ work competencies more when assigning dwellings to them.

22. Away with superfluous educational requirements

The Government will make an end to barriers in the educational system that have an inhibiting effect on the employment of new citizens – and many Danes as well. The Government will assess whether further education courses and short-cycle vocational training programmes, such as the social and health service training programme, can be offered in other languages than Danish, for example English. Then newcomers would not have to postpone their further education until they have learnt Danish.

The Government proposes an end to unnecessary educational requirements. In this connection, the potential for modularisation must be considered as a means of acquiring part competencies in the same way as with the vocational training programmes.

The Government proposes an end to unnecessary educational requirements.

This year there are 1200 vacant places in the social and health service worker training programme and 500 vacant places in the social and health service assistant training programme. The Association of County Councils in Denmark estimates that there will be a shortage of up to 10,000 social and health service workers and assistants in 2011. Today students are required to have English at 9th-10th grade level. This requirement is a barrier to many people.

In the district home care centre of Inner Østerbro in Copenhagen, 40 per cent of employees have no formal training. “The district home care centre hires many with other ethnic backgrounds – at the moment we have about 15 per cent with other ethnic backgrounds,” says Elsebeth Henriksen, head of the district home care centre. “Employees with other ethnic backgrounds have added certain values to our care which many Danes have “shelved”. Usually, the respect for the elderly and the work morale is high.”

Integration – a common concern

The integration of the new citizens is a task for the entire Danish society – it is a common responsibility. This task requires great efforts on many fronts and from many players. To get started on an active life, it is important that the everyday life is working. It is a common concern for everybody in society to provide the framework for success. The Government will therefore take several steps to ensuring a solid and widely supported integration process.

23. Integration prizes

The Government will institute integration prizes to be awarded to organisations, municipalities, shop stewards, volunteers, enterprises, educational institutions or individuals. The prizes are to be awarded for a particularly successful and novel initiative. The experiences from the best projects will be communicated to a wider circle.

Among other initiatives, the Government will publish a booklet “Do like them”, describing good examples of integration. Some municipalities have such good results that if only everybody did like them, the integration would be far better.

The Government proposes to reward good examples with integration prizes.

The Government proposes to publish a booklet “Do like them”.

24. Education of children and young people

The Government will limit the municipal duty to offer mother-tongue lessons in favour of upgrading language stimulation to bilingual children.

The Government will discuss with the local councils how to ensure that children can speak Danish when they start in school. The Government will lower the age limit for the offer of language stimulation to children from the current four years to three years.

In respect of independent schools, more strict supervision is proposed to ensure that teaching is on a level with the teaching in the municipal primary and lower secondary schools.

An amendment of the Independent Schools Act will also ensure that state subsidies are only available to the schools that prepare the pupils for living in a society of freedom and democracy and that respect fundamental freedoms and human rights.

The Government will soften the rules for Danish lessons so that young newcomers over 18 years of age can attend courses in the municipal youth schools.

The Government proposes abolishment of the municipal duty to offer mother-tongue lessons.

The Government proposes a change of the age limit for offering language stimulation to children from four years to three years.

The Government proposes stricter supervision of teaching in independent schools.

The Government proposes that subsidies will only be available to schools that prepare their pupils for living in a society of freedom and democracy.

The Government proposes that young newcomers over 18 years of age can learn Danish in the youth schools.

25. Better cooperation between home and school

It is important to ensure the dialogue between the school and the parents that do not participate in the school-home cooperation. Parents must be met with friendliness and consistency.

The Government will examine how financial sanctions can be introduced against parents who are the reason why their children are unlawfully absent from classes.

The Government proposes reaching-out efforts towards passive parents.

The Government proposes a study on how parents can be sanctioned in case of their children's unlawful absence.

The Enghøj primary school of Avedøre Stationsby has given all children extra Danish lessons. Through improved examination results and training of a series of other skills in the children the school has managed to attract the children of majority parents. From being a school of almost 70 per cent bilingual children, the ratio today is about 50-50. "We don't say: "We have a group of children that are so and so. They will never make good anyway. So let matters take their course." We're ambitious on behalf of the entire group of pupils." (Kirsten Schallburg, school principal) Source: Enghøj primary school, 2001.

The Helsingør model. Many Romany (gypsy) children were absent a lot, and there was no back-up from parents to solve the problem. The local council made it part of the parents' activation for work purposes to see their children to school. If they did not do so, their activation benefits were reduced.

26. Volunteers

Denmark has a rich tradition of popular education and active membership of voluntary associations, and many people are today making a great effort in the integration work. The Government wants to discuss with the organisations in this field how to focus more on the commitment of new citizens.

Particularly the folk high schools can provide space for the individual to obtain language skills, contacts, competencies, increased cultural understanding and personal development. The intensive offers of the folk high school can be used to advantage as part of the municipal introduction course and in the general education of young people.

The Government will discuss with the ethnic minority organisations how the new citizens can be assisted in their efforts to get a good and active life. To prevent youth crime, the youth and recreation clubs must be better at offering activities that attract young people, also in the evenings and weekends.

The Government proposes to involve folk high schools, adult educational associations and volunteers and to give them more responsibility for integration.

Young people from a newly built non-profit housing estate disturbed the peace of an old residential neighbourhood of Næstved. A group of volunteer parents headed by a policeman set up a recreational and youth club and got money and support from local businesses. Today, 140 volunteer parents each spend three hours a month in the recreational club "Moonlight".

"Global housing organisation". Friendship agreements are concluded between 150 families in three non-profit housing organisations at Karlebo, Ølstykke and Hvidovre. The local families introduce and support the new families on issues concerning the dwelling, the housing unit and the local community, and social networks are created.

27. More varied housing estates

Many of the large non-profit housing estates are too homogeneous and monotonous. The housing estates have no businesses, local workplaces and life during daytime hours and are not attractive to a wider sector of the population. Therefore, a quality lift is needed in these areas where often many new citizens live. The Ministry of Integration disposes of DKK 58.5m for this work in 2002.

To attract different groups of the population, the Government will endeavour to mix the ownership of the non-profit housing estates. The Government has therefore appointed a committee to prepare a reform that enables occupants of non-profit housing to take over their home on a full or cooperative basis.

The Government proposes to develop non-profit housing estates with business, public institutions, etc.

28. Assistance to young people forced to marry

The Government will ensure assistance to young people exposed to pressure in connection with the contraction of marriages, violence in the family, or the like. Efforts should also be aimed at parents. Assistance should not only be given from centres. In cooperation with immigrant organisations and others, networks must be created and reaching-out counselling of the young people's families must be offered. Offers of mediation between the young people and their families must be set up. It must be possible for the young people to take up temporary residence at crisis centres. Counselling and lodging offers should be followed up by prolonged stays with host families.

Parents must be informed of young people's rights in Denmark and the individual's right to make his own choice of a spouse. Both parents and the young people must be informed of the potential health hazards involved in marriage between closely related persons.

The Government proposes to raise the age limit for family reunification to 24 years, to tighten the condition of ties with Denmark and to improve the support for escaped girls.

Victims of forced marriages can seek help from Foreningen Broen (Bridge Society), Døgkontakten (24-hour contact service) and Det Etniske Konsulent Team (team of ethnic consultants) in Copenhagen, and Ungekkontakten (youth contact) in Aarhus. In addition, INDSam (the Federation of Ethnic Minorities) has a special crisis helpline. Together they report about 400 forced marriage-like cases a year. Mette Severin, teacher of the Humlehave primary school of Vollsmose (a distressed immigrant estate), says: "More than every second girl comes up and shows me pictures of their intended husbands. The girls say that they are allowed to refuse once or twice, then they have to go off to get married. It's bigger than we think, this problem."

29. Particularly vulnerable groups

Various particularly vulnerable groups, including victims of violence, homeless people, substance abusers, victims of abuse, mentally and physically disabled people need better treatment, counselling and education options. Many refugees have traumas from experiences of torture and war. The Government wants to ensure offers of relevant and adequate treatment to the traumatised refugees.

The Government proposes more offers to particularly vulnerable groups.

The Government's Vision and Strategies for Improved Integration

Summary of report
submitted by the Group of Ministers on
Improved Integration

THE DANISH GOVERNMENT
June 2003

1. A new integration policy agenda

Integration efforts must be improved and the link between immigration policy and integration policy must be enhanced. By limiting the influx of new foreigners, time and resources are released for the improvement of efforts aimed at ethnic minority groups already residing in Denmark.

The Government and the Danish society bear a great responsibility for the new citizens living in Denmark - a responsibility that they can have the same opportunities and be actively and equally involved in the political, social, economic and cultural life on the same terms as other citizens. The individual's resources are a valuable contribution to society and community, and it is crucial that we move away from the clientification that has previously characterised the integration policy.

Far too many immigrants and refugees still live passive lives on the fringe of society, and many experience prejudices and differential treatment in their everyday lives. We are still not in step when it comes to the fundamental values of society: freedom, duties, rights and equality for everyone regardless of sex, colour and belief. The economic and human resources represented by the ethnic minorities must be used. It is not acceptable to alienate large groups of citizens from central parts of social life.

If we fail to make a targeted and innovative effort today, we risk being left with an economically, socially and culturally divided society in a few years - a society not only with an increasing number of elderly people, which will lead to new challenges for the continued financing of our welfare and living standard, but also with an increasing number of foreigners receiving transfer incomes.

With the labour market reform, a new Act on Danish Courses and the Integration Act reform, a major step has been taken towards a more targeted and consistent integration policy. Follow-up on these initiatives is required, and it is also necessary to look at various other aspects of the integration efforts. Therefore the Government set up the

Group of Ministers on Improved Integration in January 2003. The Group members were 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.

'The Government's Vision and Strategies for Improved Integration', the report of the Group of Ministers, places three central issues on the agenda of the integration policy for the coming years:

1. A coherent and open democratic society

2. Education and training

3. The labour market

The Government's integration policy agenda has been formulated to cover three overall strategies, which have together resulted in more than 100 concrete initiatives. This leaflet presents the overall ideas and aims of the many 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:

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

2. The Government's vision

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 eight per cent of the population - a proportion which will increase naturally in 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.

This presents major challenges for the political visions and strategies for the coming years. But with clear goals for a targeted and innovative integration policy, such challenges can also be converted into a significant resource for the Danish society and enrich its economy and people. In the future, with an ageing population supported by fewer people, society will urgently need extra hands to offset the increasing pay-out of welfare benefits. This may also yield a human, social and cultural benefit to society.

Successful integration today is a human and economic investment in the future. The Think Tank on Integration has thus pointed out that the insufficient integration of foreigners in the labour market will, in rough figures, cost the public sector more than DKK 23 billion a year as from 2005. The price of poor integration corresponds to 60 per cent of the expenses for elementary schooling, or 35 per cent of the expenses for the public health sector in 2001.

3. Strategies of improved integration

First strategy: Efforts to ensure a coherent and open democratic society

Diversity can be a strength. But it may also involve the emergence of norm-based integration problems when, for obvious reasons, many people of foreign origin have other perceptions of what is right and wrong than those generally prevailing in Denmark.

To promote the development of a coherent and open democratic society, the Government will enhance efforts within the following fields:

1. Equal rights, equal status and active citizenship
2. Family, upbringing and schooling

Equal rights, equal status and active citizenship

You can only contribute to a community when you feel part of and responsible for that community. Therefore it is crucial - particularly in relation to newcomers - that a special effort is made to make them feel that they belong in Denmark and that they get a basic understanding of their rights and duties in a democratic welfare society.

Of course this applies to both men and women. The acceptance that men and women are equals is essential for being able to cope in a workplace, at an educational institution, or in society in general.

The greater involvement of ethnic minorities at local government level is a positive expression of community feeling and active citizenship. It is crucial that this involvement spreads to cultural and private associations and the public political debate as well. This is also where the diversity of people and views meet.

Differential treatment due to ethnic origin and perceived discrimination constitutes a real problem in connection with the integration process, although it is difficult to fully identify the scope of the problem. Irrespective of scope, differential treatment is unacceptable. Society expects its citizens to make a contribution. Consequently they must also be treated equally and have a fair chance. We all have a co-responsibility for this.

Active citizenship also implies responsible citizenship that contributes to both democracy and the economy. Therefore tax and VAT evasion must be countered - whether it occurs among Danes or ethnic minorities - and the public purse is not to pay subsidies to or otherwise support associations disseminating anti-democratic messages or religious hatred.

In Denmark we have freedom of religion. The Government wants to protect this freedom. Freedom of religion is an essential part of the diversity of a free and democratic society. In practice, foreigners who are to carry out missionary work or ecclesiastical or other religious functions are normally issued with a residence permit. In practice this also applies to any accompanying family members. But even religious communities must respect the fundamental values of a democratic society, and that is problematic if religious preachers spread attitudes conflicting with the fundamental values about the individual's integrity or about human equality.

The public sector - day-care institutions, schools, the health service, care of the elderly, etc. - has to adapt to the fact that an increasing part of the population has an ethnic background other than Danish. Not because some groups should be given preferential treatment, but because it is necessary to reach all groups and avoid misunderstandings.

Integration principle: We should not use 'culture' as an excuse for suppressive family patterns. The freedom to be different is a cornerstone of the Danish democracy. Respect for an individual's freedom implies, however, that each individual respects the fundamental democratic values, including other people's right to choose and form their own lives. The limit of diversity must be where the individual's freedom and personal integrity are threatened and the fundamental values of society are violated.

Equal rights, equal status and active citizenship of society must be enhanced, *inter alia*, by:

- Preparing a special action plan on diversity, equality and tolerance in the Danish society;
- Actively working for enrolment of newcomers at independent boarding schools (continuation schools, folk high schools, etc.) and, through dialogue and collaboration with national non-governmental associations, enhancing the efforts to increase the involvement of ethnic minorities in associations and other organised leisure time activities;
- Increasing the protection against differential treatment due to ethnic origin. Some of the means are increased protection against harassment due to ethnic origin and new offers of mediation and assistance in connection with disputes concerning differential treatment;
- Reviewing legislation concerning financial support and grants, and in that connection considering the need for launching further initiatives to ensure that public authorities do not support individuals, associations, etc., if such support creates a basis or a framework for racist or other criminal activities or the like;
- Introducing a requirement that priests of religions other than the Evangelical Lutheran Church of Denmark must prove worthy of performing religious acts with civil validity;
- Urging religious communities in Denmark to discuss with the relevant universities whether the Danish society should be able to meet the demand for qualified priests for the major religious communities in Denmark to a greater extent;
- Requiring religious preachers and any accompanying family members to be able to fully support themselves;
- Requiring foreigners to provide evidence of a relevant background/education for being issued with a residence permit as religious preachers;
- Supporting information and communication initiatives aimed at ethnic minorities concerning offers for various patient and disability groups;
- Implementing initiatives intended to increase sports activities and improve the health and diet of ethnic minority children.

Integration principle: We have to make room for diversity and learn how to profit from it.

Refugees and immigrants have brought new norms, values and knowledge to Denmark from other countries and cultures. Together with our intensive contact with other countries - economically, politically and culturally - the diversity of people, attitudes and beliefs existing in Denmark contributes to the creation of great potential for dynamics and progress.

Family life, upbringing and schooling

Respect for the private sphere and respect for the individual's freedom and personal integrity - concerning both adults and children - often clash in matters concerning family life and upbringing. It is necessary for society to contribute more to a solution of the problem by defining a limit.

The acceptance that men and women are equals is essential for being able to cope in a workplace, at an educational institution or in society in general. For the individual it is essential to be treated equally and to have the right of self-determination - the right to make important life choices as regards partner, family, education, training and work. However, many ethnic minority families adhere to the traditional role patterns, according to which women and girls are not considered equals of men and boys. This means that many minority women live an isolated life in their homes, and the young girls in particular face a powerful control from their families. It is crucial to break this isolation and give women the same, really equal opportunities as men. In this connection it is essential that the women and young girls who opt to break out are offered help and support to make sure that this cultural isolation is not merely replaced by fear, loneliness and social isolation.

Parents are responsible for the upbringing of their children, and there are narrow limits as to how much society can and should become involved in parents' upbringing methods. But there *are* limits, as also children and young people are entitled to equality and respect for their personal integrity. Forced marriages and female genital mutilation are acts of far-reaching and irreversible consequences for the rest of their lives. They constitute an unacceptable breach of the individual's fundamental freedoms.

The efforts in these fields must be enhanced further, *inter alia*, by:

- Supporting mentor schemes intended to help young ethnic minority women to become educated and get a job and managing on their own in the Danish society;
- Examining to what extent the Danish courts deal with cases involving the application of Islamic law and how such cases are solved in practice;
- Implementing an action plan for freedom to choose one's spouse with initiatives aimed at local and other authorities, crisis centres, schools, youngsters, their parents, and others, and including information on the 24-year limit for spousal reunification;
- Following up on the new possibility of punishing Danish nationals and persons resident in Denmark who carry out or contribute to female genital mutilation abroad, although it is not prohibited under the legislation of the country in question, by circulating informative material to teachers, visiting nurses, educationalists and others about duties and possible actions to take in connection with genital mutilation.

School is an essential element in the lives of all children. In addition to learning the subjects taught, pupils become acquainted at school with society's unwritten norms, values and rules. It is also at school that they learn to create their own non-family social relations. Therefore parents carry a great responsibility that their children get a good start at school and that they are allowed to participate in the entire school programme. Co-operation and mutual confidence and understanding between school and parents are crucial factors.

Therefore it is highly problematic that some parents choose to send their children on a re-education trip to their country of origin. It is also necessary to ensure that private independent schools do not oppose the goal of preparing their pupils for a life in a society with freedom and democracy.

The integration efforts within the educational field must be enhanced, *inter alia*, by:

- Implementing a project on 'parental responsibility' aimed at assisting parents in carrying out their responsibility as child raisers and developing parental co-operation at schools and day-care institutions;
- Working for the education and employment of more persons from ethnic minorities in the social, health and education sectors, and examining whether it is possible to make day-time offers more integration-friendly and attractive to families with an ethnic background other than Danish;
- Making parents who send their children to their countries of origin pay the expenses related to their return to Denmark;
- Ensuring that parents do not receive any family and child allowances for children sent abroad for an unreasonably long period and in such a way that they neglect their parental duties;
- Lowering the age limit for children's entitlement to a residence permit from 18 to 15 years and restricting the eligibility for family reunification with children to exclude situations where one parent is still living in the country of origin. In such cases in future the specific circumstances of the case must be balanced in connection with the assessment whether the child is to be issued with a residence permit;
- Launching targeted supervision of private independent schools to check what initiatives the schools have taken as a consequence of the new rule that schools must prepare the pupils for living in a society with freedom and democracy.

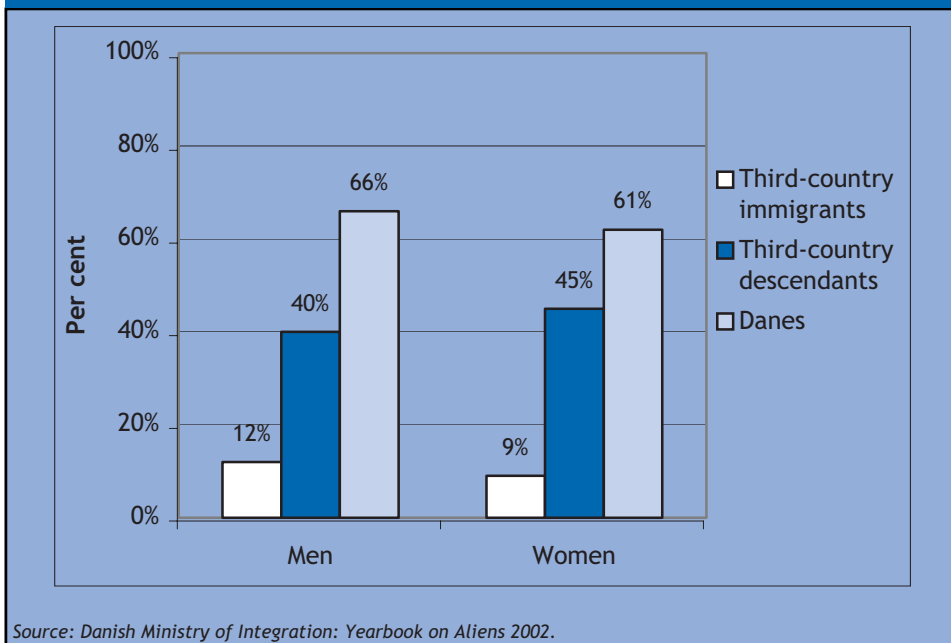
Second strategy: Efforts to help persons of an ethnic background other than Danish to manage better in the educational system

Education and familiarity with the Danish language are all-important for successful integration and a prerequisite for the possibility that today's immigrant and refugee children become tomorrow's active citizens. One of the major tasks of the integration policy is therefore to create a framework in which immigrants and refugees and their

descendants manage better in the educational system and obtain good skills in Danish. That is more than a vital door-opener to the labour market. It also increases their chances of participating in the social and democratic life as active citizens and of understanding and joining the society and community in which they live.

Immigrants and their descendants from third countries generally have a lower educational level than the population as a whole. In 2001, 66 per cent of Danish men and 61 per cent of Danish women aged 25-64 years had obtained occupational qualifications in *Denmark*. Among descendants of immigrants from third countries (that is, non-Nordic countries and countries outside the EU and North America) the corresponding figures were 40 per cent and 45 per cent, and only 12 per cent of immigrant men and 9 per cent of immigrant women from third countries had obtained occupational qualifications in Denmark, cf. the figure below.

Share of 25–64-year-olds with occupational qualifications obtained in Denmark at 1 January 2001



It is highly alarming that fewer ethnic minority youngsters compared to the remaining population obtain occupational qualifications. Educational level differentials are related to the facts that too few enrol in vocational education, too many drop out and traineeships are too hard to find. This is an untenable situation.

Therefore descendants born in Denmark and refugees and immigrants who have come to Denmark as children must be motivated to complete a training or educational course just like all other children and young people; and therefore the training of immigrants and refugees who come to Denmark as adults must have a clear and realistic occupational aim to help them get a job quickly. It is equally important for them and their children.

Integration principle: We have to abandon clientification and show respect by imposing demands. We must base this principle on the individual's resources and responsibility. And we have to abandon the clientification of foreigners arriving in Denmark. It is not a social occurrence to arrive in Denmark. A lot of those who have come are generally strong, they have brought themselves to this country, they have a network in Denmark (which is often the reason why they came), and they bring 'self-employment incentives' and a healthy approach towards their own ability to support themselves and their families. The problem is not so much the attitude they bring as the attitude they face when they arrive.

It is of great importance that the children whose mother tongue is not Danish already master the Danish language before they start school so that they get a good start of school and can follow classes to the same extent as their peers. Experience shows a highly positive effect on the children's Danish skills if they attend day-care offers and language stimulation already from the age of 3 or 4.

Enhanced efforts at primary school level are also required, because today more than 9 per cent of the primary and secondary school pupils are bilingual. The Danish and mathematics literacy of bilingual primary school pupils is generally lower than that of Danish pupils. According to a comprehensive OECD study (the PISA study), internationally the reading skills of a very large part of the bilingual pupils are deemed insufficient for the completion of a subsequent study programme and for handling the challenges in the labour market. Moreover, the average mathematics literacy of ethnic pupils is lower

than that of the remaining population. Denmark is the only OECD country where, on average, second-generation immigrants do not have a better mathematics literacy than first-generation immigrants.

It is a problem in both the short term and the long term that ethnic minority youngsters have a high dropout rate at the youth education institutions and that they are inadequately represented at the institutions of higher education compared to the remaining population. We therefore have to look at ways to make the educational system more flexible, taking into account the qualifications of the individual. The goal of adult training is that immigrants and refugees will get a job as soon as possible and that training is correspondingly targeted towards the labour market.

Various initiatives have already been launched within training and education, and now the efforts will be enhanced further, *inter alia*, by:

- Examining the possibilities of making language stimulation mandatory for children whose mother tongue is not Danish;
- Preparing material to inspire and advise staff of day-care institutions on integration work;
- Supporting the establishment of a pilot project with mentors/adult friends as homework coaches;
- Preparing material for inspiration on integration when teaching young newcomers at youth schools;
- Examining the possibility of amending the Act on Independent Boarding Schools to make it possible for continuation schools to teach Danish as the second language within the existing financial limits;
- Setting up the framework for developing a more flexible planning of the start and completion of vocational training. It will be possible to complete the training at various levels leading to different job profiles;
- Committing the universities to offer better guidance for students, including foreign students - as is already the case in connection with the adoption of the new University Act - to reduce the dropout rate;

- Launching initiatives for newcomers for the purpose of targeted preparatory courses for vocational training in fields with good employment prospects;
- Opening a hotline for immigrants and refugees to be used if the educational institution does not follow the rules or exploit the possibilities laid down in the legislative framework for the education or training in question.

Third strategy: Efforts to help more foreigners to get a job

Work is the key to the successful integration of foreigners in the Danish society. More foreigners must be employed by public and private enterprises. In relation to the labour market, fewer should be unemployed and passive. All possibilities of work must be utilised: good jobs, bad jobs, occasional jobs, seasonal jobs, mentor schemes and other company traineeships. If the integration fails, it is waste of resources - waste that we cannot afford in human and financial terms.

Full employment and self-support among immigrants and refugees are more than merely a question of boosting the economy. It is also a matter of showing respect for the individual human being as a full member of society. Therefore the integration policy must aim at creating opportunities to enter the labour market, thereby allowing everyone to become not merely self-supporting, but also contributors to the positive development of society in a general sense.

Integration principle: We have to abandon any lack of consistency whatsoever. 'Something for something' must be the guiding principle of the coming years' integration policy. If a foreigner displays special initiatives to become integrated, he or she must be rewarded. The same applies to local councils, enterprises and citizens who contribute in a positive way to the integration process. Successful integration is in fact our common responsibility. If, on the other hand, a person refuses an assigned job, the cash box will be slammed shut. This applies to Danes as well as to immigrants and refugees. It must take a difference to make a difference - also in the integration process.

In particular, far too many immigrants, and also their descendants, have no ties with the labour market, and the unemployment rate among those actually on the labour market is still far too high. In 2001, only 45 per cent of the 16-66-year-old immigrants from third countries were in employment against 76 per cent of the Danes in the same age group. Among third-country immigrants, the two sexes' ties with the labour market differ greatly. In 2001, 38 per cent of the women had a job against 52 per cent of the men, cf. the table below.

Employment rate for 16–66-year-olds broken down by origin and sex at 1 January 2001			
	Third-country immigrants	Third-country descendants	Danes
Men	52%	64%	80%
Women	38%	63%	73%
Total	45%	63%	76%
<i>Source: The Immigration Database of the Ministry of Integration, managed by Statistics Denmark, Udd6.</i>			

If third-country immigrants and their descendants are to have the same ties with the labour market as Danes, the requirement is for another 60,000 foreigners to get a job. A forecast prepared by the Think Tank on Integration shows that in 2021 the figure will be 130,000 if the employment situation for foreigners has not improved.

Realisation of the targets - and they *have to* be realised - requires innovation, will and involvement from all parties: the private and public labour market, the individual immigrant, local authority integration officials and social workers, etc. This is a joint task. To the individual immigrant or refugee, an ordinary job must always be preferable to passive maintenance. And a condition of public assistance must be that all possibilities in the labour market have been exhausted and that the person is willing to accept any job. The local authorities must aim at employment rather than activation, and private enterprises must be more involved in the integration process. Finally, as an employer, the public sector naturally has a special duty to ensure that a certain part of the public employees are from ethnic minorities.

Due to the four-party agreement between the Government, the local authorities and the labour market parties from May 2002 and the agreement 'More People in Work', a major step has already been taken in the right direction.

As a supplement to the initiatives taken by the Government so far in the employment field, integration in the labour market must be strengthened further, *inter alia*, by:

- Presenting proposals for simplification and streamlining of the recording of qualifications brought by foreigners;
- Establishing a small number of competency clarification units;
- Gathering experience about the local authorities' organisation of the work involved in the integration of foreigners in the labour market;
- Establishing an experience and knowledge portal spanning existing websites and databases on integration for the purpose of supporting the experience-sharing incentives of local authorities, the public employment service, enterprises and other players;
- Making annual measurements of the effects of the local authority integration efforts and rendering visible the responsibilities of the local authorities by improving the information they receive;
- Financing a common development project created by the labour market parties, represented by the Confederation of Danish Trade Unions (LO), the Danish Employers' Confederation (DA) and the National Association of Local Authorities in Denmark (KL), with a view to swift implementation of the four-party agreement;
- Providing financial support to the Danish national schools of social work for the development of a diploma course in labour market affairs and in particular the efforts to promote the integration of immigrants and refugees;
- Making an effort for further training of social workers and other caseworkers for the employment service and local authorities to equip them to work in a more targeted and specific way as job providers so as to find employment for immigrants and refugees;
- Publishing a toolbox - a catalogue of ideas - with a number of tools to encourage a diverse composition of public sector employees.

