



europaean network against racism

# ENAR Shadow Report 2009-2010

## **ENAR SHADOW REPORT 2009/2010**

### **Racism and Discrimination in Denmark**

**Bashy Quraishy  
Ethnic Debate Forum - Copenhagen**

Racism is a reality in the lives of many ethnic and religious minorities in the EU. However, the extent and manifestations of this reality are often unknown and undocumented, especially in official data sources, meaning that it can be difficult to analyse the situation and to establish solutions to it.

The ENAR Shadow Reports are produced to fill the gaps in the official and academic data, to offer an alternative to that data and to offer an NGO perspective on the realities of racism with the EU and its Member States. NGO reports are, by their nature, based on many sources of data, official, unofficial, academic and experiential. This allows access to information which, while sometimes not backed up by the rigours of academic standards, provides the vital perspective of those that either are or work directly with those affected by the racism that is the subject of the research. It is this that gives NGO reports their added value, complementing academic and official reporting.

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The seven-year Programme targets all stakeholders who can help shape the development of appropriate and effective employment and social legislation and policies, across the EU-27, EFTA-EEA and EU candidate and pre-candidate countries.

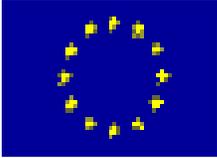
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1. providing analysis and policy advice on PROGRESS policy areas;
2. monitoring and reporting on the implementation of EU legislation and policies in PROGRESS policy areas;
3. promoting policy transfer, learning and support among Member States on EU objectives and priorities; and
4. relaying the views of the stakeholders and society at large

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## I. Executive summary

The 2009 - 2010 Shadow Report looks at racism and discriminatory practices, ethnic and religious minorities experience in their daily life in Denmark. While, the report covers a wide variety of areas, it also deals with direct and indirect discrimination as well as lack of equality in society. Since most of the research, mapping, documentation and reporting of racism and discrimination is carried out by civil society organizations, government bodies and academic institutions which all represent the majority perspective, this report has made sure that the opinions and views of the victims of discrimination are also included.

This was necessary in light of the fact that minority perspectives are often missing from the discussion, which focuses on the formulation of policies. The participation of minorities in the functioning of society through consultation and inclusive integration policies thus remains a wish.

The present report begins by giving an overview of the largest non-European minority groups in Denmark. The Danish government's statistics, describes non-European communities in a particular manner. Discriminated groups vary in ethnicity, cultures and religions but in the last few years, an open and hostile atmosphere towards Muslim groups became apparent in all spheres of life. There is also visible discrimination against Roma, citizens of Eastern European countries and adopted children as well as students.

Although official Denmark flatly denies the existence of classical racism, discriminatory practices take place every day. We have included many academic surveys, reports from distinguished organisations and NGOs, which have documented beyond doubt the unequal treatment minorities face. Persons find they are most discriminated against in the area of employment, obtaining apprenticeships. Even if the situation for youth employment did slightly improve in 2009, the financial crisis is hurting the chances of permanent employment.

**Housing and accommodation** is an area where minorities are often directed by housing societies towards places and quarters where the percentage of socially deprived Danes and various minority groups is quite high. In addition, the authorities term those areas as Ghettos. Evictions and homelessness is increasing among minorities.

In **education** there is an important focus on the Danish language which impedes on the children's mother tongue. Language testing in the nurseries among minority toddlers is also being recommended. There are also efforts to spread out minority children in as many schools as possible in the name of integration.

In the **health sector**, torture victims and elderly minorities experience lack of attention. In 2011, free interpretation for ethnic minority patients will cease.

The **relationship between the police and minority youth** has deteriorated in 2009-2010 due to the increasing use of zone visitations, racial profiling and stop and search raids in certain neighbourhoods. Police take their orders from the state and thus sometimes act with heavy handedness. The Police Complaint Procedure is also under review.

Although **Danish society** has been relatively peaceful until recently, racial violence and crime have accelerated steadily resulting in deaths and shootings. Extreme right wing movements and motorbike gangs take advantage of the negative atmosphere and recruit young members for their cause. Harassment of Muslim women and Jewish students is a cause for alarm. New Anti-gang laws focus a lot on ethnic minority youth. Better reporting of hate crimes and training of police to tackle it, is needed.

When it comes to **accessing goods and services** in the private sector, discrimination in discos, bars and entertainment places is still very widespread and out of the control of authorities. Discrimination in buses and taxis has also been reported.

The **media** including the Internet is often hostile towards non-European minorities. Excessive focus on the negative stories created a very bad image of minorities. Even Danes are tired of Islam debate, the media continues to focus on Islam, the freedom of expression, headscarf, radicalisation, and terrorism by Muslims. This gives the green light to anti-minority politicians. Even DR, which is the national TV and Radio outlet dare not criticise Danish Peoples Party.

All the above-mentioned developments have a **political and legal context**. In the absence of strong legal protective measures against racism and discrimination, it gives a free reign for politicians to say what they like. Therefore minorities have great difficulty in attaining equal rights and opportunities. Talking to NGOs, it became clear that in the last few years, civil society, which was very active until 2001, has lost hope and faith in a positive change.

On the **anti-discrimination** front, the government refuses to officially acknowledge the existence of racism in Denmark. Their plans of actions talk about diversity and mono cultural integration without a concentrated effort to tackle racism and discrimination. Most of the new laws concerning minorities are actually new restrictions on citizenship, family reunification, asylum and social rights. Denmark has been repeatedly criticised by the EU institutions and international organisations but due to the lack of sanctions, the government has dismissed all valid criticism.

Successful integration has been linked by the government to stopping the third country nationals to entering Denmark. This policy has had the desired effects by reducing asylum and family reunions from Asia, Africa and the Middle East, especially Muslim countries. Without consultation with minorities, the whole burden of integration has

been put on the shoulder of ethnic minorities who are asked to adopt the Danish way of living by discarding their own values and traditions.

**Family reunification** from Muslim countries has significantly decreased while it has increased dramatically from non-Muslims areas. The same is true with refugees and asylum-seekers.

When it comes to **redress**, there are few practical remedies against racism and racial profiling but great focus on anti-terrorism and radicalization. Danish anti-terrorism laws are stricter than EU laws. Drastic measures have alienated and angered Muslim communities who find themselves targeted because of suspicions and actions of a very tiny number of Muslim individuals.

The result of these negative developments is social exclusion, increase in poverty, erosion of trust and the emergence of the 'us' versus 'them' divide. We believe that this divide will widen if the majority of society does realise that ethnic and religious minorities are here to stay and that an inter-cultural society with equal rights and opportunities is the best guarantee for an inclusive society. Minorities hope that the Danish media, politicians and authorities are mindful to the new reality and would act accordingly.

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### III. Introduction

Denmark, with a population of approximately 5.5 million, is a constitutional monarchy with democratic parliamentary rule. The minority center-right coalition government led by the Liberal Party (Venstre) won the majority of seats in the 2007 election, and, since 2001, has governed with the help of the extreme anti-Islam and anti-minority Danish People's Party. This constellation has affected the nature of migration laws, media debates, public discourse and even the public perception of non-European ethnic and religious minorities, especially Muslim groups, to such an extent that their living conditions have not improved but in some cases deteriorated.

This report, covers the period January 2009 to March 2010, we collected 3500 documents – both national and international – and have consulted with ENAR-Denmark's member organizations, as well as solidarity NGOs, DRC, the Danish Institute for Human Rights and many other valuable and active actors in the areas of discrimination.

The US State Department's 2009 Human Rights Report points out that discrimination against religious and ethnic minority groups in Denmark has remained relatively constant over the past several years. The presence of ethnically and racially diverse refugees and immigrants (mostly Iraqis, Palestinians, Moroccans, Pakistanis, Sri Lankans, Somalis, and refugees from the former Yugoslavia) caused some tension between citizens and immigrants, which was documented in press reports. A report released by the EU Human Rights Agency in December stated that every third Somali in the country experienced some form of racist harassment<sup>1</sup>.

It is our hope that the discrimination we have pinpointed in the documentation we have provided and the proposals we have put forward will receive the serious attention that they deserve, both from politicians, media, civil society and authorities.

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<sup>1</sup> US Department of State, 2009 Human Rights Report: Denmark 11 March 2010 <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136028.htm> accessed 10 September 2010.

## IV. Communities vulnerable to racism and discrimination

Statistics Denmark (the Danish Bureau of Statistics) generally uses the terms 'immigrants' and 'descendants' when providing data on people with an ethnic minority background in Denmark. According to the definition of Statistics Denmark, an 'immigrant' is a person born abroad and whose parents were also born abroad or are foreign nationals. This category thus includes only first-generation immigrants. A 'descendant' is a person who was born in Denmark but whose parents were born abroad or are foreign nationals. This category thus describes second-generation immigrants but in addition also includes descendants whose parents do not have Danish nationality.

According to the latest data available from the Ministry of Integration and Statistics Denmark, the total population of Denmark per 1st January 2010 was 5,475,791. This figure includes native Danes, small groups of *Inuits* from Greenland, Faroese, and persons with 160 different nationalities from all over the world. To the outside world and for internal political reasons, Denmark presents the total number of immigrants and their children in Denmark as 542.738. This is equal to 10.00% of the total population. <sup>2</sup>

Interestingly enough, within the communities which do experience racism and discrimination, there are also people from Greenland, adoptive children from Asia and Africa such as Bangladesh, India, South Korea as well as Danish Roma. In recent years, citizens from Romania and Bulgaria with a Roma background who come to Denmark to work, those who stay for short periods of time or even as tourists have been victims of discrimination from the authorities, negative media coverage and hostility from ordinary native Danes.

There have been many surveys and media coverage that point to a very disturbing trend. The hierarchy of racism has somehow changed since 2001, when the present government took over.

From the Sixties to the Seventies, the most common expression used for non-Danes was 'guest workers', which changed to 'foreign workers' in the 1980s. After many years of discussions in the Nineties and pressure from ethnic minority representatives, the expression 'ethnic minorities' became accepted and started being used, both in the media and by the authorities. Since 2001, the word 'Muslim' is used in a negative context, giving the impression that most ethnic and religious minorities have a Muslim background. This has resulted in an extremely Islamophobic atmosphere in the country, which is also reflected in the law making, media descriptions and public debates. The reality is that because of official policies, minorities from Muslim countries face an impossible task to come

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<sup>2</sup> Ministeriet for Flygtninge, Indvandrere og Integration, Tal og fakta på udlændingeområdet 2009 available at [http://www.nyidanmark.dk/NR/rdonlyres/FE564B43-5F00-4796-B041-59794779B147/0/tal\\_og\\_fakta\\_paa\\_udlaendingeomraadet\\_2009.pdf](http://www.nyidanmark.dk/NR/rdonlyres/FE564B43-5F00-4796-B041-59794779B147/0/tal_og_fakta_paa_udlaendingeomraadet_2009.pdf) accessed 19 September 2010.

to Denmark.

According to official statistics, the ten largest groups of non-Western/non-EU nationals – 1<sup>st</sup> generation, their descendents, as well as those with Danish citizenship, as per 1<sup>st</sup> January 2010 are: <sup>3</sup>

ORIGIN	NUMBER OF DESCENDENTS
Turkey	59,216
Ex-Yugoslavian States	47,730
Iraq	29,264
Lebanon/Palestinians	23,286
Pakistan	20,392
Somalia	16,831
Iran	15,209
Afghanistan	12,630
Thailand	9,411
Philippine	9,307

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<sup>3</sup> ibid

## V. Manifestations of racism and religious discrimination

Most native Danes – politicians, authorities, priests, media and the general public – prefer not to use the words 'racism', 'racist' and 'racial discrimination' in connection with the discriminatory treatment of ethnic and religious minorities in Denmark. They also flatly deny the idea that racism exists in their country. They still talk of racism in the context of the old apartheid regime in South Africa, the cruel treatment of Afro-Americans in the USA and colonial times of slavery. A good example of this mindset is that at the 2000 European Conference concerning racism, held by the Council of Europe in Strasbourg, the Interior Minister of Denmark, Ms. Karen Jespersen went on the podium and said, 'Ladies and gentlemen, in Denmark we do not have racism. We have cultural conflicts'.

Even the UN 'Plan of Action to combat racism', adopted in Durban in 2001 was changed by the Danish government in 2003 to, 'Plan of action for equal treatment and integration'. After NGO protests, the words; 'and to combat racism', were added to the above-mentioned title.

In other reports and initiatives, the Danish government uses the term 'Ethnic equal treatment and tolerance' instead of 'anti-racism'. The official website of the Ministry of Refugee, Immigration and Integration Affairs proudly presents the country under the headline: 'High degree of tolerance'. Interestingly enough, the web page has not been updated since 30<sup>th</sup> June 2006<sup>4</sup>. The fact remains, however, that no matter how vehemently the Danish government denies the existence of racism in Denmark, it is widespread in all sections of the society. In this section, we would mention just 3 new surveys to support our contention.

The polling organisation Zapera, in a representative survey in January 2010, asked 1,009 Danes if they would be willing to have a partner with a different skin colour. 29% answered No, Maybe or Don't know.<sup>5</sup>

The Eurobarometer Survey, "Discrimination in the EU 2009", disclosed that Denmark was one of the top countries in 27 EU states which have the highest ratio of discrimination based on ethnicity, 77% and religion, 55%. When asked if enough was being done to tackle all forms of discrimination, 57% Danes said, no<sup>6</sup>. Catinét Research, in February 2010, published the findings of its latest survey, which clearly shows discrimination in all sectors of society. 33% of ethnic

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<sup>4</sup> The office portal for foreigners and integration, new to Denmark, High Degree of Tolerance available at [http://www.nyidanmark.dk/en-us/Integration/high\\_degree\\_of\\_tolerance/high\\_degree\\_of\\_tolerance.htm](http://www.nyidanmark.dk/en-us/Integration/high_degree_of_tolerance/high_degree_of_tolerance.htm) accessed 20 September 2010.

<sup>5</sup> News.DK, 19 January 2009, 'Ministeriet for Flygtninge, Indvandrere og Integration' available at [http://news.dk/Indland/Indland/1174083/Nej\\_tak\\_til\\_anden\\_hudfarve.htm](http://news.dk/Indland/Indland/1174083/Nej_tak_til_anden_hudfarve.htm) accessed 20 September 2010.

<sup>6</sup> Eurobarometer, Discrimination in the EU in 2009 available at [http://ec.europa.eu/public\\_opinion/archives/ebs/ebs\\_317\\_sum\\_en.pdf](http://ec.europa.eu/public_opinion/archives/ebs/ebs_317_sum_en.pdf) accessed 20 September 2010.

minorities have experienced discrimination in transport, media, politics, work, shops, job application and schools.

## **V.i Employment**

### **Racism by Denmark's largest shipping company is ignored**

Three Afro-American employees of Mærsk Shipping Company have filed a court case against the company, for racist harassment, violence and repeated use of the word 'nigger'. These three sailors complained to the management repeatedly without any response. 3 F, the largest trade union is demanding quick action from the shipping company. It is not the first time that this company has been accused of racism. In an internal survey, 33% of Danish sailors do not like the idea of non-Danes working with them, and more than 35% of the Danish staff did not want non-Danes as their superior.

(Naimah Hussain – *Politiken*. Page 12. 22. Oct. 2009).

### **Trade Unions have ignored hatred against Muslims in the labour market**

Even if many Danes for years have worked side by side with Muslim colleagues, a survey by A4 magazine has concluded that most Danes suffer from Islamophobia. Among Danish workers, more than:

- 50% are opposed to Muslims praying during working hours
- 33% do not want a co-worker with a headscarf
- 75% do not have any Muslim colleagues
- In 3F, the second largest union of unskilled workers with most ethnic minority members, 11% do not like the idea of a Muslim co-worker

The survey warns that if unchecked, this Islamophobic situation can have serious consequences for the employment opportunities of the Muslim labour force in the future:

### **Green cards holders are not being hired**

In 2007, the Danish government, with a great fanfare, introduced a new scheme of 'Green Cards' for highly qualified and motivated young non-European workers to come to Denmark and apply for a job. Unfortunately, because of discrimination, out of 1,273 Green Card holders, 66% did not succeed in getting a job. The Integration Minister and the Danish Peoples' Party want to investigate why this scheme is not working as per its aim<sup>7</sup>.

### **East European work force is badly underpaid**

After ten countries in Eastern Europe in 2004 joined the EU, many skilled and semiskilled workers came from these countries to Denmark to work. Over the years, exploitation, discrimination and scepticism towards East European workers has dramatically increased. A survey was conducted in March 2010 by *Analysebureauet Wilke*. It found that the majority of Danes were not favorably

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<sup>7</sup> Arbejdsskadestyrelsen, Statistik, available at <http://www.ask.dk/Statistik.aspx> accessed 20 September 2010.

disposed towards East Europeans workers. Only 12% of Danes feel that East European workers are useful, while 38% consider them a threat, and 31%, a lower threat<sup>8</sup>.

In the agriculture sector, where many Eastern Europeans work, they are not organised into trade unions, and as such they often get very low wages. Many of the Poles who live in Denmark do not know their rights, and thus can easily become the victims of cheating employers. 17% of Poles were threatened physically by those who recruited them, and 32% were threatened with layoffs by their employers. (Thomas Flensburg in Politiken. 23 May 2009).

### **Au pairs are being exploited**

There are 2,937 au pair girls in Denmark. Most of them are from the Philippines and work for well-to-do families in the northerly districts of the capital, Copenhagen. Au pairs come to Denmark through a special contract and not a regular work permit. They should only work 5 hours a day, with 2500 crowns per month as pocket money plus board and lodging. According to new research conducted by FOA, the third largest trade union in Denmark, this scheme is being grossly misused resulting in young girls ending up in unacceptable working conditions. Many au pair girls are used as cheap labour instead of nannies. Former Prime Minister, Poul Nyrup Rasmussen and MEP Britta Thomsen wish to abolish this scheme<sup>9</sup>.

### **Thousands of women with minority backgrounds want to work**

One of the topics often discussed in Danish society is the lack of motivation, easy access to social help and cultural barriers, which prohibit ethnic minority women from joining the labour market. But a new survey conducted by the Centre for Social Economy and Copenhagen municipality has discovered that this perception is completely incorrect. According to statistics, most of the 14,000 women with minority backgrounds in the greater Copenhagen region alone receive no money from the state or the municipality, and they want to work. Many have experienced discrimination and Islamophobia in the labour market. Both the Director of the Centre for Social Economy and Danish Industry's spokesperson are delighted with this finding, because labour shortages are acute<sup>10</sup>.

### **Minorities have successfully come through the economic crisis**

During the economic crisis, ethnic minorities have managed to weather the storm better than ethnic Danes. Based on information from the Ministry of Labour, the LO (the Danish Trade Union Federation) has discovered that, while many Danes were being sacked, unemployment among the ethnic minorities rose by only 3% during a 12-month period. While lecturer Anders Ejrnæs from Roskilde University

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<sup>8</sup>Avisen.dk 5 March 2010, 'Danskere er skeptiske: Østarbejdere, nej tak' available at [http://www.avisen.dk/danskere-er-skeptiske-oestarbejdere-nej-tak\\_123771.aspx](http://www.avisen.dk/danskere-er-skeptiske-oestarbejdere-nej-tak_123771.aspx) accessed 20 September 2010.

<sup>9</sup><http://www.foa.dk/forbund/foa-ungdom/nyheder?newsid=%7Bd37eb727-f14b-44d1-bdb1-5db9798babde%7D>

<sup>10</sup>r Socialøkonomi, Vi er talerør for socialøkonomiske virksomheder available at <http://www.socialokonomi.dk/#> accessed 20 September 2010.

warns against premature jubilation, Torben Møller-Hansen from Organisation New Danes in the labour Market has no hesitation in saying that minorities are getting a firmer foothold in the labour market and that employers have seen the benefits of this stable work force<sup>11</sup>. Figures from the Ministry of Labour also revealed that ethnic minority youth are coping with the crisis much better than native Danish youth, especially among the less educated and those without resources. This success story is also due to the fact that municipalities have been hiring staff from the minorities in great numbers. In 2008-2009, there were 7,300 newly hired staff, 60% of these had minority backgrounds.

### **Minority youth are sorted away**

According to a survey conducted by *Arbejderbevægelsens Erhvervsråd* (The Economic Council of the Labour Movement), Danish companies needed 4,000 apprentices for their businesses in 2009<sup>12</sup>. But because of discrimination, only one in 6 apprentices with a minority background were given a chance by a company, while every second native Danes succeeded in getting a place. The Minister of Education blamed the minority youth for lacking language skills as the reason for this situation, but the Danish Building Association rebuked the Minister for blaming the victims and stating that this was because of unequal treatment.<sup>13</sup>

### **Good practices**

On 25<sup>th</sup> March 2010, the Danish Institute for Human Rights held a national conference in Copenhagen to award its prestigious MIA award to those companies who actively ensure the development and implementation of Equal Opportunity Policies. This year's winners were: ISS Facility Services A/S, the National Board of Industrial Injuries (*Arbejdsskadestyrelsen*), and a branch of the supermarket chain, Føtex (*Storcenter Nord*) in Aarhus. Danish Employment Minister Inger Støjberg presented the awards at a ceremony in Copenhagen to small, medium and large establishments. Speaking at the ceremony, the manager of IHR's Equality and Diversity department, Susanne Nour, pointed out that when it comes to ensuring equal opportunities in the labour market, there are still many challenges to face. In this respect, she particularly mentioned ethnic minorities and handicapped groups who have difficulty in breaking the barriers.<sup>14</sup>

### **Danfoss Industries has established a discrimination hotline**

One of Denmark's largest and internationally known company, Danfoss Group has a very well-established tradition of respect for human rights, code of conduct for its staff, anti-discrimination policies in its work force and equal opportunity in

<sup>11</sup> Ugebrevet, 'Indvandrere Klarer Krisen Bedst' available at [http://www.ugebreveta4.dk/2009/200909/Baggrundanalyse/Indvandrere\\_klarer\\_krisen\\_bedst.aspx](http://www.ugebreveta4.dk/2009/200909/Baggrundanalyse/Indvandrere_klarer_krisen_bedst.aspx) accessed 20 September 2010.

<sup>12</sup> <http://www.ae.dk/beskaeftigelse>

<sup>13</sup> Arbejderens, available at [www.arbejderen.dk](http://www.arbejderen.dk) accessed 20 September 2010.

<sup>14</sup> The Danish Institute for Human Rights, 'Three Danish Companies Awarded for Diversity' available at <http://www.humanrights.dk/news/three+danish+companies+awarded+for+diversity> accessed 20 September 2010.

hiring. Now the company has gone one step further. On 22 August 2009, it established an Ethnic Complaint Hot Line. People can call the hot line if they feel, experience and witness discrimination or unequal treatment.<sup>15</sup>

## V.ii Housing

### **High Court support the eviction threatened family**

The Danish High Court has struck down a decision by the lower court to evict an ethnic minority family from the largest public housing estate of Gellerup in Århus, the second largest city in Denmark. The family eviction was sought by the Brabrand Housing Association because its 14 year-old-son was accused of arson in the building cellar. Gellerup Park has for years experienced conflicts between the police and minority youth, who accuse the police of heavy-handed tactics and racism. To dampen the situation and create security, the housing society sought to evict the entire families of those youths who were involved in breaking the law<sup>16</sup>.

### **The Government presses the weak out of their homes**

In May 2005, the Danish Government entered into a pact with its partner, the far-right Danish People's Party, to push through the parliament its Integration Action Plan. The new plan stipulated that one partner of any couple who was receiving social help payments will forfeit the payments if he or she did not work for at least 300 hours in the last 2 years. The law came in to effect in 2006. Those most affected by the new laws were elderly couples from ethnic minority groups, especially refugees, who became poor and in many instances could not pay their rent, and thus had to leave their accommodation. In 2009, the 300 hour rule was revised to 450 hours, again at the instigation of the Danish People's Party. Yildiz Akdogan, member of Danish parliament's Social and Housing Committee, accused the government of creating poverty, and forcing poor minorities out of their homes. (*Information*.15 June 2009). Ms. Akdogan is supported by the Labour Movement's Economic Council, which has calculated that such discriminatory policies create poverty, which has severe consequences for vulnerable families<sup>17</sup>.

### **African and East European homeless are discriminated**

Even in the homeless shelters, there is hierarchy, racism and discrimination. According to Martin Skriver, the co-ordinator of winter's emergency shelters, various ethnic groups are discriminated when sleeping bags, food and clothes

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<sup>15</sup> Danfoss, available at [http://www.danfoss.com/SearchResult.htm?k=discrimination&s=www\\_danfoss\\_com](http://www.danfoss.com/SearchResult.htm?k=discrimination&s=www_danfoss_com), accessed 20 September 2010.

<sup>16</sup> MetroXpress. 12th March 2010

<sup>17</sup> Arbejderbevægelsens Erhvervsråd, 3 August 2010, 'Indvandrere og efterkommere fra ikke-vestlige lande hårdt ramt af krisen' available at <http://www.ae.dk/analyse/indvandrere-efterkommere-fra-ikke-vestlige-lande-hardt-ramt-krisen> accessed 20 September 2010.

are distributed. Homeless Danes have prejudices against East Europeans and they are then racist towards African homeless, calling them “niggers or monkeys”, and forcing the shelters to lodge them in separate floors.<sup>18</sup>

### **V.iii Education**

#### **Education Minister compares Muslim schools with Nazi schools**

In its drive to combat radicalization of youth, the Danish government decided to physically inspect all 25 private schools run by various Muslim minorities. When asked why he was being extra vigilant towards Muslim schools, the Education Minister Bertel Haarder said; 'It is not only Muslim radicalization we worry about, but also schools with Nazi ideology, if these existed'<sup>19</sup>.

#### **Discrimination at universities in Denmark**

According to Integration Ministry figures, twice as many ethnic minority students drop out of further education as native Danes do. To check this claim, Copenhagen University professor Jens Hoff and research associate M. Demrtas surveyed 1000 students at 6 different universities to look at the phenomenon. Their conclusion was that 16% of minority students drop out because of discrimination in class-rooms and by the teachers. On top of that it was observed that many students among minority groups were not convinced that higher education resulted in a permanent job or continuous association with the labour market<sup>20</sup>.

#### **Copenhagen Municipality postpones forced spreading of minority pupils**

During the November 2009 municipality's election, many populist proposals were launched. One of the ideas, which was floated by the Social Democrats and its ally, the Socialist People's Party, was to forcibly spread minority children into different schools in Copenhagen where the majority children were Danish. This was supposed to be done through language tests and mixing of minority and majority children to achieve better integration. Later, because of the opposition from some newly elected members of the city council, the idea was postponed<sup>21</sup>.

#### **Social Democratic Party wants to force minority children in to nurseries**

In February 2009, another absurd idea was launched by the Social Democrats to force minority parents with weak Danish and who choose not to speak Danish with their babies at home, to send their children to nurseries. If the parents did

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<sup>18</sup> Hus Forbi available at <http://www.husforbi.dk/default.aspx?m=4&i=87&pi=1&pr=1> accessed 20 September 2010.

<sup>19</sup> Kristeligt-Dagblad 27 August 2009, 'Muslimer vrede over Bertel Haarders naziparallel' available at <http://www.kristeligt-dagblad.dk/artikel/336085:Danmark--Muslimer-vrede-over-Bertel-Haarders-naziparallel> accessed 20 September 2010.

<sup>20</sup> Politik & International 1 September 2009 'Diskrimination lever på universiteterne' available at <http://www.information.dk/202211> accessed 20 September 2010.

<sup>21</sup> Politiken, 12 March 2010, 'København aflyser tvungen elevspredning' available at <http://politiken.dk/indland/article921931.ece> accessed 20 September 2010.

not do this, their children from 1 onwards could be forcibly removed from home. The Danish People's Party, while not agreeing to the forced removal of children, suggested punishing the parents by denying them the children's cheques to which all parents are legally entitled. The Minister of Social Affairs was positive about the idea but many researchers, intellectuals and language experts were furious about the suggestion.<sup>22</sup>

The prestigious newspaper *Information*, in an editorial, called the idea "a Police State", and another leading newspaper, *Politiken*, warned that such proposals were against the human rights convention. The internationally respected scholars and educationalists Tove Skutnabb-Kangas and Robert Phillipson called the idea of stopping parents from speaking to their children in their own language 'barbaric' and 'damaging to the upbringing of minority children'<sup>23</sup>.

### **Schools should educate minority children in Danish values**

In August 2009, one of the two ruling parties, The Conservative People's Party, launched its Integration scheme, with many controversial anti-minority proposals. On the education front, the party suggested strict control of private Arabic-Muslim schools, and obligatory education in Danish values and democracy<sup>24</sup>.

The reality, however, is very different from the one implied by these populist proposals. Most privately owned ethnic minority schools already teach such subjects, and their educational standards are often better than the schools run by local authorities. After looking closely at three Arabic schools for 2 years, the Copenhagen City Council decided it wants to learn from these schools, and find out the secret of their educational success.

Many minority schools have co-education, parents take very visible interest in their children's education, and gender equality is practiced as vigorously as in Danish schools.

### **Minority children are moving upward**

The Danish society's perception of minority children as a lost generation is changing fast. Supported by their parents, these kids are using the full potential of the Danish educational system. This good news comes from *Catinét Research*, which looked at and compared social mobility of earlier immigrants from non-European countries and their children, by using education as a yardstick. While 59% of minority youth between the ages of 15-29 are better educated than their parents, the figure for native Danes is only 35%. At the same

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<sup>22</sup> Berlingske,, 31 January 2009 'S vil tvinge børn af indvandrere i vuggestue' available at <http://www.berlingske.dk/danmark/s-vil-tvinge-boern-af-indvandrere-i-vuggestue> accessed 20 September 2010.

<sup>23</sup> Politiken, 'Danmark er sunket til barbari' available at <http://politiken.dk/debat/kroniker/article643717.ece> accessed 20 September 2010.

<sup>24</sup> Konservative, 18 August 2009, 'Demokratisk integration' available at <http://www.konservative.dk/nytoqdebat/nyheder/2009/august/sider/integrationsudspil.aspx> accessed 20 September 2010.

time, 9 out of 10 minority parents expect their children to overtake them in educational achievements, while only 50% Danes have such aspirations.<sup>25</sup>

But when it comes to specialized industrial education, many minority youth drop out because of barriers in the labour market, lack of apprenticeships and demotivation from the teachers. *Bolette Moldenhawer*, from Copenhagen University, who has specialised in immigration and education, advised that the educational system should now adapt to the needs of minority families and their youth<sup>26</sup>.

### **Native language education should be for all minority children**

For years, all ethnic minority children could receive free native language education in Danish schools (i.e., bilingual education). That facility was abolished in August 2002 by the present government, and now only children of EU citizens are offered this possibility. The Danish National Teachers' Union, at its congress in October 2009, demanded that Danish municipalities again offer all minority children bilingual education because it would help them to learn the Danish language and that there should be no discrimination towards non-EU children.

The Confederation of Danish Industry agrees with the teachers' demand, and pointed out that its own 24 Point Action Plan has suggested the same to the Danish parliament<sup>27</sup>. The Danish National Teachers' Union also wants to have major minority languages like Arabic to be taught in Danish schools. This would not only send a positive signal to minority groups, but also be an added resource for the export-oriented economy of Denmark. Copenhagen municipality has asked the Ministry of Education for permission to include Arabic in the school curriculum, but the Ministry has not responded because of very negative pressure from the Danish People's Party.

### **Positive Action**

#### **Free help with homework**

Since December 2002 the Ministry of Refugee, Immigration and Integration Affairs has been running the campaign *We Need All Youngsters* (*Brug for alle unge*), which focuses on youth education programs and young people with non-Danish ethnic backgrounds. Its primary objective is to get more young people to complete youth education. One of the positive examples is the establishment of **Homework assistance cafés**. Municipalities and ethnic organizations help increase the number of café users. Increasingly, the homework assistance is in focus for vulnerable groups of young people with non-Danish ethnic

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<sup>25</sup> Ugebreveta4, (n11)

<sup>26</sup> Information. 16 Feb. 2009

<sup>27</sup> [www.nordjyske.dk/eavis/](http://www.nordjyske.dk/eavis/)

backgrounds, by meeting the target group wherever it is, online or in sports clubs, for instance.<sup>28</sup>

### **Minority literature in the schools**

While there is a great deal of focus and insistence from the Danish authorities for ethnic minority children to assimilate in the Danish school system, there is little understanding of minority cultural history and a desire to teach minority children something from their parents' homelands. Publisher *Gyldendal* published a book for schools under the title 'World History-an Alternative Canon'. The 291-page book contains literature from the 12 countries from where the majority of ethnic minorities have come to Denmark<sup>29</sup>.

### **V.iv Health**

Denmark has one of the best health systems in the world. There is very little direct discrimination in this sector, but as in other areas, there are many reports of indirect discrimination, lack of equal treatment and an effort to focus on the cultures and traditions of minority groups, especially tortured refugees, instead of treating all patients with the same care and professionalism. (However, free interpreter services for patients will be withdrawn in 2011.)

### **Victims of torture suffer more in Denmark**

Health Minister Jakob Axel Nielsen admitted in an interview that, owing to the long waiting times for the treatment of tortured refugees, they suffer additional trauma. Even if all regional health establishments got more funding and an official guarantee of quick treatment, the waiting time is nearly 3 years. In Denmark there are 12 public centres and 6 private clinics where refugees who have been tortured can be treated.

This situation is unfortunate, because:<sup>30</sup>

- 45 % asylum-seekers are victims of torture
- 63 % have PTSD (post traumatic stress syndrome).
- 85 % of those who have PTSD, also suffer from other sicknesses

### **Blood donors should speak perfect Danish**

In spite of the fact that, since 2002, the number of Danish blood donors has fallen by 10,000, ethnic minorities in Denmark are not allowed to donate blood if they do not speak perfect Danish. The practice hinders people from helping fellow

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<sup>28</sup> LXP Consulting, 'Summary of Evaluation of Brug for alle unge (We Need All Youngsters)' available at [http://www.brugforalleunge.dk/fileadmin/brugger\\_upload/Billeder/Publikationer/English\\_Summary\\_evaluation\\_BFAU\\_final-version.pdf](http://www.brugforalleunge.dk/fileadmin/brugger_upload/Billeder/Publikationer/English_Summary_evaluation_BFAU_final-version.pdf) accessed 20 September 2010.

<sup>29</sup> Politiken, 25 February 2009, 'Indvandrerunge får alternativ kanon' available at <http://politiken.dk/kultur/article655875.ece> accessed 20 September 2010.

<sup>30</sup> Indland, 'Torturofre venter på behandling i årevis' 5 December 2008, <http://jp.dk/indland/article1534661.ece> accessed 10 september 2010

citizens. Many hospitals have complained of the shortage of blood for the patients<sup>31</sup>.

### **Elderly minorities are often incorrectly diagnosed**

A consumer survey in the capital region has disclosed that language problems, a different understanding of sickness and lack of communication between doctors and elderly minority patients has resulted in wrong diagnosis or prescription of the wrong medication for 20% of elderly patients. Allan Krasnik, Professor at the National Health Research Institute, has warned of colossal consequences if doctors do not take better notice of the patients' needs. 40% of the elderly among ethnic minorities consider themselves to be in bad health.

### **Positive Action**

- Lene Halby from organisation A2B has developed a project for unemployed middle-aged minority women in bad health. A set of wishing cards, useful for discussing how to improve one's health, have a better lifestyle and establishing dialogue, is supported by the Danish Integration Ministry.
- Danish Refugee Council – DFH – has a project for refugee women called: 'Go out with DFH'. Volunteers from the organisation take part in motion exercise, walking tours and other physical activities with minority women. DFH has 422 volunteers all over Denmark for such activities<sup>32</sup>.

### **V.v Policing and ethnic profiling**

The police as a whole are not against ethnic and religious minorities, but there have been many cases of police heavy-handedness, discrimination, racist statements and even violence in 2009/2010. There has been an escalation in stabbings and fatal drive-by shootings between rival gangs – Hells Angels with their youth affiliate AK 81 on one side, and various local groupings of minority youth and their Danish friends on the opposite side. The politicians not only acted hastily but also passed drastic laws, which often affect ethnic minority youth instead of the native criminal gangs. The use of derogatory and even racist language is a big problem, not only among the ordinary police officers but also amongst more senior police officers. In addition, there have been complaints of ill-treatment by the police authorities. We have collected many examples of police discrimination, but we shall present only a small proportion.

### **Justice Ministry close to sacking a police officer for racism**

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<sup>31</sup> Nyhedernes, 'Donorer skal tale perfekt dansk' 26 July 2009, available at <http://nyhederne-dyn.tv2.dk/article/23938552/> accessed 10 September 2010.

<sup>32</sup> Dansk Flygtningehjælp, available at <http://www.flygtning.dk/> accessed 20 September 2010.

A police officer became very angry when she was asked to come to work in her free weekend because of a concentration of criminal incidents. She reacted by writing a racist message on her Facebook page using words such as: 'Fucking *Perkere*' – an expression corresponding to the word 'niggers'. The court sentenced her to pay a fine. The National and Copenhagen police authorities recommended her sacking, which other police officers and public opinion vehemently opposed.

In another case, police officers expressed their joy on Facebook that Polish football fans were beaten up at a football stadium. The police officers were reprimanded, without any serious consequences<sup>33</sup>.

### **CNN journalist continues his fight against a Danish policeman**

A Danish police officer who was charged with kicking a Turkish CNN journalist in the chest was found not guilty by the lower court because of the lack of sufficient evidence. The journalist was kicked while observing some minority youths in the inner city being stopped and searched by the police. He was shocked by the verdict but is not giving up his struggle for justice, and is planning to go to the European Court of Human Rights, and has also complained to the Danish parliament<sup>34</sup>.

### **Minority youths criticise the police**

After the repeated clashes in August 2009 between the police and minority youths, over an alleged beating-up of a middle-aged man, efforts were made by the youths to bring about a conciliatory meeting between the police and themselves. Their idea was to inform the police about the negative impact repeated searches were having on the local youth and also listen to the frustrations of the police. In February 2009, the youths had already approached the Police Chief concerning racist police officers. Both approaches were met with silence from the police. The co-ordinator of the local youth organisation, Khalid Alsubeihi was very disappointed by the reaction of the police<sup>35</sup>.

### **Police imprisonment of refugee children**

Former Minister and Director of the organisation Save the Children, Mimi Jakobsen, described the new police practice of jailing unaccompanied asylum-seeking children as a breach of the UN Convention on the Child's Rights. Children between the ages of 12-15 were being imprisoned for months, in jails with hardened criminals. Ms Jakobsen wrote to the Justice and Integration Ministers for an explanation, and reminded them that according to the UN

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<sup>33</sup> Indland, 23 November 2009, 'Betjent står til fyring for racisme' available at <http://jp.dk/indland/krimi/article1896220.ece> accessed 20 September 2010.

<sup>34</sup> Politiken 2 April 2009, 'CNN-journalist fortsætter kamp mod dansk betjent' available at <http://politiken.dk/indland/article682383.ece> accessed 20 September 2010.

<sup>35</sup> 24 Timer, 27 August 2009, 'Kritik af politiet fra Nørrebro-unge' available at <http://www.24.dk/article.jsp?articleId=6480> accessed 20 September 2010.

Convention, refugee children must not be put in prison, but both ministers refused to comment on the issue.

### **Police forced a 17-year-old girl to take off her headscarf**

During a demonstration in Copenhagen against Israeli raids in Gaza, a young Palestinian girl was arrested, thrown on the ground upon which a policeman put his foot on her head, and was then taken to the police station to have her fingerprints and photo taken. At the station, she was not only verbally abused with racist remarks, but was also forced to take off her headscarf for 12 hours. She was not the only one. That day the organisation Parents against Police Brutality collected 15 cases, 18 witnesses, and a video recording to prove how police tackled a peaceful demonstration on 13 January 2009<sup>36</sup>.

### **Only Danish police forbidden to wear headscarves in Scandinavia**

Denmark is now the only Scandinavian country, which does not allow its police officers to wear headscarves. The Chief of the National Police Force's employees' department stands firm in her conviction that the headscarf does not belong with the police uniform<sup>37</sup>.

### **Two concrete examples of police discrimination**

On 22 February, 2009, Hamid El Mousti, the Copenhagen City Councillor, sent a letter of complaint to the Copenhagen Police Chief, on behalf of a citizen whose home was searched without a warrant by 4 police officers, who accused the man and his family of stealing and hiding a small dog in their apartment. When they did not find such a dog, they left without apologizing.

The Police Department replied on 3 April that the search had been conducted because someone had anonymously complained of the theft of the dog. The police did, however, confirm that the officers should have obtained a written authorization for the search. Interestingly enough, the police station sent 2 police cars with 4 police officers to look for a small dog at an ethnic minority person's home<sup>38</sup>.

### **Rumanian foreign minister scolds Danish Chief of Homicide Department**

After a flight attendant was murdered by a Rumanian businessman in a hotel room in March 2010, the Chief of Copenhagen Police Homicide Department, Mr.Ove Dahl, said, 'Rumanians are without scruples when it comes to killing someone for just 100 crowns. It is a totally different culture we are dealing with'. Three other highly placed Danish Police officials described Romania as the country of dangerous criminals. The Rumanian foreign minister, Teodor Baconschi, described the statement as shocking and unacceptable.

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<sup>36</sup> Politik & International, 29 August 2009 'Politiet tvang 17-årig til at tage sit hovedtørklæde af' available at <http://www.information.dk/181022> accessed 20 September 2010.

<sup>37</sup> <http://www.ritzau.dk/>

<sup>38</sup> Police Journal nr. 0100-00170-00085-09, dated 3 April 2009.

## **Amnesty International criticized Danish police complaints procedure**

In its 2009 Annual Report, Amnesty International reprimanded Denmark for delays in publishing the findings of the Police Complaints Commission. Denmark's police force also came under criticism in the report.

'The system for resolving complaints against the police fails to ensure an effective remedy for allegations of ill-treatment,' stated the report. 'Very few complaints - between five and eight out of every 1,000 - were upheld by regional public prosecutors, and even fewer resulted in criminal charges being brought against the police'<sup>39</sup>.

## **Positive Action**

In the heart of Copenhagen's northern district, a new experiment is taking place, which brings together police officers and minority youth from 12-15 years of age. Police Youth Club (PUK) has opened its doors to these kids, who until recently had a very low opinion of the police force. 30 officers spend their leisure time taking part in activities with young people as part of the police crime prevention work. In this club, police in civil clothes talk to the youth in a very relaxed manner, and take part in exercise and discussions as how to behave in society. The results have been amazing. A young boy named Omar now wants to be a police officer, even though, a few months back, he was arrested by the police for disorderly conduct<sup>40</sup>.

## **V.vi Racist violence and crime**

### **Politicians: Racial violence is the cause of gang conflict**

A spokesperson for the motorcycle gang, Hells Angels, Jørn Jønke Nielsen, publicly pronounced that his organisation's armed conflict with ethnic minority youth gangs was not because of drug dealing or money, but to combat the violent mentality of minority youth. He further declared that Hells Angels will take things in their own hands. This pronouncement forced politicians on both the left and the right to demand that the police authorities take this issue seriously and include the racist discourse in its dealings with the gang warfare<sup>41</sup>.

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<sup>39</sup> The report also stated that 'In 2006 the Minister of Justice commissioned a committee to examine the current complaints system and suggest possible changes. The committee published its report in May 2009 and suggested that a new independent authority, should deal with the complaints against the police. The committee recommended that the independent complaints authority should have a judge, an advocate, a university legal expert and two public representatives. However, in the case of a criminal offence, the committee could not indict a police officer. See *Copenhagen Post online*, 28 May 2009, 'Amnesty International criticize refugee policy and police complaints procedure', available at <http://www.cphpost.dk/news/international/89-international/45780-amnesty-international-criticise-refugee-policy-and-police-complaint-procedure.html> 13 September 2010 .

<sup>40</sup> *Berlingske* 9 July 2009, 'Demokratisk integration' available at <http://www.berlingske.dk/danmark/nu-vil-omar-vaere-politimand> accessed 20 September 2010.

<sup>41</sup> However, the Police Chief at the National Investigation Centre does not agree with the politicians' assessment, and he still believes that drug dealings are the main reason for the conflict. The Hells Angels have also issued a *Manifesto* on their website, calling Arabs and Muslims *Jackals* who hate the Danish lifestyle, its mentality, Christianity and its symbols. It is important to remember that this is exactly the kind of language that the Danish People's Party often uses against Muslim minorities. According to Hells Angels, membership of the organisation increased in great numbers after the Manifesto was published, see *Hells Angels*, available at <http://dk.hells-angels.dk/?id=15186> accessed 13 September 2010.

.These hostile and racist public pronouncements from native motorcycle gangs produced a furor in the Parliament. Almost all political parties demanded that the national police force watches developments very diligently to ensure that gang wars do not turn into a racism issue. The Head of the Investigation Centre of the Danish police force promised the politicians that the police will keep an eye on these developments.<sup>42</sup>

### **New anti-gang law package**

After many shootings and three deaths, the Government passed a 'Gang Package' of laws, which it believed would minimize the gang conflict. Although the intention of the law package is to put as many gang members behind bars and out of action as possible, the net consequence is that the law punishes ethnic minority youth much more severely than it does native gangs.

The law gives the police more powers to stop and search youths who do not have Danish citizenship and if sentenced, would be expelled after completing their sentences in Danish jails. Many of the Stop-and-Search zones are in areas where the majority of minorities live. The extra police presence no doubt helps to calm the situation, but it also means that more minority youths end up being stopped, searched and are even forbidden to gather at one place<sup>43</sup>.

### **Criminal gangs have dramatically increased their numbers**

At the beginning of 2009 there were 396 persons affiliated to Hells Angels gangs and 177 to ethnic minority gangs. They have been charged with violent crime and received 4,816 sentences<sup>44</sup>.

According to a survey conducted in July 2009 by Megafon, this explosive increase in violent gangs has created a perception among 65% of Danes that this gang warfare can develop into race riots. This opinion came just a week after the Hells Angels published their racist manifesto.

In another survey conducted in October 2009 by the same polling organization - Megaton found that 39% of the persons polled said that in the municipality election in November 2009, gang warfare and immigrant youth crime would be a big issue<sup>45</sup>.

### **Nazi Party meets the youth wing of the ruling Liberal Party**

In the last few years, both youth wing of the Liberal Party and the Rotary Club invited the Nazi Party to take part in their debate meetings. This was disclosed by

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<sup>42</sup> Politick <http://politiken.dk/indland/article743541.ece>

<sup>43</sup> In addition, Justice Minister Brian Mikkelsen added, 'This is a tough package, and Hells Angels and immigrant gangs will not have a moment of tranquility. The police must bite them in the heels. The police should also have better opportunities to use listening devices'. See Politik and International4 March 2009, 'Barsk bandepakke fra regeringen' available at <http://www.information.dk/184423> accessed on 13 September 2010.

<sup>44</sup> <http://www.radikale.dk/CMS/vis.aspx?aid=83856>

<sup>45</sup> Megafon available at <http://www.megafon.dk/> accessed 1 September 2010.

the Chairman of DNSB (the Nazi Party) from his headquarters in Greve. He also added that between 50-100 student groups visits them every year<sup>46</sup>.

Nazi Party members have also been active in freely distributing thousands of leaflets to private homes in Århus, with slogans such as; 'Denmark, wake up', 'Multiethnic - No thanks' and 'Denmark for Danes'.

### **Football player from Nigeria, Mojo Kingsley, badly beaten up in the street**

While coming out of a local discothèque, one of the well-known footballers from a Danish 1st Division team Mojo Kingsley, and his girlfriend were beaten unconscious and trampled upon by young men. This racist violence which took place in September 2009 shook the club's management and the rest of society.<sup>47</sup>

### **Danes are very harsh towards ethnic minorities**

When it comes to hate crimes, Denmark is one of the top three countries. For example, after Roma treatment in the Czech Republic and the treatment of Somalis in Finland, Denmark has the worst record of hate crimes. 31% of Somalis have experienced intimidating harassment, threats and physical attacks. This alarming situation is reported by EU's Fundamental Rights Agency - FRA's EU-wide discrimination survey, which was issued a report in January 2010. The report is based on 27,000 interviews. The report also mentions that 93% of the intimidating harassment and 74% of the physical attacks are carried by Danes<sup>48</sup>.

### **Reporting on hate crimes to be better**

Since 1992, the Danish Secret Service - PET- has been receiving reports from local police stations about criminal cases with racist motives. But according to Mandana Zarreparvar, from the Danish Institute for Human Rights, Denmark has given too little attention to hate crimes. Police should have better training on how to react to complaints of hate crimes. Minorities should also be aware of their rights and know where to complain. The Institute is also working on a Danish report on hate crimes.

From the beginning of 2009, PET has ordered all police stations to be more systematic in their reporting of hate crimes. Mayor Jacob Hougaard - Copenhagen municipality - is aware of the problem and had discussions about this problem with his colleagues. He believes that there should be campaigns to raise awareness among the citizens<sup>49</sup>.

### **Hate crime survey**

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<sup>46</sup>Ritzau, 'Ritzaus Bureau - Danmarks nyhedsbureau' available at <http://www.ritzau.dk/> accessed 13 September 2010.

<sup>47</sup>Bold nyt, 'Thistedspiller i koma efter overfald' available at <http://www.bold.dk/nyt/Thistedspiller-i-koma-efter-overfald> accessed 13 September 2010.

<sup>48</sup> European Union Agency for Human Rights, EU-Midis at a Glance, available at [http://fra.europa.eu/fraWebsite/attachments/EU-MIDIS\\_GLANCE\\_EN.pdf](http://fra.europa.eu/fraWebsite/attachments/EU-MIDIS_GLANCE_EN.pdf) accessed 20 September 2010.

<sup>49</sup> Politiken, 27 January 2010, 'Danskere er hårde ved mindretal' available at <http://politiken.dk/indland/article888321.ece> accessed 13 september 2010.

In April 2009, the Justice Ministry published a survey of victims of violence and other crimes, covering a period from 2005-2008. The survey showed that 10% of the people have experienced hate crimes based on racism. The survey puts the figure for hate crimes in 2008 at 12,000 but the number of cases which reached courts was only 10<sup>50</sup>.

### **Hate crime perpetrators get away with it too easily**

In January 2010, the opposition Socialist People's Party - SF - tabled a Bill in the Danish Parliament to strengthen the police's efforts against hate crimes. SF's spokesperson for Equal Rights, Kamal Qureshi, who tabled the Bill, was angry with the Justice Minister, who expressed his satisfaction regarding the small number of cases that had been heard in court. 'How can the Government be so callous about the colossal difference between what the victims experience and what comes up in court?' he asked<sup>51</sup>.

### **Positive Action**

During the World Out Games in June 2009, Copenhagen Police, Copenhagen Municipality, The Danish Institute for Human Rights, The Society of Gays and Lesbians as well as World Out Games initiated a program of co-operation with regard to hate crimes under the slogan, 'STOP hate crimes'. This was placed on big billboards and it also appeared on TV advertisements. In addition a website was established and in newspaper articles the message was conveyed to the public that hate crimes are not to be tolerated<sup>52</sup>.

## **V.vii Access to goods and services in the public and private sector**

### **Discothèques' say No to ethnic minorities**

On behalf of the Conservative think tank CEPOS, the Danish Bureau of Statistics, in 2009, carried out a survey among 1,698 persons with a minority background from Muslim countries. 25% of the persons surveyed stated that they have experienced discrimination, especially at discos and places of entertainment<sup>53</sup>.

### **Discrimination in the transport sector**

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<sup>50</sup>Flemming Balvig & Britta Kyvsgaard, Udsathed For Vold Og Andre Former For Kriminalitet Offerundersøgelserne 2005-2008 available at [http://www.justitsministeriet.dk/fileadmin/downloads/Forskning\\_og\\_dokumentation/Offerrapport\\_2008.pdf](http://www.justitsministeriet.dk/fileadmin/downloads/Forskning_og_dokumentation/Offerrapport_2008.pdf) accessed 13 September 2010

<sup>51</sup>*DKR*, 'Offerundersøgelse' 2009, available at [http://www.dkr.dk/det\\_kriminalpraeventive\\_raad/emner/undersaaelser/offerundersaaelse\\_2009\\_/composit e-873.chtm](http://www.dkr.dk/det_kriminalpraeventive_raad/emner/undersaaelser/offerundersaaelse_2009_/composit e-873.chtm) accessed 13 September 2010.

<sup>52</sup>*Lokak nyt*, 'Stop Hate Crimes,' available at [http://www.politi.dk/Koebenhavn/da/lokalnyt/Kampagner/stop\\_hate\\_crimes.htm](http://www.politi.dk/Koebenhavn/da/lokalnyt/Kampagner/stop_hate_crimes.htm) accessed 23 September 2010

<sup>53</sup>Metro Express 28 May 2008, 'Diskoteker og chefer siger nej til indvandrere' available at <http://www.metroexpress.dk/dk/article/2009/05/28/23/4246-83/index.xml> accessed 13 September 2010

In 2009, there were several cases of discrimination and racism in bus and taxi services in various towns in Denmark.

In the town of Herning, a Danish taxi driver loudly proclaimed to his minority colleagues, 'What smells here the most, the toilet or the Muslims?' Following complaints, he was given two warnings, and then fined 25 Euro by the Taxi Company. The taxi driver has refused to accept the penalty and instead has complained to the Danish Taxi Board and the city council<sup>54</sup>.

In Århus, the second largest town in Denmark, a bus driver demanded that a women passenger wearing a headscarf, and her entire family, leave the bus, otherwise he would not drive any further. Even when half of the passengers left the bus in disgust, the driver did not move. Only when a passenger phoned the bus company, which then ordered the driver to move, did the bus continue on its route again. The bus company, Arriva, has apologised to the family, and issued a directive asking all staff to respect the diversity policy of the company and not discriminate any passenger.

It should be pointed out that there is no law against this kind of service discrimination. Bus services are the responsibility of each municipality and each bus company can make its own rules. Justice Minister Brian Mikkelsen from the Conservative People's Party, however, said in the parliamentary debate that, if Muslim women wished to travel by bus, they should throw away their Niqab, thus creating an opportunity to ban the wearing of a Niqab in public places<sup>55</sup>.

### **Football association say OK to the headscarf on the playground**

Jim Stjerne Hansen from the Danish Football Association – *Dansk Boldspil-Union*, DBU – will allow football players wearing headscarves because it does not conflict with FIFA's rules and regulations, which only ban religious symbols or slogans on T-shirts or headbands. The Danish People's Party considers this to be 'reverse racism' and discriminatory of Christianity<sup>56</sup>.

### **Racism at Roskilde Music Festival**

Asger Hougaard, a university student, wrote a newspaper article about racist practices at Roskilde music festival, one of the most famous in Europe, with 70,000 visitors per day. There is a lot of beer consumed at the festival and empty bottles are collected for resale. He witnessed persons were throwing garbage at Roma women who wanted to collect the empty bottles. There were signs at many tents saying, "No fat Gypsies" or "No fucking gypsies". Even Mr. Hougaard's

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<sup>54</sup> Ekstra Bladet. 8.8.2009.

<sup>55</sup> Morten Henriksen. Berlingske Tidende. 9.12.2009

<sup>56</sup> Politiken, 1 July 2009, 'Diskoteker og chefer siger nej til indvandrere' available at <http://politiken.dk/sport/article743999.ece> accessed 13 September 2010.

girlfriend from Columbia was shouted at: 'Fetch me a burger, you fucking slave!'<sup>57</sup>.

## **Positive Action**

### **Nursing home for elderly with Muslim background**

Most of the workers who came to Denmark from abroad in the sixties and seventies to meet the need for cheap labour are now retired, many have died, others have moved back to their homelands, and a sizable number live with their children in Denmark. But there are some who are in limbo. Some NGOs have suggested establishing a nursing home for minority elderly, where they can spend their last days in the company of other ethnic, linguistic and religious groups. Copenhagen City Council has accepted the idea, but this has angered the Danish People's Party, who are opposed to this initiative. This is not, however, the first time such a nursing home would be established. There is a nursing home for elderly members of the Jewish community.<sup>58</sup>

### **Danish football club welcomes ethnic minority children**

While there is lots of discrimination in sports and entertainment clubs there are some clubs who make an extra effort to provide equal opportunities for minority children. Club B1909 in Odense has such a policy: All children are welcome in our football workshop. Besides football, the club also offers help with homework, computer games and field trips.<sup>59</sup>

## **V.viii Media, including the Internet**

### **Media manipulation on a massive scale**

On 27<sup>th</sup> April, DR, a state owned Danish Radio and TV launched a campaign to focus on the Muslim communities in Denmark, with huge fanfare, under the title 'Your Muslim neighbour'. The TV station even rhetorically asked the viewers: 'Is the debate about the largest minority in Denmark based on myths and prejudices?'

Interestingly DR TV started this campaign, not by sending its huge team of journalist to talk with Muslim groups, but by commissioning a telephone survey concerning "Freedom of Speech" among Muslims in Denmark. 523 persons were asked to fill out the survey out of three hundred thousand with Muslim roots. The question was: 'Should freedom of expression be curtailed? – yes or no?'. 55% of

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<sup>57</sup> Altinget 2 July 2010, 'Racisme mod romaer på Roskilde-festival?' available at <http://www.altinget.dk/rssitem.aspx?id=133724> accessed 13 September 2010.

<sup>58</sup> Margrethe Wivel, 10 March 2010, 'Skal vi ikke skabe trygge forhold for ældre?' available at <http://www.margrethewivel.dk/blog.aspx?id=135> accessed 13 September 2010.

<sup>59</sup> 1909, Billeder Af Grupperne Til Fodboldskolen 2010 available at <http://www.b1909.dk/page.asp?objectid=483&zcs=3> accessed 13 September 2010.

Muslims in Denmark said that religious criticism should be forbidden and 66% said that freedom of expression should be curtailed.

The result of this small sample and the misleading – linguistically and terminology-wise – questions with only Yes or No options, was presented as facts in the news and on the website on 27<sup>th</sup> April 2009. Then the TV station asked some right-wing politicians what they thought of this survey. The predictable remarks, such as 'tragic' and 'scary', were splashed on the screen in the national prime time news at 6.30 p.m.

### **Danish National TV – DR – is afraid of anti-Islamic Danish People's Party**

Several employees of the organization have accused DR of being so frightened of the Danish People's Party that it is now indulging in self-censorship. One of DR's staff members, Claus Flygare, calls DR 'Danish People's Party's puppets'. The party keeps a close watch on the media's description of its members and has its own representatives in the governing board of DR<sup>60</sup>.

A famous radio presenter and film critic, Per Juul Carlsen, is so fed up with the creeping self-censorship in DR that he wrote on DR's internal blog, 'I sense that self-censorship is becoming stronger and stronger'. Unfortunately, bosses in DR have bowed to political pressure, especially from Danish People's Party<sup>61</sup>.

The media's coverage of terrorism cases and suspected terrorists is also open to criticism. Gitte Gravengaard, who is a Ph.D and assistant professor of communications, wrote in her essay 'How to construct media stories of terror and guilt', "When the Danish media covers terrorist cases, there are basically two stories at play: First, the phenomenon of 'suspected terrorist', and second, a description of the suspects prior to their being judged guilty. In both cases it is the media that shapes reality."<sup>62</sup>

In another strange story, which all the Danish media – TV, radio and the written press – covered extensively, without any documentation, was the murder threat to Pia Kjærsgaard, the chairperson of the anti-Islamic Danish People's Party.

Someone sent her an anonymous death threat giving the names of 5 Somalis affiliated to a specific mosque, and they also sent a copy of the letter to the national police. The police arrested the persons named in the letter. This was reported under the heading 'Breaking News' – 'Threat to Pia Kjærsgaard's life – immigrants behind the plot'. The police interrogated the 5 suspects, and found

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<sup>60</sup> *Politiken*, 10 October 2009, 'DK accused of being afraid of DF', available at <http://translate.google.com/translate?hl=en&sl=da&u=http://i.pol.dk/kultur/article807236.ece&ei=QktiTNYOLNeUOPrf3IAK&sa=X&oi=translate&ct=result&resnum=4&ved=0CCIQ7gEwAw&prev=/search%3Fq%3D%2522DR%2Bbeskyldes%2Bfor%2Bat%2Bv%25C3%25A6re%2Bbange%2Bfor%2BDF%2522%26hl%3Den> accessed 13 September 2010.

<sup>61</sup> *Kunst and Kultur*, 26 June 2010, 'Radiovært: Selvcensur i DR' available at <http://www.information.dk/195967> accessed 13 September 2010.

<sup>62</sup> *Opinion & Kommentar* 21 December 2009 'Sådan konstruerer medierne fortællinger om terror og skyld' available at <http://www.information.dk/219405> accessed 20 September 2010.

that they had to release them after 10 hours' detention, because there was no proof, nor documentation that linked these persons to the threat. However, the TV stations continued reporting on threats against Pia Kjærsgård, and linking the Somalis with a terrorist organization in Somalia, they did this without any evidence and just on the basis of an anonymous letter which turned out to be false<sup>63</sup>.

### **Danes are tired of the ongoing media debates on Islam**

In an opinion survey conducted in March 2009, by Megafon for TV2 and Politiken, 1,007 Danes were asked if the issue of Muslims and Islam coverage in the media was too much, reasonable or too little. 61% answered that the coverage of Islam was too much, 32% thought that it was OK and 5% said that it was too little. People expressed their annoyance over so much focus on headscarves, bathroom curtains, Sharia laws, graveyards, honour killings and Halal slaughtering. Four prominent editors explained why the media continue to focus on this issue in spite of this public exasperation. They said that the stereotyping of Muslims and the issue of Islam is part of the power play in society, which is the result of a lack of constructive debate and common knowledge. The extreme negative focus on Islam means that Muslims in Denmark feel unwanted.

For the last 10-15 years, the media debate about Islam and Muslim communities in Denmark has become harsher, hostile and damaging to the integration process. Many academics and journalists themselves have realised it but are unable to stop it. According to journalist and commentator at the newspaper Berlingske Tidende, Niels Krause-Kjær, concepts such as scarf and halal, violence and the integration of Muslims were crucial to the outcome of the last general election of 2007.

Assistant Professor of Middle East Studies at the University of Southern Denmark Jakob Egholm Feldt noticed a marked increase in interest in Islam in recent years. He says that: 'The debate is changing, and the fear of Muslims is filling more space. Where previously discussions were about what policy we should adopt to get Muslims integrated, one has begun to discuss whether it is possible to reconcile such diverse populations'.

The significant increase in public interest in Islam has gone hand-in-hand with connotations and terms such as 'pork' 'headscarf', 'Al-Qaeda,' and 'terrorism'. A study by the University of Copenhagen in 2007 by Pape Rosenfeldt Mattias documented that Islam was the favorite topic for discussion in Denmark. In 2005, religion-related coverage occupied 25% of the total debate in the newspapers BT, Jyllands-Posten and Politiken, and these 3 newspapers wrote six times as much on the subject of Islam as they did in 1985.

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<sup>63</sup> Opinion & Kommentar, 19 February 2010, 'En presse går amok' available at <http://www.information.dk/225042> accessed 20 September 2010.

Middle East expert at the Institute for Intercultural and Regional Studies at the University of Copenhagen Jørgen Baek Simonsen believes that, in recent years, it has been the tendency to lump all Muslims together. According to Simonsen, the linguistic discourse, is doubly problematic because, after the 11th September, being Muslim and being a terrorist became one and the same. Even parts of the political left have jumped on the band wagon.

Mr. Simonsen blames the Danish People's Party for this unfortunate development. He says; 'To some extent, Danish People's Party has succeeded in creating a debate where you equate religion and fanaticism. The problem is that it takes place in an extremely generalized way, which equates a world religion and terrorism, and any attempt to see people as people is discarded'.

It is also worth mentioning that the perceived fear of Islam has resulted in over-the-top reactions from the Danish authorities. Previously, during the Cold War up until the 90s, the Danish army trained officers and experts in the Russian language, but today the army is producing Arabic language officers. Both the Danish intelligence services, PET and FE, have developed their analytical departments of the Middle East and Muslims, and this year opened the Centre for Research in Islamism and the Radicalization Process in Aarhus.<sup>64</sup>

## **Internet and racism**

### **Nazi leader on Facebook**

The Danish Nazi Party – DNSB – is a legal entity, and now it has its own Facebook page, with Nazi videos, propaganda material and appeals to Danish youth for support. Rene Karpantschof – sociologist at Copenhagen University – believes that the Nazi leadership expects to recruit more members through this social network, spread its messages and contact those who are sympathetic to Nazism.<sup>65</sup>

### **Despite an earlier criminal sentence, anti-Islam hatred continues**

Kaj Wilhelmsen, who was sentenced under the anti-racism law, and his Radio Holger, which was closed by the authorities for broadcasting racist propaganda, continued spreading his hatred against Muslim communities on his Web page, The Patriot's. Journalist Thomas Ambrossius looked at Kaj Wilhelmsen's web page from January to June 2009 and asked a legal advisor for an assessment. A Lawyer at the Danish Institute for Human Rights, Christoffer Badse, believes that many of the writings fall under the penal code 266B, which forbids public slander and racist utterances.<sup>66</sup>

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<sup>64</sup> *Modene Tider*, 5 December 2008, 'Danmark er besat af Islam', available at <http://www.information.dk/176283> accessed 20 September 2010

<sup>65</sup> *Metroxpress*, 23 June 2009, 'Nazi-march på Facebook' available at <http://www.metroxpress.dk/dk/article/2009/06/23/09/4442-83/index.xml> accessed 20 September 2010

<sup>66</sup> *Metroxpress*, 3 July 2009, 'Fortsætter med at håne muslimer trods dom' available at <http://www.metroxpress.dk/dk/article/2009/07/03/10/2409-83/index.xml> accessed 22 September 2010

### **Extreme Far-Right threatens minority-friendly bloggers**

Another group, which is the victim of racism and far-right extremists, consist of persons who take part in the media debate and defend human rights or try to moderate the harsh tone. On Facebook and websites belonging to far-right groups and individuals as well as on You Tube videos and on blogs, names and addresses are published with threats of murder, violence and beatings. Kamal Qureshi, who is a member of the parliament lodged a complaint with the police against racist bloggers and has asked the Justice Minister if the police are monitoring the far-right threats.

One newspaper, which is often home to racist opinions, anti-minority articles and prejudiced editorials, is Jyllands-Posten, the newspaper which commissioned and published insulting caricatures of the Prophet Mohammed in 2005. On the Internet version of the newspaper, it gave unlimited space to writers and commentators who are openly hostile to ethnic minorities particularly to Muslim communities.

For example, on 22 November 2009, a member of the Danish People's Party and psychologist Nicolai Sennels wrote: 'in five years we will have guerrilla war in the streets of our big cities between Muslim groups and western authorities. We shall see barricades on the front lines, dead police officers, revenge attacks with suicide bombs, military interventions and violent vigilantes, and we shall have our own Gaza strip where a permanent state of emergency will be a reality. These things may sound terrifying, but most of this is already a fact in Europe. On a larger scale, a 3<sup>rd</sup> World War has begun'.

### **Positive Action**

#### **Film about Denmark on Aljazeera TV**

Since most ethnic and religious minorities do not have the money, expertise and time to look at Danish media's coverage of Islam, the voices of Muslims are seldom heard. Danish-Palestinian journalist Awad Joumaa took the initiative and made an hour-long documentary called 'Denmark seen through Arabic eyes'. The film was shown on Aljazeera TV on 8<sup>th</sup> October and later on Danish TV in November. It produced a lengthy debate in the media and many Danes felt wrongly portrayed. The Danish Foreign Office kept a close eye on what the reaction in the Arabic world after the film was shown on Aljazeera.

#### **Ethniqa Magazine for minority women**

Although ethnic media are widespread among various groups, in the shape of ethnic radio stations, TV programs, magazines and even newspapers, very few media journals cater for minority youth and Danish society in general.

One of the new additions to this is Ethniqa, an Internet magazine that started in November 2009 which aims to cater to minority women from 18-35 years. 20 women work on a voluntary basis, and Betty Nansen's Theatre has lent an office

and some funds for the project. The magazine does not believe in publishing negative or positive stories, but raises issues relevant to youth, such as love, friends, fashion and education<sup>67</sup>.

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<sup>67</sup> Contact available at <http://www.contact.dk/ethniga.aspx> accessed 20 September 2010.

## VI. Political and legal context

### Political developments

In Denmark, most politicians, whether in the Parliamentary discussions or through public debates, have left no doubt in anyone's mind that ethnic minorities are an economic burden on society, that they come from underdeveloped cultures with damaging traditions and have not contributed to the well-being of the Danish nation. When it comes to minorities versus the majority, even the top ministers are very insensitive to the needs and worries of minority communities, especially those with a Muslim background.

In 2009/2010, the biggest political issues were the forced deportation of asylum-seekers to Iraq, the establishment of a working group to consider ways of deporting foreign nationals who were believed to pose a threat to national security, new legislation imposing further restrictions on the "tolerated residency" of some asylum-seekers, and new adjustments of the Aliens laws in March 2010 resulting in 20 restrictions and only one benefit<sup>68</sup>.

### Danish People's Party's (DF) discriminatory politics

DF stands for Danish People's Party in the Danish language. Since the 2001 national election, DF has been the parliamentary coalition partner of the two-right-wing governing parties, the Liberal Party and the Conservative People's Party. Even though the Danish People's Party received only 13.9% of the popular vote and won only 24 seats in the parliament, it has maneuvered itself into a position of absolute power, especially regarding policies concerning ethnic and religious minorities in Denmark.

All restrictive and anti-minority legal proposals are mainly the initiative of this party. In official negotiations regarding finance, culture, asylum, family reunion, citizenship, EU directives, foreign aid and relationships with the Muslim communities, this party has the final say. In fact the ruling parties have become pawns in the hands of this anti-Islamic and anti-minorities party. In April 2009, the Danish People's Party put a series of demands to the new Prime Minister, Lars Løkke Rasmussen, just before he held a sort of inaugural speech in the Parliament. DF's Vice-Chairman Peter Skaarup said: 'The government needs a fresh start, it has been sluggish recently. We will ask the Prime Minister to remember that it is DF which keeps him in power'<sup>69</sup>.

In an interview with Politiken, the chairperson of DF, Pia Kjærsgaard, proudly said: 'Since 1995, we have protected Danish identity and Danishness. We have

<sup>68</sup> Politick & International, 15 March 2010 <http://politiken.dk/politik/politikfakta/ECE924741/dokumentation-aftalen-mellem-regeringen-og-dansk-folkeparti/> accessed 18 October 2010.

<sup>69</sup> Politick & International, 10 April 2009, 'DF til Løkke: Husk, hvem der holder dig ved magten' available at <http://www.information.dk/187841> accessed 20 September 2010.

also had the courage to take the lead in the fight for Danish values and culture, and this we will continue to do’.

Here are some recent examples of DF’s rhetoric against Muslims and Islam, which would give the readers a picture of how Islamophobic this party is.

On 27 January 2010, the chairperson of DF publically announced that Islam under no circumstances must be allowed to spread in Denmark. When the Prime Minister was asked to comment, he refused to take a position on DF’s anti-Islam statements.

On 25 January, another big name in the party, Jesper Langballe, wrote in one of the largest newspapers that DF is against Islam. He even went further by writing that Muslim fathers murder their children and let their cousins rape the women. In an interview to the largest news bureau Ritzau, he even claimed that in his opinion Islam is a danger for every society in which it is found<sup>70</sup>.

DF’s member of parliament Martin Henriksen launched a proposal in January 2009 that Danish courts should curtail the human rights of foreigners who commit a crime in Denmark. The party has also suggested that Denmark should not be a signatory to Human Rights Conventions<sup>71</sup>.

### **Danish People’s Party (DF) has radicalized the whole minority debate**

Besides individual criticism from various politicians, in 2009 DF was routinely lambasted by intellectuals and academics for its campaigns against plans to build a mosque with minarets, calling Muslim fathers ‘rapists’, for comparing Muslims to Nazis, headscarves to the Swastika, and forcing the government to pass laws which made life difficult for minorities. Political commentators think that the party deliberately ‘push the envelope’ to attract voters and change social views about minorities, especially Muslim communities<sup>72</sup>.

### **All parties want to copy Danish People’s Party (DF)**

The Danish People’s Party’s anti-Islamic and anti-minority policies and resulting success in attracting ordinary voters has scared all the other political parties to such an extent that these parties want to look like DF and compete in populist rhetoric.

A prominent politician, Eyvind Vesselbo from the main ruling party, the Liberal Party believes that the Danish People’s Party always presents proposals which are not feasible but the party does it anyway. He expressed his anger at the

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<sup>70</sup> DR Fordside, 23 January 2010, ‘Jesper Langballe: DF er imod islam’ available at <http://www.dr.dk/Nyheder/Politik/2010/01/23/185120.htm> accessed 16 September 2010.

<sup>71</sup> Politick & International, 11 June 2009, ‘DF holder fast i ønske om at slække på menneskerettigheder’, available at <http://www.information.dk/194273> accessed 16 September 2010.

<sup>72</sup> Politick & International, 7 January 2009, ‘DF har radikaliseret udlændingestrategien’ available at <http://www.information.dk/220667> accessed 20 September 2010.

Government for giving the DF so much power and influence and not daring to challenge DF.<sup>73</sup>

### **Islamophobia on the increase**

Since the 2001 parliamentary elections, the Danish government has been formed with the help of the xenophobic and extremely anti-Islamic Danish People's Party. This party forced the former Prime Minister and present NATO general secretary Anders Fogh Rasmussen to embark on a campaign of making life miserable for ethnic and religious minorities, especially Muslim communities. Every six months, this small party - which has become the de facto ruler of Denmark - presents and pushes through parliament stricter demands to tighten up the already harshest aliens laws in the EU, forbidding scarves in court rooms and making family reunion for Muslims next to impossible.

In addition, all the top leaders of the Danish People's Party have uttered the most Islamophobic statements in public and in Parliament, comparing Islam with Nazism, referring to Islam as "a plague" etc., without the judicial system in Denmark reacting to these statements.

### **International conference on migration/integration without politicians**

The political interest in getting new ideas and information is so low among the Danish political parties that not one member of the Danish parliament, nor any politician from any political party attended the international conference on migration and integration which took place in July 2009. This lack of interest is in stark contrast to the level of statements issued on a daily basis by the same political establishment on issues discussed at the conference in a serious manner. (Editorial "Information". 29.07.2009).

### **New Council became more ethnically Danish**

Municipal elections in 2009 also saw a big decline in the number of council members with a non-Danish ethnic background. A count by Ugebrevet A4 conducted after the municipal election disclosed that, in Denmark's ten largest municipalities, there were 24 council members with foreign names, but in the new councils there will be only 16 such members. Professor at Aarhus University Jørgen Goul Andersen, who has researched immigrants' participation in political life, is surprised by the decline, and thought that the 2009 results were a setback for representative democracy.

### **Government's response to criticism**

In April, the Minister for Refugees, Immigrants and Integration commissioned a working group to consider ways of deporting foreign nationals believed to pose a threat to national security. The working group was asked to consider whether Denmark should seek and rely on "diplomatic assurances" to deport people to

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<sup>73</sup> News, 22 September 2009, 'Vesselbo ønsker opgør med DF' available at [http://news.dk/Udland/Udland/1513023/Vesselbo\\_oensker\\_opgoer\\_med\\_DF.htm](http://news.dk/Udland/Udland/1513023/Vesselbo_oensker_opgoer_med_DF.htm) accessed 20 September 2010.

countries where they would be at risk of grave human rights violations, including torture or other ill-treatment.

The working group was established in response to the cases of K.S. and S.C, two Tunisian nationals resident in Denmark who were arrested in February, along with a Danish national. The three men were suspected of involvement in an alleged conspiracy to kill one of the cartoonists responsible for controversial cartoons of the Prophet Muhammad, which appeared in a Danish newspaper in September 2005. The Danish national was released shortly after his arrest. The residence permits of the two Tunisian nationals were revoked, and an order was made for their expulsion on the grounds that they were considered a threat to national security. The men were detained pending the execution of the expulsion order. In August, K.S. was reported to have left Denmark voluntarily and travelled to an unknown destination.

In October, the Refugee Appeals Board found that S.C. would face a real risk of torture or other ill treatment if deported to Tunisia, and ruled that the expulsion could not go ahead. As a result S.C. was released from detention. The government indicated that it would continue its efforts to deport him, including by seeking and relying on assurances from the Tunisian authorities as to his treatment on return, if the working group, police and security forces recommended this.

### **Positive Action**

One of the items of good news in 2009 at the time of the local election was the formation of minority women organization and its active participation in the election as candidates for various political parties. But the women candidates did not campaign on ethnic issues only but also on day-to-day problems facing women and men in the cities in which they were contesting the election. (Anja Krause. Politiken.17.10.2009).

### **Legal developments**

In the last 9 years, under the pressure from the anti-Islamic Danish People's Party, the present right-wing government has passed many extra restrictive laws making it difficult to obtain asylum, to be granted family reunification, to get permanent residence, and worst of all, to become a Danish citizen.

Among the barriers placed in the way of minorities are: demands for a very high standard of Danish language proficiency, harsh financial conditions, an oath of allegiance to democracy and loyalty, and a solid knowledge of Danish society.

For the language test, one must pay nearly 200 Euro and for the other test, the Citizenship test 100 Euro, each time one wishes to apply. According to many language teachers, the Study Test is of such a high standard that most native Danes without a college education would be unable to pass it. When it comes to the Citizenship Test, a recent survey (Metro. Jan. 25 2010) conducted by the organisation Analyse Denmark, undertaken on behalf of a respected magazine,

A4, has proved that out of 1,112 native Danes, 20 % failed the test, especially women and youth. When it came to the far-right extremist Danish People's Party's own members, the failure percentage was 33%.

Danish politicians know that it is easier to deport minorities who only have a work permit. This has been done in cases of minor criminals and deporting people who are under suspicion of extremism is now under consideration.

In 2009 - 2010, the Danish government and political parties suggested many amendments to the Aliens laws. Below is a summary of some of the amendments made.

- Parliament passed a law, which forbids the court judges to wear visible religious and political symbols. This was done after a hefty debate in the media about the headscarf. The law was passed in spite of objections from judges and lawyers and opposition parties.
- Free interpreter services in the health sector were abolished. The law will be effective from 2011.
- From 2010, foreign missionaries and persons applying for family reunion will have to pass a language test to get a residence permit. It will cost 400 Euro, which is non-refundable.
- A maximum of 2 children in a family can get the government's financial support (child allowance).
- In November, a repatriation law was passed, offering one hundred thousands kroner to those foreigners who wish to depart Denmark voluntarily.
- A law package against gangs was passed making it easier to deport minorities without Danish citizenship, establishing check points and stop-and-search zones
- In November 2009, new legislation imposed further restrictions on the 'tolerated residency' status given to foreign nationals against whom an expulsion order has been made but cannot be carried out. This includes people whose return to their country of origin has been ruled to be unsafe by the Refugee Appeals Board. In November there were believed to be 18 people with a "tolerated residency" status, including the Tunisian national referred to as S.C. The new legislation required these people to live in designated centres for asylum-seekers and to report daily to the police, in all but exceptional cases. The legislation increased to one year the maximum period of imprisonment, which can be imposed for failure to comply with these requirements.

### **The NGO assessment**

The Danish People's Party's Islamophobic statements resulted in a written complaint to the UN's Human Rights Commission in Geneva. The Danish Refugee Council, (DRC), complained to the UN, they submitted their complaint after the Danish State Attorney refused to proceed with the case against Danish People's Party and its leadership.

### **Politicians are responsible for THEM-and-US dichotomy**

In a 2009 Ph.D thesis written under the Copenhagen University's research project: 'Religion as an alienating characteristic in Danish politics', Brian Jacobsen compares the situation of Muslims of today with Russian Jews who came to Denmark in 19<sup>th</sup> century and finds great similarities. Both groups were described by Danish politicians in the parliament, using sharp rhetoric, as a threat to Danish values, economy, culture, workforce and nation<sup>74</sup>.

### **USA ambassador's farewell critic of Denmark**

Normally, diplomatic niceties dictate that ambassadors refrain from criticising the country they are posted in. However, just before departing Denmark, the American ambassador James P. Cain used the occasion to give a word of friendly advice to the Danes. In his last interview DR TV, he said. 'It is very difficult for foreigners to feel at home and even welcome in Denmark'<sup>75</sup>.

Even President Obama chastised Denmark for the ill-treatment of Iraqi refugees. On his home page, Obama wrote, 'Denmark has done very little to help solve the refugee crisis, and we want it to do more'<sup>76</sup>.

### **Politicians misuse radicalisation discussions**

After the terrorist attacks in New York, London and Madrid, politicians in Denmark started using the word 'radicalisation' among Muslim youth very broadly and often misuse the terminology to impress the voters and pretend to be action-oriented. Politicians have even moved the direction of anti-terrorism towards radicalisation. It is here that political debates, research and funding is now found. The Integration Ministry has established an office under the title, Democratic Community and Prevention of Radicalisation. The Secret Service has started a Centre of Terror Analysis and the Government in 2009 added 12.5 million crowns to the budget of the Research Centre for Islamism and Radicalisation Processes at Århus University.<sup>77</sup>

### **Anger against forced deportations of Iraqi asylum-seekers**

The Danish government is facing strong public reaction, protest demonstrations and international condemnation after it started rounding up and forcibly deporting Iraqi asylum-seekers.

In its effort to show strength, the authorities first ordered the police to enter a church sanctuary and arrest those Iraqis who had taken refuge there. These 22 persons, which included tortured persons were put on a plane to Baghdad on the

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<sup>74</sup> *Berlingske*, 20 February 2009, Politikerne deler danskere og indvandrere, available at <http://www.berlingske.dk/danmark/politikerne-deler-danskere-og-indvandrere> accessed 22 September 2010.

<sup>75</sup> *Politiken*, 14 November 2008, 'USA's ambassadør skoser danskerne' available at <http://politiken.dk/indland/article598282.ece> accessed 20 September 2010.

<sup>76</sup> [http://obama.3cdn.net/cdccc9c7d086071f9e3\\_n4qpmvjw5.pdf](http://obama.3cdn.net/cdccc9c7d086071f9e3_n4qpmvjw5.pdf)

<sup>77</sup> *Modern Tider*, 29 January 2010, 'De skal lære at elske vort land' available at <http://www.information.dk/223018> accessed 20 September 2010.

night of 2<sup>nd</sup> September. Lars Normann Jørgensen, Secretary General of Amnesty International's Danish division strongly criticized this forced expulsion and called it a "Black day" for Denmark.

Forced deportations of the 22 Iraqis sends a clear signal from the

Danish Government to the world community that Denmark no longer respects the clear recommendations from the UNHCR. People who are fleeing from war, conflict and turmoil can no longer count on finding protection in Denmark. It is deeply tragic that we now have come to a point where we send people back to countries where there are almost daily bombings and violent attacks against civilians', said Mr Jørgensen in an official statement.

It should be remembered that these forced deportations took place in August, the bloodiest month in Iraq that year.

There were large public processions and demonstrations in Copenhagen, Aarhus, Aalborg, Odense, Roskilde and Svendborg against this course of action on the part of Danish Government. Denmark has between 100 and 125 rejected Iraqi asylum-seekers with an uncertain future. Various civil society movements, NGOs and asylum groups are trying hard to raise the awareness among the public of the gravity of the deportation action.

## **VI.i Anti discrimination**

### **The implementation of EU Directives**

The Directives are implemented, but no extra positive initiatives have been undertaken.

### **Have the EU Directives had any impact at national level?**

The Danish government has by law established an Equality Body, which is placed at the Danish Institute for Human Rights, and the Board of Equal Treatment, which is placed at the Appeals Authority under the Ministry of Labour. The Equality Body can receive complaints of discrimination in cases of principle, give advice and refer the deserving cases to the Board of Equal Treatment for further judicial action. It has 3 judges and 9 jury members. The board can take all cases of discrimination – either referred to it by NGOs, Institute or cases which were brought directly by the public. The board can pass binding judgements, decide compensation and reject a job dismissal.

### **How effective are the Equality Bodies?**

These bodies lack visibility, financial resources, and are not well known among victims of discrimination. The victims of discrimination have little faith in the system, are afraid of rejection and they have low levels of positive results.

### **Data collection to assess discrimination**

The Danish Institute for Human Rights is carrying out a Data Collection exercise, which aims to have a national database, consisting of discrimination complaints. Statistics Denmark (the Danish statistical bureau) will carry out this project. Municipalities and NGOs would be consulted.

### **Problem areas reflected in anti-discrimination case law**

Religious discrimination, especially Islamophobia, is not being taken seriously by the authorities.

### **The governments engagement with civil society**

The Danish government has its own Council for Ethnic Minorities, which has a token representation of NGOs. It is placed under the Ministry of Integration and is very inactive. Other than that, the government is totally opposed to the idea of co-operation with the civil society. In fact, all the NGO's funding was abolished in 2002.

### **Religion and anti-discrimination legislation**

Religion is covered as a ground for anti-discrimination in relation to labour market cases, hate speech and hate crime. The penal code § 81(6) deals with hate crimes and § 266b concerns public statements.

### **Steps taken to ratify and/or implement the UN International Convention on the Elimination of all Forms of Racial Discrimination (UNICERD) and Implementation of the Durban Declaration and Programme of Action in view of the Durban Review Conference of April 2009.**

Denmark participated in the UN's Racism Conference in Durban in 2001 and later in the 'Durban REVIEW Conference', which took place in Geneva in 2009. It is common knowledge that Denmark after 2001 did not want any major evaluation of its anti-racism efforts, but had the evaluation been done, the results would have been very disheartening.

In Denmark, it was not until late 2003 that the government prepared a Danish 'Action plan to promote equality and diversity and to combat racism'. However very few initiatives ever saw daylight, and the plan does not reflect the outcomes of the Durban conference. Other than mentioning the name of the Durban Conference on racism in the introduction, there is no reference to a single any of the 14 initiatives. For example, the Durban document asks governments to pay great attention to the need for global action against racism on the Internet and other new information technologies, in the Danish plan there is not a single word on this issue. DRC has now lodged a complaint to the UN Racial Discrimination Committee with regard to the Danish government's totally inadequate enforcement of the prohibition of discrimination to which Denmark had committed itself under the UN Racial Discrimination Convention.

It is unfortunate to note that, between the period of the 1st Durban Conference in 2001 and its Review Conference after 8 years, Denmark became the first country in the world, which was, 'sentenced' for violating the UN Convention on Racial Discrimination'. It was found that Denmark violated the Convention on 4 separate occasions. However no action was taken by the Danish government as a result of these findings<sup>78</sup>.

## **VI.ii Migration and integration**

### **Migration**

According to the statistics from the Integration Ministry, one can see that this Government's desire to stop family reunion and programme refugees coming from Arab and Muslim countries have largely succeeded. Below is an overview of the present situation on various immigration areas.

### **Migratory and Asylum trends 2009**

The number of residence permits, etc. decreased from 2008 to 2009, and the level of issued residence permits of 2009 approached the level of 2007. In 2009 a total number of 56,897 permits were granted, compared to 69,277 permits in 2008 - a decline of approximately 18%.

The most numerous nationalities coming to Denmark in 2009 were (in persons): Poland (6,221), China (3,888), Germany (3,624), USA (3,353), and Ukraine (3,262). It is important to note that before this government came to power and started refusing visas to people from Muslim countries, the picture was more inclusive.

### **Continued rise in the number of skilled migrants**

The number of highly educated foreigners who have been granted permission to work in Denmark as part of the Schemes under the Job Plan, etc. increased from 2,624 permits in 2008 to 3,616 in 2009. This is an increase of approximately 38%. Most of these permits were granted according to the Pay Limit Scheme.

### **The Pay Limit Scheme and the Green Card Scheme**

IT-specialists were the largest group among the professional fields under the Pay Limit Scheme. Approximately 40% of all permits issued according to Schemes under the Job Plan, etc. were granted to Indian nationals. The number of permits granted to other wage earners and self-employed decreased from 3,109 permits in 2008 to 2,897 permits in 2009.

### **EU/EEA citizens - decrease in the number of labour migrants, increase in the number coming to study**

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<sup>78</sup> Politiken, 22 May 2009, 'Efter Durban 2 - hvad så?' available at <http://politiken.dk/debat/kroniker/article714531.ece> accessed 16 September 2010.

The number of residence cards and registration certificates issued to EU/EEA citizens decreased from 30,544 in 2008 to 24,305 in 2009. The decrease is mainly due to a drop from 9,239 in 2008 to 3,745 in the number of registration certificates issued to persons from Poland for the purpose of work. The number of registration certificates issued for study purposes increased from 2008 to 2009. The national transitional rules for the new EU Member States, Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, and Slovenia, were abolished as of 1 May 2009. All citizens from the EU Member States now have equal access to reside in Denmark for the purpose of work.

### **Increase in the number of residence permits granted for family reunification**

In the area of family reunification there was an increase in the number of residence permits granted, from 3,749 in 2008 to 4,479 in 2009. The rejection rate in the first instance increased from approximately 25% in 2008 to 33% in 2009. The year was marked by a large amount of refusals to persons from non-European countries, especially with Muslim background. This fact is reflected in the list of the top 10 countries and the numbers of residence permits granted:

1. Thailand	498
2. Turkey	365
3. Philippines	277
4. China	176
5. USA	174
6. Pakistan	127
7. Russia	108
8. Iraq	106
9. Brazil	98
10. Vietnam	84

It should be noted that persons from Turkey, Pakistan and Iraq are three largest minority communities in Denmark, while persons from Thailand, the Philippines and China are few in numbers but the numbers of permits granted are more or less the same. Martin Henriksen, from the anti-Islamic Danish People's Party, said, 'We wish, of course that Muslim immigration should be brought to a minimum'<sup>79</sup>.

### **Overview of all residence permits, etc. granted in Denmark 2004 - 2009**

The overview above with all residence permits, etc. does not directly reflect the actual level of immigration to Denmark. Over time, an individual can be counted several times in the statistics (double counting). There can also be cases where a residence permit is not used, because the person concerned

<sup>79</sup> Politiken, 3 August 2010, 'Thailand topper listen over familiesammenføringer' available at <http://politiken.dk/indland/article1028968.ece> accessed 20 September 2010.

never enters the country.

### **Increase in the number of asylum applications**

The number of asylum applications increased by approximately 60% from 2,409 in 2008 to 3,855 in 2009.

The largest nationalities in 2009 were approximately the same as in 2008, however the number of Iraqi asylum seekers decreased around 45% from 562 in 2008 to 309 in 2009.

The main countries of origin of asylum applicants in 2009 were Afghanistan (1,059), Syria (383), Russia (341), Iran (334), and Iraq (309). The number of unaccompanied minor asylum-seekers increased by approximately 75% from 302 in 2008 to 529 in 2009. Approximately 73% of the unaccompanied minors came from Afghanistan (mainly boys aged 15-17 years).

The recognition rate in asylum cases processed in the Danish Immigration Service was 44% in 2009, compared to 45% in 2008 (excl. Iraqi interpreters and their families)<sup>80</sup>.

### **Integration**

For the past 9 years, the debate concerning the migration and integration of non-European ethnic and religious minorities has become very harsh, full of prejudices and anti-Islamic. Even the authorities make a clear distinction in their policies, laws and statistics between persons with European background (a code word for White and Christian) and non-European (a code word for Muslim minorities), living in Denmark. Lately, it is being claimed that Europeans are easy to integrate while non-Europeans establish parallel societies, do not want to integrate, commit crimes and do not speak the language. In the case of Muslim minorities, it is repeated again and again that they hate the European way of living, oppress women and practice primitive cultural traditions. Christianity and Islam are constantly compared – where Christianity is presented as peaceful, progressive and modern and Islam as backward, reactionary and violent. One of the priests, Richard Riis even goes so far as to say: 'We must necessarily understand the Muslims' way of thinking as an expression of immaturity and an expression of a childish behaviour, which they should abandon, so a greater awareness can materialize among them'.

Political Scientist Anna Vibe Onsberg Hansen warned that this sharp debate is damaging for integration because it is filled with radical rhetoric that in itself has become a problem and not the solution<sup>81</sup>.

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<sup>80</sup> <http://www.nyidanmark.dk/NR/rdonlyres/62A1CB0E-2371-43A4-8387-6B49C9D77D19/0/ExtractStatisticalOverview2009>

<sup>81</sup> [Opinion & Kommentar](http://www.information.dk/207934), 21 October 2009, 'Skarp debat skader integrationen' available at <http://www.information.dk/207934> accessed 20 September 2010.

However, in spite of all these negative descriptions, there is ample proof that Muslim minorities are moving forward and feel at home in Denmark, and that their children are getting higher education. A survey conducted by Politiken Research among Muslim women, on 26 December 2009, revealed that 89% feel fully integrated, 90% feel that they expect to have the same level of education as non-Muslim girls, 37% said that they do not care what ethnicity their husband should have, and 83% stated that they have experienced discrimination. (Politiken. 26.12.2009)<sup>82</sup>

### **Integration on track in Denmark**

The most comprehensive survey on the subject of integration was conducted by Analysis Bureau Catinet, covering the period 1999 – 2009. 22,000 persons with ethnic and religious background participated in it.

The anniversary report "Integration Status - 10 years in an integrating perspective" took stock of the developments from the first to the last measurement. Positive developments in virtually all areas were detected. Two out of three immigrants are now well integrated.

The figures below compare immigrants' participation in the following areas below:

<b>Area of integration</b>	<b>1999</b>	<b>2009</b>
<b>Employment</b>	33%	51%
<b>Education</b>	62%	76%
<b>Danish competence</b>	56%	75%
<b>Citizenship</b>	21%	53%
<b>Feeling Danish</b>	8%	23%
<b>Not Danish</b>	61%	33%

### **EU's 11 Common Basic Principles of integration**

Denmark is very skeptical of EU policies. There is a great opposition to any concessions to, or implementation of EU directives or guidelines. The EU's 11 Common Basic Principles of Integration have not been discussed, or adhered to. There is no mention of these principles in the Official Integration Plan of Action.

### **POSITIVE ACTIONS BY THE GOVERNMENT**

#### **Parliament allocated 235 million kroner for integration work**

While there is no funding for NGOs which work with anti-racism, with anti-discrimination, or human rights, the government has earmarked a huge sum of money, for the period 2010-2013, for integration projects. The amount is administrated by the Integration Ministry and is spent on issues close to its own political agenda. For example, big organizations such as Danish Refugee

<sup>82</sup> Politiken, 25 December 2009 'Unge muslimske kvinder føler sig integrerede' available at <http://politiken.dk/indland/article867897.ece> accessed 20 September 2010

Council, Women's Federation – KVINFO and Get2sport were given considerable amounts of money<sup>83</sup>.

### **VI.iii Criminal justice**

#### **VI.iii.i Racism as a crime**

In Denmark, there are a number of laws against racism, discriminatory practices, racist statements and differential treatment. Unfortunately, these laws are not applied effectively. Racism is considered something of the past and not part of the Danish society. Most top police authorities wish to enforce the laws adequately, but the individual police officers and police stations need clear guidelines regarding how the laws should be enforced.

The Police Academy invites individual lecturers to speak to the police cadets but the focus is on terrorism, radicalization and Muslim minorities. There is no on-going training of the police officers on inter-cultural sensitivities or on how to police neighborhoods with large ethnic minority populations.

There has not been any public and media debate on the EU Framework Decision on Racism and Xenophobia. Data on racial and violent crime is collected only by the Secret Service from the material supplied by the local police stations. There are many cases when the police do not show any interest in taking a complaint.

It must be mentioned that Denmark for years has been criticized by ECRI, OHCHR, CERD, UNHCR, ODIHR, the former EUMC and now FRA, and Amnesty International, for not doing enough to fight racism – but there is no political will to see this implementation of the laws and action by the courts to protect the victims. Here are some examples of failed justice.

#### **Electronic anklets for 12-year-old children**

In the aftermath of the 2009 street disturbances in Copenhagen and clashes with the police, the Danish Justice Minister presented a youth criminality prevention act in parliament, which allowed the authorities to use electronic anklets. Although the act is for all young persons, the focus is unmistakably on minority youth. Danish laws have been tightened up with regard to youth crime, so that the minimum punishable age is now 14 instead of 16.

#### **VI.iii.ii Counter terrorism**

##### **Only 1 in 5 terrorism suspects have been convicted**

According to a response from the Justice Minister to the *Folketing's* Legal Affairs Committee, there have been 68 indictments, and 56 arrests, but only 13 convictions in terrorism cases. This is the preliminary yield of the

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<sup>83</sup> [www.nyidanmark.dk/puljer](http://www.nyidanmark.dk/puljer) <sup>2</sup>

Government's so-called anti-terrorism package of 2002.

### **New anti-terrorism laws**

Since the September 2001 terror attacks in New York, the Danish government has passed many anti-terrorism laws, both on the instructions of EU, but also after the publication of insulting caricatures of the Prophet Mohammed and the subsequent focus on Denmark, as well as some failed minor terrorist attacks in Denmark. The latest addition to the already very far-reaching anti-terror laws is the Secret Service's phone tapping, checking of e-mails, installing cameras in private homes, and surveillance of suspected persons without court involvement<sup>84</sup>. These restrictions are in addition to the "Administrative Deportation" in the Aliens law which was passed in 2002, and, according to the Minister of Integration, such deportations have been taking place ever since.<sup>85</sup>

The Aliens Act, § 25, gives the State the right to deport a person if:

- A non-citizen is deemed a security risk for the State
- A serious threat to public law and order, security and wellbeing is suspected.

This law has allowed the Ministry of Integration to make a decision on the recommendation of the Justice Ministry without giving the information about his/her case to the person who is about to be deported. The state can also confiscate the work and residence permit of a suspected person<sup>86</sup>. The Danish Institute for Human Rights has objected to this new law. IMR's director, Jonas Christoffersen, in his response to the Ministry of Integration said: 'The new law simply lacks the basic judicial guarantees which are normally applicable to all aliens'<sup>87</sup>.

The former chief of the Danish Secret Service – PET – Ole Stig Andersen, also raised concern that at present the public has no opportunity to get any information about the State's surveillance of all communication coming in and going out of Denmark. The Defense Minister refused to answer any question in the Parliamentary debate because in his view, the country was in a war situation, and under the Defense Law § 17, he was not obliged to answer questions of surveillance<sup>88</sup>.

Many other eminent legal personalities in Denmark have also expressed their

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<sup>84</sup> <http://www.edri.org/edriagram/number4.6/dkterroract>

<sup>85</sup> [http://www.nyidanmark.dk/da-dk/ministeren/artikler\\_debatindlaeg\\_og\\_taler/2010/administrative\\_udvisninger\\_er\\_sket\\_siden\\_2002.htm](http://www.nyidanmark.dk/da-dk/ministeren/artikler_debatindlaeg_og_taler/2010/administrative_udvisninger_er_sket_siden_2002.htm)

<sup>86</sup> <http://www.stm.dk/publikationer/terrorpakke/index.htm>

<sup>87</sup> Institut for Menneskerettigheder 15 January 2009, 'IMR skyder nye stramninger i udlændingeloven ned' available at <http://menneskeret.dk/nyheder/arkiv/nyheder+2009/imr+skyder+nye+stramninger+i+udlaendingeloven+ned> accessed 17 September 2010.

<sup>88</sup> Amnesty International, Minister tavs om aflytning available at <http://www.amnesty.dk/presse/minister-tavs-om-aflytning> accessed 20 September 2010.

objections to these laws and think that the Danish parliament has gone too far in its anti-terrorism laws passed in 2002, 2006 and 2009. They even suggested that the authorities ought to abolish the state of emergency. The Red-and-Green Alliance asked the government to answer if there was an official declaration of a state of emergency in Denmark<sup>89</sup>.

In spite of the Government's claims that its anti-terrorism laws were to protect the public, people in general are against the deporting of terrorism suspects. In connection with 60<sup>th</sup> anniversary of the UN Human Rights Declaration, Amnesty International asked Catinét to conduct a survey. The survey showed that the majority of the Danish public was against deporting suspects without due hearing, and especially not to countries where they risk the death sentence. Amnesty has prepared an 18-point plan for the Danish Government to consider.

The powers of the Secret Service - PET, and the Defense Intelligence Service - FE - is such that they can demand that the Refugee Board can deny an asylum-seeker the chance of a fair hearing if they suspect that the person may endanger State security. The Chairman of the Legal Rights Association called this the ultimate proof that the Refugee Board was not independent<sup>90</sup>.

### **Terrorism suspects register a court case against the Integration Minister**

To Iraqis and a Tunisian who are suspected by the secret service of terrorism have gone to court to get the order of their administrative deportations quashed. They have been under house arrest, but no proof has ever been presented against them, nor have they committed any crime<sup>91</sup>.

### **Terror Case creates mistrust against Muslims**

In October 2009, a Somali man was arrested after he forced his way into the home of the cartoonist, Kurt Westergaard, who depicted the Prophet Mohammed as a terrorist in his caricature. The politicians, the media and the police described this as an act of terrorism, and charged the Somali man with endangering the state security. Sociologist Mustafa Hussain and sociologist of religion, Sherin Kankan, described the media frenzy as "dangerous" and "a cause of Islamophobia in Denmark".

### **Talk of radicalization in connection with terrorism**

Besides this huge focus on terrorism committed by a few individuals with Muslim backgrounds, the Danish government has also copied the trend of anti-radicalization which started in the UK and USA. The Integration Ministry has set up a special unit exclusively to deal with radicalization among Muslim youth.

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<sup>89</sup> Enhedslisten, 29 January 2009, 'Enhedslisten: Er Danmark i undtagelsestilstand?' available at <http://www.enhedslisten.dk/enhedslisten-er-danmark-i-undtagelsestilstand> accessed 20 September 2010.

<sup>90</sup> Arbejdereren 3 July 2009, 'PET kan diktere asyl-domme' available at <http://arbejdereren.dk/node/24280> accessed 20 September 2010.

<sup>91</sup> BT, 25 March 2009, 'Terrormistænkte hiver ministerium i retten' available at <http://www.bt.dk/krimi/terrormistaenkte-hiver-ministerium-i-retten> accessed 20 September 2010.

There has not been any scientific survey or research to gauge and map the extent of the problem, but various projects have been put in place as part of the de-radicalization campaign. Here is a list of initiatives:

- Establishment of an Ethnic Youth Board of 10-14 persons to advise the government
- Funding for 4 large municipalities to increase their efforts of de-radicalization among youth who show worrying behavioral signs
- Established an internet forum for youth about democracy and radicalization
- Promote participation in volunteer associations
- Campaign to celebrate democratic community
- Education of 30 mentors who can help the youth to leave a radical environment
- Establish dialogue and information about Danish foreign policy
- Co-operation with educational institutions, student organizations and religious organizations to prevent extremism
- Educating the authorities

Many experts in this field consider these initiatives as a hidden agenda for integration and irrelevant for the purpose of stopping radicalization among a very tiny group of youth who may be the target group<sup>92</sup>.

The same opinion was voiced by two nationally known politicians from the Social-Liberal Party (*Det Radikale Venstre*) who in an essay declared; 'In Copenhagen, an anti-radicalization program was recently adopted in the City Hall. It allegedly aims to prevent radicalization and extremism. We frankly fear that it is still an empty gesture and no matter how well it is packaged, we still do not know whether there is a real problem. This has not been investigated properly'<sup>93</sup>.

### **Why so much talk of radicalization and the Muslim youth?**

If one is really interested in preventing radicalization among Muslim youth - provided it is happening on such a grand scale as is claimed - which can lead to extremist actions, a showdown against cultural racism is required. The unending media and political references to the battle of the superior Western values against the primitive Islamic norms is also a factor in alienation. Radicalization often takes place because of the exclusion many young people feel and experience, irrespective of religion, ethnicity or culture. When it comes to ethnic and religious minority youth, they read the newspapers, watch the TV and hear stories about their radical behavior from journalists and politicians who have never met or spoken with them. This huge focus on Muslim youth and presenting them as culturally criminal creates a sense of non-belonging which no doubt can

<sup>92</sup> Politik & International 28 December 2009, 'Skarp kritik af regeringen antiradikaliseringssindsats' available at <http://www.information.dk/219810> accessed 17 September 2010.

<sup>93</sup> *Opinion & Kommentar* 11 November 2009, 'Vi kan ikke overlade integrationen til politikerne' available at <http://www.information.dk/214925> accessed 20 September 2010.

turn a few weak souls into extremists. Fortunately, radicalization is happening in very minute numbers.

### **VI.iii.iii Ethnic profiling**

In 2009, there were many cases of shootings in Copenhagen between Hells Angels, made up of native Danes, and youth from minority backgrounds. As a response, the police were given powers to perform identity checks, to stop and search pedestrians on the streets, to stop and search vehicles and order the dispersal of groups of youths on the streets. There have been many reports from minority groups, especially the young ones, that there was a disproportionate police focus on particular areas where ethnic minorities live.

Ethnic profiling was also in full force in connection with security and counter-terrorism, in the shape of surveillance, anti-radicalization policies adopted by the government, and the resulting deportations, which took place.

When it comes to Immigration control and asylum decision-making, it is a common practice to question, search and detain persons at airports and ports who are seeking asylum. Add to this the harsh screening of asylum applications and the whole decision-making process involved in family reunion and asylum applications. In 2009, police conducted stops aimed at rounding people up for deportation, especially Iraqi asylum-seekers. Profiling also takes place at airports and ports, in the shape of random checks and baggage searches by dogs.

### **CEPOS: Police stop-and-search zones are illegal**

After the European Court of Human Rights, in January 2010, found that the UK had violated Article 8, the right to private life of the European Convention of Human Rights over its stop-and-search practices<sup>94</sup>, the Danish Justice Minister Lars Barfoed sent out a press release stating that this court decision will have no effect on the similar Danish practices and the law passed by the Danish parliament. Jacob Mchangama, the chief lawyer at the Liberal think tank, CEPOS, expressed his extreme dissatisfaction with the Minister's message, and pointed out that the European Human Rights Court decision is based on the fact that being stopped and searched restricts the citizen's right to move around freely. Mchangama believes that it is likely that the Danish law, if challenged, would be overruled by the European Court of Human Rights<sup>95</sup>.

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<sup>94</sup> Gillan and Quinton v. UK 4158/05 [2010] ECHR 28

<sup>95</sup> Politik & International, 26 March 2010, 'Politiets visitationszoner er ulovlige' available at <http://translate.google.com/translate?hl=en&sl=da&u=http://www.information.dk/228477&ei=G2NbTLyuEcO COLPEudUN&sa=X&oi=translate&ct=result&resnum=1&ved=0CBgQ7gEwAA&prev=/search%3Fq%3D%2522CEPOS:%2BPolitiets%2Bvisitationszoner%2Ber%2Bulovlige%2522%26hl%3Den%26sa%3DG> accessed 20 September 2010.

## **VI.iv Social inclusion**

It has been said that the relatively high level of welfare benefits has helped keep immigrants out of the labour market for a number of reasons:

- Many immigrants stand to gain nothing or very little by getting a job in terms of real income;
- State-regulated integration programs have not been conducive to providing immigrants and their descendants with jobs;
- The close-knit nature of civil society tends to exclude culturally distinct immigrants from the networks that leads to participation in both the labour market and in civic and political institutions; and
- The political system is generally not ready to accept, and both private and public employers are not inclined to use, the alternative social and educational resources of immigrants.

### **Lisbon Strategy and Denmark's National Reform Program 2008-2010**

The government has decided to encourage those who want to set up new business through a range of initiatives like:

- New entrepreneurial initiatives, access to finance
- The revision of the set-up account scheme has improved savings opportunities and incentives for enterprise start-ups
- The limit for "Get Started Loans" to entrepreneurs has been raised from DKK 500,000 to DKK 1 million.
- A new venture fund, Sunstone Capital, has been established in Denmark, managing funds of more than EUR 400 million.
- A committee has been set up to look into the possibilities of strengthening the venture capital market.

After coming to power in 2001, the present government has done a lot to break the cycle of unemployment among ethnic minorities, especially the youth. Unfortunately, it has also passed many laws which has made many elderly minorities poorer and socially excluded. This increase in poverty has been very visible in the last few years. The Government, however, still refuses to acknowledge that poverty exists in Denmark, which is damaging, particularly to the well-being of children<sup>96</sup>.

### **"Start Help" creates poverty**

The living conditions of refugees and immigrants who are on "Start Help" are so bad that it reminds us of poverty experienced many years ago. This was the

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<sup>96</sup> Politiken, 14 July 2010, '59.000-133.000 fattige børn i Danmark - politisk ansvar?' available at <http://blog.politiken.dk/engelbreth/2009/07/14/59000-133000-fattige-børn-i-danmark-politisk-ansvar/> accessed 20 September 2010.

conclusion reached by Rockwool Fund's Research Unit. A single person who is on "Start Help" and who has a spouse in a country outside the EU has 2,188 kroner per month to live on, inclusive rent and food. According to the calculations prepared by the Danish Consumer Information Office, this amount is not even enough to cover one third of the expenses that a single person should have to live on. The research also shows that 9 out of 10 refugees who came to Denmark after 2002 are poor, and after 4 years 60% were poor<sup>97</sup>.

Statistics produced by The Economic Council of the Labour Movement also confirmed that ethnic minorities were greatly over-represented among the groups who are victims of long-term poverty in Denmark. While only 0.6% of Danes – excluding students – are poor, the numbers of poor minorities is 5.4%. This percentage has doubled since this present government came to power in 2001.

According to the poverty calculation, a total of 43,881 children and adults are poor and about 9,040 of these people are migrants from non-western countries. This is 20.6% of the total figure. Since this group constitutes only 3.4% of the population, it is so clearly over-represented in poverty statistics.

The same is true of descendants – that is, persons born in Denmark of immigrants or refugees – who constitute 2.2% of the total population in Denmark. The entire 8.3% of those in poverty - equal to about 3,640 people - are descendants<sup>98</sup>.

### **The system just looks the other way**

Social exclusion also affects many homeless people with foreign backgrounds who are living a nomadic life. They can come to Denmark because of the EU's rules for free mobility but they are not eligible for social security help in Denmark. In the winter season, many of them freeze, and whether they can keep warm and get help in churches and shelters depends on their nationality. While Scandinavians can find a sleeping place in shelters, other nationalities must stay out and freeze. This, according to many experts working with social exclusion, is because of the political system, which looks the other way.<sup>99</sup>

### **Positive Action**

The Committee for Equal Treatment under the Danish Institute for Human Rights, of which ENAR-Denmark is a member, decided, in its January 2010 meeting, to invite national politicians and NGOs to discuss social exclusion and poverty. The national conference will take place on 28<sup>th</sup> October 2010 with the help of the Politiken newspaper. In March 2010, there was also a start conference arranged by Ministers of both Social Affairs and Employment Social together with Politics

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<sup>97</sup>Berlingske, 2 June 2009, 'Starthjælp skaber fattigdom' available at <http://www.berlingske.dk/danmark/starthjaelp-skaber-fattigdom> accessed 20 September 2010.

<sup>98</sup>Kristeligt Dagblad, 11 December 2010, 'Hver fjerde fattig er indvandrer' available at <http://www.kristeligt-dagblad.dk/artikel/349239:Danmark--Hver-fjerde-fattig-er-indvandrer> accessed 20 September 2010.

<sup>99</sup>Altinget 29 January 2010, 'Så ser man bare den anden vej', available at <http://www.alinget.dk/eu/rssitem.aspx?id=82567> accessed 20 September 2010.

Association, under the title; 'Our common responsibility to eradicate poverty and social exclusion'<sup>100</sup>.

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<sup>100</sup> Stop Fattigdom, available at <http://www.stopfattigdom.nu/> accessed 20 September 2010.

## **VII. National recommendations**

### **VII.i General**

After going through a large amount of documents, describing the political situation in Denmark, we think that a concentrated effort to inform the outside world on the extent of discrimination and racism must be undertaken. ENAR, with its European contacts, advisory capacity to the EU Commission, and access to international media, can be a very useful platform in this case. The present government, with the direct intervention of the anti-minorities Danish People's Party, has done so much damage to inter-ethnic relationships that only a measured and professional response can alter the situation. Hate-mongering against Muslim communities has reached such proportions that the Muslim communities are resigned to be alienated. Danish authorities, in spite of their studied indifference to criticism, are often sensitive to bad press. This can be exploited.

### **VII.ii Anti discrimination**

Some specific measures are needed to achieve a more effective discourse. Besides publishing plans of actions, the Government can:

- Conduct awareness-raising public campaigns as it does on other issues
- Officially acknowledge the intercultural nature of the society
- Make an impact assessment of initiatives
- Comply with minimum European standards to measure progress of anti-racist laws and practices
- Mainstream anti-racism through education and the media
- Guarantee the Independence of the Complaints Commission

### **VII.iii Migration and integration**

- General terms such as migration, migrants and illegal migration should be replaced with proper terminology – asylum, family-reunion etc.
- Mixing non-existent migration with Integration policy is confusing to the public
- Insistence on learning Danish culture in the process of integration should be replaced with mutually negotiating common values
- improve the participation of minorities in the political decision-making processes
- An open dialog should be held with NGOs

## **VII.iv Criminal justice**

### **VII.iv.i Racism as a crime**

- Criminal justice must be colour blind and sentences should be proportionate
- Regular anti-discrimination courses should be held for the police and prison services
- More involvement of minorities in jury duties
- Danish society should accept the fact that racism does exist and that it requires a proper legal response
- Religious discrimination should be taken seriously, especially Islamophobia

### **VII.iv.ii Counter terrorism**

- Civil rights should not suffer in countering terrorism
- Arrests, charges, investigations and prosecution should be transparent and defence lawyers should have access to the nature of allegations
- When charges are dropped, allegations should be withdrawn, an apology should be publicly made and compensation should be offered to the victim
- Those found guilty should be punished according to the court judgment and not deported afterwards. Deportation for those who have lived all their life in Denmark is a double sentence.

### **VII.iv.iii Ethnic profiling**

- Racial profiling creates ill-will among groups who are the victims, thus making the whole idea of preventing crime difficult
- Surveillance with better technology and information-gathering should be improved
- Race, appearance, religion and culture as parameters of profiling is against human rights and dignity. It must be avoided at all costs

## **VII.v Social inclusion**

Danish society as well as the political parties are increasingly talking of “US versus THEM”, meaning the European people versus everyone else. This approach is against the whole idea of social inclusion. To succeed in creating an inclusive society, Danish state must:

- Appreciate the contributions of ethnic minorities in the development of the society in the last 40 years
- Provide a safe environment to enable a sense of belonging to be created among minorities
- Involve ethnic minority NGOs and civil society organizations in its consultation process – making laws, plans of action and awareness-raising

among minorities and the Danish society

- Focus on all groups among minorities – women, men, elderly, children and youth
- Provide funding for NGOs, which is vital for their ability to function and be a bridge between minorities and the majority

## VIII. Conclusion

There is an institutionalized dilemma in Denmark that counteracts social cohesion and stability. It is a result of the collision and incompatibility between declarations of universal values (such as human rights and democracy) and institutionalized actions, which exclude and discriminate against religious and ethnic minorities.

There is a need to analyze the institutional patterns and politics of 'racial' discrimination in Denmark. It can be a research project that seeks answers to some of the key questions posed by the latest developments in Danish political and public spheres concerning the increase in xenophobic sentiments and parties.

The results will appeal to all social and political actors interested in the latest political developments and the problems of democratic citizenship and the efforts to move towards an integrated society in Denmark.

Seen from an ethnic minority perspective, the 2009 agreement between the Danish People's Party and the governing parties to tighten the Alien's laws, is a continuation of the last 9 years of restrictive policies, to close borders for non-European people who might seek asylum or wish to be reunited with their families living in the country for decades or even want to come to visit families or study.

The composition of the government is such that two governing parties can only rule if anti-minority and anti-Islam Danish People's Party continuously supports them. It means that it has the power to veto any initiative or law brought forward. Civil society and NGOs have next to zero chance of influencing anti-discrimination initiatives in the country or even have their legitimate criticism taken on board.

As this Shadow Report amply demonstrates, the situation is disheartening and it would not be an exaggeration to say that only the next national election in 2011 may herald a small change in anti-discrimination policies. That would depend on the policies, the new government of Social Democrats and Socialist Party would adopt. If the statements of the current opposition parties and their adopted present policies can be used as an indication of the future, it is hardly likely that the situation for ethnic and religious minorities would change for the better. There is a total lack of resistance from opposition parties, who have nearly half of the seats in the parliament, a very active countrywide network of supporters and members as well as media contacts.

In addition, most of civil society is also passive and directionless. The same goes for anti-discrimination NGOs, solidarity organizations and progressive intellectuals and academics. It is however not the ill will or lack of desire to change the situation, but the feeling of helplessness and powerlessness is so overwhelming that it has overshadowed the climate of resistance.

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The ENAR Shadow Report 2009-2010 could not be completed without consultation and interviews with other activists, academics and experts dealing with racism and discrimination.

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3. Niels-Erik Hansen, lawyer and Director for DRC
4. Raju - the first police officer with ethnic minority background
5. Naveed Baig, Imam, Vice Chair of Muslim Christian Study Centre and Spokesperson of Jewish Muslim Network in Denmark
6. Bent Melchior, Former Chief Rabbi, Copenhagen, Author,
7. Dr. Jonas Christoffersen, Director, Danish Institute for Human Rights
8. Yildiz Akdogan, Member of Danish Parliament. Yildiz Akdogan
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11. Mandana Zaraparwar – Chief Consultant- Institute for Human Rights
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## X. Annex 1: List of abbreviations and terminology

ECRI - European Commission Against Racism and Intolerance

OHCHR - Office of the High Commissioner for Human Rights

CERD - Committee on the Elimination of Racial Discrimination

EUMC European Union's Monitoring Centre now called FRA

ODIHR - Office for Democratic Institutions and Human Rights under the

OSCE - Organization for Security and Co-operation in Europe

DRC - Documentation and Advisory Center

DF - Danish People's Party

### **Ethnic minorities**

This report uses the term Ethnic and religious minorities or simply minorities to describe people who have come to Denmark from outside Europe, first as migrants in the sixties and refugees in the eighties and nineties.

### **Migrant**

In Denmark, the media and the authorities uses the word *Indvandrere*, which means "immigrant" for anyone who does not have a native Danish background. Even the children of early immigrants and refugees are called second or third generation immigrants. Also included are: long-term and short-term migrant workers, students, asylum seekers and refugees, stateless persons, spousal and family dependants, women migrants and children, and undocumented migrants.

"**Perker**" is a derogatory word used by Danes for non-White minorities. It is derived from "Persian" and "Turkish".

### **Racial Profiling**

Amnesty International defines racial profiling as the targeting of individuals and groups by law enforcement officials even partially on the basis of race ethnicity national origin or religion except where there is a trustworthy information relevant to the locality and timeframe that links persons belonging to one of the aforementioned groups to an identified criminal incident or scheme.



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