

The Framework Convention for the Protection of National Minorities

Denmark's Sixth State Report

March 2023

Contents

Foreword.....	3
Introduction	4
Part I: Measures taken to raise awareness of the results of the fifth monitoring cycle and of the Framework Convention	5
Part II: Measures taken to improve the implementation of the Framework Convention and implement fifth cycle recommendations	6
Article 3 of the Framework Convention	6
Scope of application.....	6
Data Collection.....	8
Article 4 of the Framework Convention	9
Anti-discrimination legislative and institutional framework	9
Article 5 of the Framework Convention	10
Preservation of culture	10
Article 6 of the Framework Convention	11
Integration policies and promotion of tolerance.....	11
Efforts to combat hate crimes/speech.....	11
The situation of Roma.....	12
The situation of Greenlanders	13
The situation of Jews	13
Article 7 of the Framework Convention	14
Article 8 of the Framework Convention	14
Article 9 of the Framework Convention	15
Media in minority languages	15
Article 10 of the Framework Convention	16
Use of minority languages in contacts with the administration	16
Article 11 of the Framework Convention	16
Display of bilingual signs.....	16
Article 12 of the Framework Convention.....	17
Teacher training and promotion of diversity at school.....	17
Article 13 of the Framework Convention.....	18
Teaching in and of minority languages.....	18
Article 14 of the Framework Convention.....	18
Article 15 of the Framework Convention.....	18
Political representation and participation	18
Article 17 and 18 of the Framework Convention.....	19
Bilateral co-operation	19
Relevant links	20

Foreword

Denmark ratified the Framework Convention for the Protection of National Minorities (hereafter the Framework Convention) on 22 September 1997. The Framework Convention entered into force for Denmark on 1 February 1998.

In the opinion of the Danish Government, the distinctive mark of a national minority is that it is a minority population group, which above all has historical, long-term and lasting links to the country in question – in contrast to refugee, and immigrant groups in general. Against this background, Denmark has identified the German minority in South Jutland as a national minority covered by the Framework Convention.

With this in mind and in connection with the ratification, Denmark declared that the Framework Convention would apply to the German minority in South Jutland. This declaration reflects the fact that the border between the Kingdom of Denmark and the Federal Republic of Germany actually does not delimit the areas inhabited by the two peoples. In the regions north and south of the border (fixed since the referendums in 1920) – i.e. South Jutland in Denmark and Schleswig in Germany – Danes and Germans live together in traditional residential areas. The members of the German minority in Denmark are nationals of Denmark, and the members of the Danish minority in Germany are nationals of Germany.

Thus, when ratifying the Framework Convention, Denmark did not identify other minorities, who are living, in Denmark, as a national minority within the meaning of the Convention. With this said, the Danish government would like to stress that other minorities that resides in Denmark enjoy the same fundamental rights as do all Danish citizens, including the rights contained in international human rights conventions and frameworks, which Denmark has ratified. Combined with the domestic legal framework and practices, Denmark strives after equal and fair treatment of all minorities residing in Denmark.

In Denmark's view, the monitoring process of the Framework Convention is a significant tool in a continuous dialogue with the Council of Europe. Denmark welcomes this opportunity to continue the constructive cooperation on the protection of national minorities.

The German minority in South Jutland falls under the remit of the Ministry of Culture. The Ministry of Culture is, therefore, the coordinator of the sixth Danish State report.

For further information on the work of monitoring and reporting on the implementation of Framework Convention, please contact:

The Danish Ministry of Culture
Nybrogade 2
1203 København K
Tel.: (+45) 33 92 33 70
E-mail: kum@kum.dk

Introduction

As part of the monitoring mechanisms, Denmark hereby submits its sixth State report on the implementation of the Framework Convention.

The Report concentrates on the recommendations raised in the Advisory Committee's fifth opinion on Denmark and the resolution by the Council of Ministers of 2019. Of the recommendations for immediate action (recommendation 44, 64, 80 and 117) only one (recommendation 117) concerns the German minority. The other recommendations for immediate action as well as the 'further recommendations' have been answered below as far as possible given the fact that Denmark has not ratified the Framework Convention for Roma people, Jews, Greenlanders or Faroese as a national minority residing in Denmark.

The report has been prepared by the Ministry of Culture in cooperation with and based on contributions received from the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Interior, the Ministry of Social Affairs, Housing and Citizens, the Ministry of Health, the Ministry of Transportation, the Ministry of Education, the Ministry of Higher Education and Science, the Ministry of Industry and Business, the Ministry of Immigration and Integration, the Agency for Digital Government, the Danish Agency for International Recruitment and Integration, the Danish Customs and Tax Administration as well as the Region of Southern Denmark, The Region of Region South Jutland-Schleswig and the four municipalities of South Jutland, Tønder, Haderslev, Aabenraa and Sønderborg. In addition, the Prime Minister's Office has been consulted.

The German minority's secretariat in Copenhagen has been consulted in the process of writing the report.

Regarding Greenlanders and Faroese living in Denmark, reference is hereby made to all previously submitted reports to the Council of Europe. The Government of Greenland has in its consultation response noted that it does not have jurisdiction over Greenlanders residing permanently in Denmark. Therefore, the Government of Greenland is not in a position to make a statement as to whether or not the Convention should apply to Greenlanders residing in Denmark. According to the consultation response, the Government of the Faroe Islands did not express a wish for the framework convention to apply to Faroese residing in Denmark.

To the extent possible, the State report has been prepared in accordance with the requirements listed in the outline provided by the Council of Europe. Section III of the outline is merely an opening giving the Council of Europe the possibility of directing additional questions to the Danish authorities. No such additional questions have been asked, which means this State report does not include a section III.

As reporting on the Framework Convention falls at the same time as reporting on the European Charter for Regional or Minority Languages (hereafter the Language Charter), the information in the two reports is cross-referenced to avoid repetition. In order to obtain a full picture of the Danish implementation of the Language Charter and the Framework Convention, the Council of Europe should therefore read the two reports together.

The sixth Danish State report covers the period from April 2019 – December 2022.

Delay in presentation of the report

The sixth Danish State report is presented later than the required date of 1 January 2023 due to the Danish general election held on 1 November 2022 and the subsequent process of forming a Government. This means that from 5 October where the general election was called, until 15 December where the new government was formed, none of the Danish authorities were able to work on the report. The Ministry of Culture has kept the Council of Europe informed on the delay and progress in the finalization of the report. The Danish authorities regrets any inconveniences this may have caused.

Part I: Measures taken to raise awareness of the results of the fifth monitoring cycle and of the Framework Convention

1. On which website(s) have the fifth cycle opinion and the related Committee of Ministers Resolution

Information on the European Council, the Framework Convention, the monitoring process and relevant links to the Council of Europe's website can be found on the Ministry of Culture's website. Once the State report has been submitted to the Council of Europe, a news item will be made official on the Ministry of Culture's website's news section, including a link to the State report.

2. Which domestic follow-up activities were organised, including activities organised jointly with the Council of Europe, and what were their outcomes?

No formal follow-up activities were organised as a result of the fourth opinion of the Advisory Committee.

3. How were minority organisations and other non-governmental organisations involved in the preparation of the sixth State report?

The Bund Deutscher Nordschleswiger (BDN) was founded in November 1945, and is the German minority's central organisation representing the minority in all fundamental issues. Its objective is to promote the German minority and to contribute to cultural diversity and to a harmonious development in the Danish-German border country. The German minority acts as a bridge builder between Denmark and Germany. BDN's Secretariat in Copenhagen has played an important part in the drafting of the sixth Danish State report.

The Institute of Human Rights were also consulted in the process.

4. Which other measures were taken to promote awareness of the Framework Convention among persons belonging to national minorities, public officials, local and regional authorities, and the general public?

Denmark takes its obligations and responsibilities towards the German minority very seriously. As the contact ministry for the German minority, the Ministry of Culture conducts ongoing dialogue with all relevant authorities including all relevant ministries and the four municipalities in South Jutland in order to safeguard and inform of the rights of the German minority pursuant to the Framework Convention.

Information on the Framework Convention is available on the Ministry of Culture's website¹.

¹ <https://kum.dk/kulturomraader/kultursamarbejde-og-aftaler/organisationer>

Part II: Measures taken to improve the implementation of the Framework Convention and implement fifth cycle recommendations

Article 3 of the Framework Convention

Scope of application

Point 37: Recommendation

The Advisory Committee calls on the authorities to maintain a continuous constructive dialogue with members of the communities which may benefit from the protection provided by the Framework Convention and thus to keep applying a flexible approach, namely an article-by-article application of relevant provisions of the Framework Convention, to such communities irrespective of a formal recognition as a national minority.

Denmark supports the principle of committed and constructive dialogue between relevant authorities and representatives of the German minority. This dialogue is taking place at several levels, including with and in the four municipalities located in South Jutland, the Region of South Denmark as well as in the contact between the relevant ministries and the German minority.

Contact Committee for the Germany Minority

The Ministry of Culture meets with the “Contact Committee for the German Minority” once a year. The Committee was established in 1965 with representatives of the German minority and members of the Danish parliament. The Minister for Culture is the chairperson of the committee. The purpose of the Committee is to have a forum in which the German minority can have a continuous dialogue and contact with the Danish Parliament as well as negotiate and discuss all issues of interest to the minority. A new Contact Committee was appointed after the latest general election².

There have been three meetings in the Contact Committee for the German minority since the last Danish State report: 11 June 2020 (digitally due to Corona), 9 December 2021 and 12 September 2022.

The German minority has expressed a wish to change the structure of the Committee in order to secure an even closer contact with the Danish Parliament. One of the requests is for the chairperson to be an ordinary member of Parliament and not a minister. The Ministry of Culture is looking into the options of changing the structure in close cooperation with the Danish Parliament and the German minority.

The German Minority’s Secretariat in Copenhagen

The German minority's secretariat in Copenhagen was set up in 1983 and serves as BDN’s organ of contact to the Parliament and the Ministry of Culture. The Secretariat has one employee. The Ministry of Culture provides secretarial services for the Contact Committee for the German minority and, therefore, has an ongoing dialogue with the German minority's secretariat in Copenhagen, as well as regular meetings with the German minority's representatives in both Copenhagen and South Jutland. There is a close, open and informal dialogue. In 2022, the Secretariat received DKK 0.8 million in public funding from the Ministry of Culture.

Other relevant ministries and authorities are in contact with the German minority on a more case-by-case basis. The Ministry of Culture serves as an entry point, whenever the German minority is not able to find a relevant contact person in a specific authority.

² <https://kum.dk/kulturomraader/det-dansk-tyske-graenseland/kontaktudvalget>

Contact between the German Minority and the Municipalities in South Jutland

In 2007, legislation was provided to ensure the presence of representatives of the German minority in the local councils in South Jutland (the municipalities of Aabenraa, Haderslev, Sønderborg and Tønder). This includes provisions for an official representative of the German minority party to the local council and to a standing committee, when the German minority party has not obtained election to the council.

Currently, the German minority party, Schleswigsche Partei/Slesvigsk Parti, holds two seats in the 31-seat Aabenraa City Council, three seats of the total 31 seats in Sønderborg City Council. The first deputy mayor is also a member of the German minority party. In Haderslev municipality, there is one representative for the German minority party, and in Tønder, there are four representatives of the German minority party, one of which is also the mayor of Tønder.

The four municipalities have also entered into a structured dialogue with Bund Deutscher Nordschleswiger (BDN) at the mayors' level. The meetings are conducted under the auspices of the Coordination Committee of Southern Jutland (Det Sønderjyske Koordinationsudvalg). Within this framework, the four mayors as well as city council members from these four communities meet with the German minority once a year to discuss and decide on a wide range of issues concerning the German minority. This can be seen as a supplement to the long-standing government regulation securing representation of the German minority in the four city councils mentioned above.

Sønderborg municipality also conducts their own meetings with BDN in a specific local contact committee. The meetings are held at least once a year to discuss a wide range of subjects concerning the German minority. Members of the local contact committee are representatives of the BND, Sønderborgs' mayor, first deputy mayor, city council members and municipal director.

The Region of Southern Denmark

The border region between Southern Denmark and Schleswig-Holstein has a special history. Today, there is a peaceful coexistence in the Danish-German border, and the national minorities are a natural part of the Danish-German cooperation in the Region of Southern Denmark. The Region of Southern Denmark is a public authority with a political leadership, and information on the region's website is available in German³.

The Region of Southern Denmark cooperates with representatives of the minorities in the border region in various contexts. The special representative of the Region of Southern Denmark participates in DialogForumNorden, a forum for minorities and minority issues in Schleswig-Holstein, in which the German minority in Denmark is represented amongst others.

Since 2021, the Region of Southern Denmark has been a member of the network "MinderheitenKompetenzNetzwerk Schleswig Holstein/Denmark". Amongst other things, the network organizes visits from other minority groups in Germany and all of Europe to the border region, in order to display the special competences in the Danish-German border region, as well as the local minorities, and promote the good example of peaceful coexistence. The Regional Council has so far funded the project with kr. 36.000 annually for a 3-year period (2021-2023).

Between 2019 and 2021 The Region of Southern Denmark participated in the programming of the new Interreg-program Deutschland-Denmark. The programme is now active, running for the period 2021-2027. The promotion of cultural and linguistic cooperation is an important part of the programme. Both the German minority in Denmark and the Danish minority in Germany participate in the Interreg Committee, which is the body responsible for running the program.

³ <https://regionsyddanmark.dk/de>

Point 38: Recommendation

The Advisory Committee calls on the authorities to ensure that persons belonging to such communities have sufficient awareness of the Framework Convention, in particular its cornerstone that is the right to free self-identification.

The Ministry of Culture frequently discusses the Framework Convention and the Language Charter when conducting meetings with the Germany minority. The Ministry of Culture is always available for questions should the German minority have any doubts as to the Framework Convention.

According to the Bonn-Copenhagen declarations, the Danish and German governments cannot test or control the German and Danish minorities' sentiment of nationality. This means that the German minority indeed has a free right to self-identification.

Data Collection

Point 44: (Recommendation for immediate action)

The Advisory Committee urges the authorities to reconsider the concepts of 'immigrants and descendants of immigrants of Western origin' and 'immigrants and descendants of immigrants of non-Western origin', both based on the arbitrary aggregation of statistics related to place of birth or citizenship, and their subsequent application in the framework of the so-called "Ghetto law" leading to possible discrimination on the grounds of citizenship, ethnic affiliation and place of residence.

The definition of deprived neighborhoods is a tool used by Danish governments since 2010 to monitor the mix of tenants in the social housing residences with high rates of unemployment, low income etc. The Danish Parliament wants mixed residential areas, and a mix of tenants that to a greater extent reflects the average population in Denmark. This concerns both socioeconomic and cultural circumstances, and policy initiatives have been launched to ensure equal opportunities of education and access to employment, and a safe childhood no matter where children grow up.

In order to follow the impact of the policy initiatives and the fulfilling of the political goal, it is necessary to monitor the mix of tenants.

The five criteria in the definition of deprived neighborhoods reflect the challenges in the residential areas, such as unemployment, crime, low income, level of education and poor integration. The criterion 'immigrants and descendants of immigrants of non-Western origin' is related to integration. The concept of Western origin and non-Western origin is one of several aggregations of countries Statistics Denmark uses when publishing data on country of origin. Statistics Denmark has e.g. supplemented the concept of Western and non-Western countries with the aggregation of EU/EEA countries and countries outside EU/EEA.

Statistics Denmark produces statistics on persons' country of citizenship and country of origin based on data in the Central Population Register. Statistics Denmark is not involved in decisions on data selection for legislative work. All ministries have access to pseudomized microdata and can choose to aggregate these according to countries of origin any way they want for legislation.

Point 45: Recommendation

The Advisory Committee calls on the authorities to collect data on national or ethnic affiliation in full compliance with the principle of free self-identification, applying relevant human rights based and data collection standards, and allowing multiple affiliation.

It is – as stated in previous State reports – not possible for Statistics Denmark to provide new statistical data on national minorities. The source of Statistics Denmark’s demographic information is the Central Population Register, which includes information on the persons place of birth and citizenship, while information on ethnicity, race or religion, in appliance to the Act on Processing of Personal Data, cannot be registered. None of the existing data can be used for identifying national minorities.

Since – as stated above – affiliation to the German minority is based on a free, individual choice, this would anyway not be possible to register at all.

Article 4 of the Framework Convention

Anti-discrimination legislative and institutional framework

Point 52: Recommendation

The Advisory Committee calls on the authorities to step up their efforts to raise awareness among people and groups most frequently targeted by discrimination of currently applied legislative standards and of the available remedies to victims of discrimination.

The Danish Government continuously work on raising awareness of rights among people targeted by discrimination through initiatives such as campaigns, workshops, action plans, information materials and by collaborating closely with civil society. Recent initiatives have raised awareness on new legislation on for instants sexual violence and psychological violence. In general, information about new policies and activities are communicated through media and press releases on a regular basis, hence ensuring a fundamental knowledge of all citizens on their rights and on new initiatives.

Point 53: Recommendation

The Advisory Committee calls on the authorities to ensure that all civil servants dealing with specific requests from persons belonging to and organisations of national minorities, in particular in social affairs, be well aware about minority rights in order to prevent any case of discrimination on the grounds of belonging to a national minority.

The German minority are often in contact with civil servants in South Jutland where they primarily take residence. The four municipalities of South Jutland all have information on their official websites in German and all have employees available who speak and write in German.

See the sixth Danish periodical report regarding the Language Charter in the sections on Article 6 (Information), Article 7 (Objectives and principles), Article 9 (Judicial authorities), Article 10 (Administrative authorities and public services) and Article 13 (Economic and social life).

Point 54: Recommendation

The Advisory Committee calls on the authorities to ensure that civil society organisations working on improving and monitoring the anti-discrimination legislative framework have access to sufficient public funding in order to fulfil their anti-discrimination advocacy activities and monitoring role.

The Danish Government financially supports The Danish Institute for Human Rights, which is an independent state-funded institution that works to promote and protect human rights in Denmark and internationally. The institute advises the government, parliament, ministers and public authorities on human rights and contributes to map out the biggest human right challenges in Denmark. In addition, they carry out specific projects to promote equal treatment, raise awareness, and advice those who may have been discriminated against. The institute is also mandated to monitor the Governments activities and can bring up cases.

Ligebehandlingsnævnet (The Board of Equal Treatment) deals with complaints related to discrimination. The board is publicly funded but independent. Raising a case at the board is free of charge. The board deals with complaints related to discrimination based on gender, race, colour, religion or belief, political views, sexual orientation, age, disability or national, social or ethnic origin.

The Danish Government also gives financial support annually, in the form of operating grants to organisations such as The Women’s Council (Kvinderådet) and LGBT+ Denmark. The organizations work to promote rights and prevent discrimination of women and LGBT+ persons. The Women’s Council receives DKK 2 million in subsidies. LGBT+ Denmark receives a subsidy of DKK 4 million in 2022-2024 and an additional DKK 1.5 million in the years hereafter. Furthermore, the Danish authorities cooperate closely with civil society to implement Action Plans by financing projects, which aim to further the rights of women and LGBT+ persons.

Article 5 of the Framework Convention

Preservation of culture

Point 58: Recommendation

The Advisory Committee invites the authorities to consider developing specific calls for grant applications, or to adapt the current ones to include specific criteria, in order to ensure that the German minority organisations have a consistent perspective of funding for cultural purposes.

In Denmark, there are a widespread array of opportunities to apply for public funding for cultural purposes. The Danish authorities call on the German minority to contact the Ministry of Culture if they are having any trouble or questions in this regard.

Article 6 of the Framework Convention

Integration policies and promotion of tolerance

Point 64: Recommendation

The Advisory Committee urges the authorities to ensure that integration legislation and policies be based on facts and expertise, to look for long-term solutions to guarantee equal access to rights and to ensure inclusive participation of the civil society in relevant decision-making processes, including parliamentary discussions.

The Danish authorities are surprised by this recommendation, as Danish integration legislation and policies *are* based on facts and expertise. Denmark has comprehensive register data and survey data on integration, including employment, education, housing, and citizenship of immigrants and descendants.

Danish authorities and researchers monitor and publish studies on the development of integration and the effects of integration legislation and policies. For instance, the Ministry of Immigration and Integration is responsible for the Integration Barometer, which monitors the development of integration within areas such as employment, education, housing and citizenship of immigrants and descendants.

Point 65: Recommendation

The Advisory Committee calls on the authorities to ensure that the resources of the Council of Ethnic Minorities be sufficient to support its needs and mandate.

The name of the Council of Ethnic Minorities has 1 January 2022 been changed to The National Integration Council. The council advises The Minister for Immigration and Integration on the integration effort in Denmark. The financial resources of the council are laid down politically on the Finance Act. The council receives DKK 0.6 million yearly. It is the assessment of The Ministry of Immigration and Integration that the financial resources of the council are sufficient to support the needs and mandate of the Council.

Efforts to combat hate crimes/speech

Point 73: Recommendation

The Advisory Committee calls on the authorities to set up a comprehensive data collection system with regard to hate crimes and hate speech, with fully disaggregated data on offence, hate motivation and target group, in order to enable better analysis of the crimes committed and to subsequently design more accurate strategies to combat them, and where relevant in co-operation with organisations representing victims.

Criminal offences regarding hate speech are regulated under Section 266 b of the Danish Criminal Code according to which any person who publicly, or with intent of dissemination to a wide group, issues a statement or other communication threatening, humiliating or degrading persons of a particular group because of their race, colour, national or ethnic origin or religious faith or their handicap or sexuality, gender identity, gender expression or gender characteristics is sentenced to a fine or imprisonment for a term not exceeding two years. Furthermore, according to Section 81, para 6, of the Danish Criminal Code, when determining a sentence, it should normally be considered an aggravating circumstance that the act was based on the ethnic origin, religious faith or their handicap or sexuality or similar issues.

Data on charges, indictments and convictions regarding violations of § 266 b of The Danish Criminal Code are collected in the case management system used by the Danish police (POLSAS). In addition, the Danish Prosecution Service is responsible for keeping a comprehensive and substantive overview of all case law relating to violations of section 266 b. In September 2020, the Prosecution Service introduced a new reporting scheme for hate crimes which provides statistics on cases where Section 81, para 6, has been applied by the Danish courts. This means that it is now possible to monitor more closely the number of convictions in which the court has increased the sentence with reference to Section 81, para 6, of the Danish Criminal Code.

In the annual report on reported hate crimes published annually by the Danish National Police, hate crimes are broken down according to geography/type of location, temporal characteristics, type of hate crime, and type of bias motive (general and specific). Additionally, general information about perpetrators and victims of hate crimes is documented in the report such as age, gender and citizenship. Furthermore, the report also includes information about the prevalence of hate crime victimization from the national victim survey conducted annually by The Ministry of Justice's Research Division. Among other things, the victim survey includes statistics on the number of victims of online hate speech, the number of victims of violence and vandalism who perceive the crime as a hate crime, and the victim's perception of the type of hate motive. Furthermore, the Danish National Police has an ongoing dialogue with civil society organizations on several issues related to hate crime and hate speech such as data collection procedures, ways to reduce the dark figure of unreported hate crimes and ways of improving methods to identify reported hate crimes.

Point 74: (Recommendation for immediate action)

The Advisory Committee urges the authorities to adopt a new action plan against racism, including monitoring of hate speech in political and public discourse. Such a strategy should be designed in close and active co-operation with civil society actors as well as with representatives of communities confronted with such forms of abuse, and should include, without prejudice to the editorial independence of the press, an assessment of the way persons belonging to minority communities as well as migrants are portrayed in the media.

There are no specific provisions of law in Danish legislation that address racist and xenophobic discourse by politicians and racist messages on the internet. However, racist and xenophobic statements and messages may be a violation of Section 266 b of The Danish Criminal Code, cf. recommendation 73 above.

The then Government and the parliamentary parties behind the Finance Act of 2022 have agreed to develop and finance a national action plan against racism. The aim of the plan is to fight and prevent racism broadly across the Danish society through a variety of concrete initiatives. The process for the developing of a national action plan is under clarification by the new government, which was formed on 15th of December 2022.

The situation of Roma

Point 80: (Recommendation for immediate action)

The Advisory Committee urges the authorities to review the application of the provisions of the Danish Code on Public Order related to homeless people and calls on the authorities to consider developing a more comprehensive and efficient approach of the poverty problems of persons concerned, most of whom have a Roma background.

According to article 3, subsection 4, of the Danish Administrative Order regarding Public Order it is prohibited to establish and stay in permanent camps in public places, when such camps are qualified to create insecurity in the local community. The provision is drafted without any reference to nationality, meaning that all citizens – including Danish citizens – may be subject to a warning or a zonal ban.

The provision does not constitute a general ban against sleeping in public places. The establishment of and staying in permanent camps is only forbidden, if the camps are qualified to disturb the public order, meaning that the mere act of sleeping on the streets is not in itself punishable. The criminalization of camps that cause disturbance of the public order is not a criminalization of homelessness and has no effect on the possibilities of a homeless person to obtain shelter at a temporary accommodation facility.

Point 81: Recommendation

The Advisory Committee also calls on the authorities to take proactive integration and inclusion measures aimed at creating an environment where Roma people and communities, including those living in Denmark for several generations, do not refrain from identifying themselves publicly as Roma or from showing their identity.

As stated above, when ratifying the Framework Convention, Denmark did not identify Roma people as a national minority residing in Denmark within the meaning of the Framework Convention.

The situation of Greenlanders

Point 85: Recommendation

The Advisory Committee calls on the authorities to continue addressing the needs of Greenlanders living in Denmark and to develop a comprehensive strategy and action plan, jointly with Greenlandic representatives and organisations in order to address such needs, in particular with regard to access to public services and the labour market, linguistic rights, education and representation.

As stated above, when ratifying the Framework Convention, Denmark did not identify Greenlanders as a national minority residing in Denmark within the meaning of the Framework Convention.

The situation of Jews

Point 92: Recommendation

The Advisory Committee welcomes the support given by the authorities to ensure the security of the Jewish community and encourages its continuation.

As stated above, when ratifying the Framework Convention, Denmark did not identify Jews as a national minority residing in Denmark within the meaning of the Framework Convention.

Point 93: Recommendation

The Advisory Committee calls on the authorities to further promote intercultural dialogue, including interreligious dialogue, and to consider supporting the efforts of the Jewish community in extending the “BookEdu” programme at national level, and possibly to other minorities.

See comments under recommendation 92.

It can however, be mentioned that in January 2022, the then Danish government published its Action plan against anti-Semitism, which contains a number of concrete initiatives aimed at fighting anti-Semitism broadly across the Danish society. The action plan includes several initiatives that seek to promote the intercultural and interreligious dialogue; i.e. by making it compulsory for the Danish primary and upper secondary schools to teach about the Holocaust and other genocides. The plan has also granted funds to civil society agents with the aim of expanding young-to-young dialogue between Muslims, Christians, humanists, atheists and Jews in schools all over Denmark. Furthermore, the action plan has ensured that funds are allocated to the Danish Jewish Museum to plan, set up and carry out, in collaboration with the country’s museums and libraries, exhibitions and debate events on Danish-Jewish

cultural history. The full action plan is published on the website of the Danish Ministry of Justice, both in English and in Danish.

Point 94: Recommendation

The Advisory Committee calls on the authorities to continue, with all groups concerned, to apply pragmatic and balanced solutions to the circumcision of boys.

The debate regarding circumcision of boys is an ongoing subject to political debate in Denmark.

Circumcision of boys is not criminalized under Danish law. However, an unsuccessful illegal circumcision can, depending on the circumstances, be punished according to Section 244-246 of the Danish Criminal Code, which criminalizes acts of violence, assault, and mistreatment.

Whether circumcision of boys can be punished according to Section 244-246 of the Danish Criminal Code depends on a concrete assessment of the circumstances in the individual case, including whether it can be assumed that there is valid consent according to the general principles of criminal law. In this connection it should be noted that the parents can only give a valid consent to the circumcision, if it takes place under proper conditions. According to case law, whether the circumcision has taken place under proper conditions, can, among other things, depend on whether the intervention has been performed by or under the supervision of a doctor.

Article 7 of the Framework Convention

The Framework Convention's article 7 states that The Parties shall ensure respect for the right of every person belonging to a national minority to freedom of peaceful assembly, freedom of association, freedom of expression, and freedom of thought, conscience and religion.

No recommendations were given in connection with article 7 of the Framework Convention.

The Danish Constitutional Act sets out the rights you have as a citizen in Denmark. Some of the areas protected by the constitutional rights are freedom of expression, the right to assemble and demonstrate for your opinions, and the right to form associations and to be a member of an association. The Constitutional Act also ensures that you have the right to be a member of a political party and to take part in political activities – even though such activities may be in opposition to the opinions of the Government or the majority. These rights are intended to ensure that democracy functions.

Article 8 of the Framework Convention

The Framework Convention's article 8 states that The Parties undertake to recognise that every person belonging to a national minority has the right to manifest his or her religion or belief and to establish religious institutions, organisations and associations.

No recommendations were given in connection with article 8 of the Framework Convention.

The Danish Constitutional Act also states that no one may be discriminated against on account of his or her religion or race. Regardless of race or faith, everyone has the same political and civil rights.

Article 9 of the Framework Convention

Media in minority languages

Point 100: Recommendation

The Advisory Committee welcomes the support given to the printed media in German language in South Jutland.

Denmark takes note of the comments by the Advisory Committee. For more information, see the sixth Danish periodical report on the Language Charter in the section covering its Article 11 (Media).

Point 101: Recommendation

The Advisory Committee calls on the authorities to support the production of content on the German minority in Danish and German as well as monitor the obligations of the TV broadcasters to distribute and show programmes on minorities in the Danish-German border area.

The Danish national public service broadcasters DR and TV 2 and the eight regional television public service broadcasters – including TV SYD – all have public service obligations. Details of the public service remit of DR and the regional TV 2 television public service broadcasters – including TV SYD – are regulated in public service contracts with the Minister for Culture, whereas the details of the public service remit of TV 2 is regulated in a license for TV 2 to perform public service program activities. DR and the regional TV 2 television public service broadcasters are financed almost exclusively by public funding, while TV 2 is financed by advertising revenue and subscription payment. DR is by virtue of its public service contract obliged to provide a broad coverage of Denmark, thereby reflecting the diversity of culture, philosophy of life and living conditions in different regions of the country. In October 2022, the Minister of Culture and DR signed a new public service contract, where the obligation to place emphasis on the coverage of the minorities in the Danish/German border area is confirmed. TV 2 is by virtue of its license to perform public service broadcasting like DR, committed to providing a broad social coverage of Denmark, thereby reflecting the diversity of culture, philosophy of life and living conditions in different regions of the country. Pursuant to public service contracts the regional TV 2 stations – including TV SYD – are required focus on regional affiliation by programming reflecting the diversity of culture, philosophy of life and living conditions that are in the region. TV SYD shall furthermore place emphasis on the conditions in the Danish/German border area.

Article 10 of the Framework Convention

Use of minority languages in contacts with the administration

Point 109: Recommendation

The Advisory Committee welcomes the efforts made by the authorities, and encourage them to pursue such efforts, to improve access to information in German on the central administration's websites.

Denmark takes note of the comments by the Advisory Committee.

Point 110: Recommendation

The Advisory Committee reiterates its call on the authorities to ensure that persons belonging to the German minority, in the four municipalities where they live in South Jutland, be able to communicate fully in German, be it by digital means, with all administrative bodies or even when public services are provided through private companies.

The Danish public sector is decentralized. This means that a large part of the communication between the citizens and the public sector is the responsibility of the municipalities. The central government, regions, and municipalities are continuously working on developing common requirements for public sector digital solutions based on a user-centric approach. In this work, the users of the end products are also heard when initiating new processes and when further developing existing ones.

See the sixth Danish periodical report regarding the Language Charter in the sections on Article 6 (Information), Article 7 (Objectives and principles), Article 9 (Judicial authorities), Article 10 (Administrative authorities and public services) and finally Article 13 (Economic and social life).

Point 111: Recommendation

The Advisory Committee encourages the authorities to envisage formally recognising the real need for those belonging to the German minority to use German in the four municipalities where they live, in their relations with the administrative authorities, orally or in writing, and to recognise this well-established practice in the law.

See the sixth Danish periodical report regarding the Language Charter in the sections on Article 6 (Information), Article 7 (Objectives and principles), Article 9 (Judicial authorities), Article 10 (Administrative authorities and public services) and finally Article 13 (Economic and social life).

Article 11 of the Framework Convention

Display of bilingual signs

Point 117: (Recommendation for immediate action)

The Advisory Committee urges the municipal authorities to take all necessary measures to further promote intercultural understanding and dialogue in the border region in order to create an environment conducive to the display of bilingual signs at the entrance of the four municipalities where persons belonging to the German minority live.

See the sixth Danish periodical report on the Language Charter in the section on article 10 (Administrative authorities and public services).

Article 12 of the Framework Convention

Teacher training and promotion of diversity at school

Point 123: Recommendation

The Advisory Committee encourages the authorities to further promote knowledge and awareness of modern Greenland in the educational system throughout Denmark, as well as of other minority communities.

See comments under recommendation 85.

Point 124: Recommendation

The Advisory Committee calls on the authorities to give more visibility to the culture of the German minority living in Denmark within the Danish education system, and to include a specific item in the curricula applicable to the South Jutland region.

Denmark does not have centralized curricula in its education system. Instead, there are common objectives for each subject in the Folkeskole. Furthermore, in the subject of Danish and History, there are so-called canon lists that consists of mandatory texts and authorships (Danish) and historical events (History). The historical events include events related to the German-Danish historical relationship, but not specifically to the German minority.

Since 2018, Deutscher Schul- und Sprachverein für Nordschleswig (DSSV – the umbrella organisation for the German minority schools and kindergartens) has participated in regular meetings coordinated by the Secretariat for Private, Independent Schools in the Ministry of Children and Education's department. Other organisations for private, independent primary and lower secondary schools as well as relevant representatives from the ministry's agencies have participated too. On the agenda has been updates and discussion on current, relevant issues.

For more information on the educational system for the *German* minority, see the sixth Danish periodical report on the Charter in the section covering its Article 8 (Education).

Point 125: Recommendation

The Advisory Committee encourages the authorities to further develop, in co-operation with Greenlandic organisations, teacher training capacities in and of the Greenlandic language, in order to increase the number of teachers and ensure the quality of the teaching methods used.

See comments under recommendation 85.

Article 13 of the Framework Convention

Teaching in and of minority languages

Point 128: Recommendation

The Advisory Committee welcomes the support given by the Danish authorities to enable the education system in German in South Jutland to function well and encourage the authorities to pursue such support.

Denmark takes note of the comments by the Advisory Committee.

Article 14 of the Framework Convention

Article 14 of the Framework Convention states that the Parties undertake to recognise that every person belonging to a national minority has the right to learn his or her minority language.

No recommendations were given in connection with article 14 of the Framework Convention.

The German minority has its own schools in South Jutland. See more under recommendations 123 and 124.

Article 15 of the Framework Convention

Political representation and participation

Point 134: Recommendation

The Advisory Committee invites the authorities to adopt a more proactive policy towards the German minority representatives and to create the conditions for more regular contacts with the national authorities.

Please see page 6-7 above for a description of the Danish authorities' regular contact with the German minority, including a description of the German minority's representation at local governance level. As mentioned above, a new structure of the Contact Committee in order to secure an even closer contact with the Danish Parliament is being explored.

Point 135: Recommendation

The Advisory Committee also calls on the authorities to consider a possible mechanism in order to more frequently and specifically address issues of concern with representatives of the German minority in the four municipalities where they live.

The Danish authorities does not recognise a need for such a mechanism. The German minority and the four municipalities meet at least once a year (formally) and beyond this have a general and ongoing dialogue on all matters related to the German minority. The German minority is encouraged to contact the four municipalities with all relevant enquiries.

Article 16 of the Framework Convention

Article 16 of the Framework Convention states that the Parties shall refrain from measures, which alter the proportions of the population in areas, inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms flowing from the principles enshrined in the present framework Convention.

No recommendations were given in connection with article 16 of the Framework Convention.

Denmark takes note of the fact that no recommendation was given in terms of Article 16.

Article 17 and 18 of the Framework Convention

Bilateral co-operation

Point 141: Recommendation

The Advisory Committee encourages the authorities to pursue their efforts in promoting a free cultural space in the Danish-German border region.

See the sixth Danish periodical report on the Language Charter in the section regarding Article 14 (transfrontier exchanges).

Point 142: Recommendation

The Advisory Committee calls on the authorities to reinforce consultation mechanisms with local actors such as regional and municipal authorities as well as representatives of the German minority, when modifying the scope and nature of border controls.

The Danish Police maintains a close co-operation with the German law enforcement authorities in order to secure that the temporary border control is carried out in a manner with the least negative impact on persons crossing the border for legitimate reasons.

Relevant links

The Ministry of Culture, www.kum.dk

Prime Minister's Office, [The Prime Minister's Office - \(stm.dk\)](http://ThePrimeMinister.dk)

The Ministry of Foreign Affairs, [Ministry of Foreign Affairs of Denmark \(um.dk\)](http://MinistryofForeignAffairs.dk)

The Ministry of Justice, [The Danish Ministry of Justice | Justitsministeriet](http://TheDanishMinistryofJustice.dk)

The Ministry of Interior, [Home \(im.dk\)](http://Home.im.dk)

The Ministry of Social Affairs, Housing and Citizens, [Home \(sm.dk\)](http://Home.sm.dk)

The Ministry of Health, [The Danish Ministry of Health | Indenrigs- og Sundhedsministeriet \(sum.dk\)](http://TheDanishMinistryofHealth.dk)

The Ministry of Transportation, [Ministry of Transport \(trm.dk\)](http://MinistryofTransport.dk)

The Ministry of Education, [Frontpage | Ministry of Children and Education \(uvm.dk\)](http://Frontpage.MinistryofChildrenandEducation.dk)

The Ministry of Higher Education and Science, [Home — Uddannelses- og Forskningsministeriet \(ufm.dk\)](http://Home.UddannelsesogForskningsministeriet.dk)

The Ministry of Industry and Business, [Home \(em.dk\)](http://Home.em.dk)

The Ministry of Immigration and Integration, [In English \(uim.dk\)](http://InEnglish.uim.dk)

The Agency for Digital Government, [Agency for Digital Government \(digst.dk\)](http://AgencyforDigitalGovernment.dk)

The Danish Agency for International Recruitment and Integration, [New to Denmark \(nyidanmark.dk\)](http://NewtoDenmark.nyidanmark.dk)

The Danish Customs and Tax Administration ([Individuals - Skat.dk](http://Individuals-Skat.dk))

The Region of Southern Denmark, [The Region of Southern Denmark \(regionsyddanmark.dk\)](http://regionsyddanmark.dk)

The Region of Region South Jutland-Schleswig, [Om os \(region.dk\)](http://om.os.region.dk)

Tønder municipality, [Toender.dk in English - Tønder Kommune](http://toender.dk)

Haderslev municipality, [Welcome to Haderslev - Haderslev Kommune](http://welcome.to.haderslev.dk)

Aabenraa municipality, [English - Aabenraa Kommune](http://english.aabenraa.dk)

Sønderborg municipality, [Citizens | Sønderborg Municipality \(sonderborgkommune.dk\)](http://citizens.sonderborgkommune.dk)

The German minority's central organisation, Bund Deutscher Nordschleswiger (BDN)
<https://www.bdn.dk/>

The Danish Institute for Human Rights <https://www.humanrights.dk/>