

**COMMITTEE ON THE ELIMINATION  
OF RACIAL DISCRIMINATION  
Sixty- ninth session  
31 July-18 August 2006**

**QUESTIONS PUT BY THE RAPPORTEUR**

**IN CONNECTION WITH THE CONSIDERATION OF  
THE SIXTEENTH TO SEVENTEENTH REPORTS OF  
DENMARK  
(CERD/C/496/Add.1)**

**Composition and distribution of the population**

1. Please provide updated information on the ethnic composition of the population, including the geographical location of the various ethnic groups within the country and their socio-economic status. Please also provide statistical information about non-citizens, including migrants and refugees residing in Denmark.

**Article 2**

2. Please provide examples of direct application of the Convention by Courts and other law-applying authorities. (Periodic report, paras. 48-54, Previous concluding observations, para. 3)
3. Has the State party adopted steps to implement the recommendations contained in the third report of the European Commission against Racism and Intolerance, adopted on 16 December 2005?
4. Does the State party intend to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families?
5. Please provide more detailed information as to which organizations and individual projects the Government is allocating funding within the field of integration and anti-discrimination policy. (Periodic report, para. 174, Previous concluding observations, para. 13)

**Article 4**

6. Please provide more detailed information on the powers granted to the Director of Public Prosecutions to ensure proper and uniform enforcement of Section 266 b of the Criminal Code and comment on the effectiveness of such mechanism. Please also comment on the information that prosecuting

authorities often dismiss complaints of hate speech, and provide statistical data in this regard. In particular, please elaborate on the way the State party strikes a balance between freedom of expression and the obligation to combat hate speech. Have criteria been set to that end? (Periodic report, para. 78)

7. What measures has the State party adopted to prevent statements and propaganda from politicians that fall under section 266b of the Criminal Code? Have political parties developed voluntary codes of conduct so that their members refrain from public statements and actions that encourage or incite racial discrimination? Have any political parties adhered to the “Charter of European Political Parties for a non-Racist Society”? (Periodic report, para. 193, Previous concluding observations, para.10)
8. Please provide more detailed information about the mechanisms put in place to ensure that radios do not disseminate hate speech. Have the terms of the new licence given to Radio Oasen to broadcast until 1 May 2006, specifying that the programmes may not express attacks on or terms of abuse against specific groups in society, been effectively respected? Has Radio Oasen been given a new license to broadcast after 1 May 2006? (Periodic report, para. 80, Previous concluding observations, para. 11)
9. Does the State party envisage adopting specific legislation designed to implement article 4(b) of the Convention, that is, to prohibit organizations which promote and incite racial discrimination? (Previous concluding observations, para. 11)
10. Please provide information in relation to the position and measures adopted by the State party’s authorities following the publication, in September 2005, of drawings and caricatures of the Prophet Muhammed in the newspaper Jyllands-Posten.

#### **Article 5**

11. Please indicate whether the conditions set out in the Aliens Act that both spouses must have attained the age of 24 to be eligible for family reunification, and that their aggregate ties with Denmark must be stronger than their ties with any other country, has proven effective to combat forced marriages. Has the State party assessed the extent to which such rules may have a discriminatory effect against minority groups, and has it considered alternative means of combating forced marriages? (Periodic report, paras. 113-121, Previous concluding observations, para. 14)
12. Please elaborate further on the reasons underlying the adoption of section 9(7) of the Aliens Act and of Act No. 1204 of 27 December 2003 amending the Aliens Act on aggregate ties, in particular regarding the objective to ensure successful integration of foreigners in Denmark. How are “aggregate ties” determined? (Periodic report, paras. 116-121)

13. Please provide updated and detailed information on Bill 78 of 23 February 2005 amending the Aliens Act, the Marriage Act and the Repatriation Act, which was introduced in Parliament on 23 February 2005. (Periodic report, para. 128)
14. Please indicate whether the Bill against “ghetto-isation” has been adopted and report on the results achieved. In particular, please report on the impact of such policy on the freedom of residence of persons belonging to vulnerable groups, in particular ethnic minorities. (Periodic report, paras. 149-150)
15. According to some information there has been a sharp increase in the number of homeless people among minority groups. Please comment and indicate what measures have been taken to correct such increase.
16. Please report on the implementation and effect of Act No 361, which reduces social benefits for newly arrived immigrants and refugees in order to entice these groups to seek employment. In particular, please comment on the information that families receiving starting allowance have at their disposal only between 56 and 73 percent of the amount of money deemed necessary to live on a discount budget in Denmark. (Periodic report paras. 20-22).
17. What is the policy of the State party in relation to the establishment of separate classes and/or schools for Roma children as well as for bilingual children, i.e. children of immigrant families? Has the State party adopted measures to eliminate such segregation in the education system? Please also report on the situation in Hoje Taastrup in this regard.
18. Please provide updated information about the status and content of the new “Guidance for compulsory language stimulation for bilingual pre-school infant”. Is this being implemented in practice? (Periodic report, para. 102)
19. According to some information, municipalities are only compelled today to offer mother tongue teaching to students coming from EU/EEA countries, as well as from the Faeroe Islands and Greenland, and not to other bilingual students. Please report on the compliance of this policy with the Convention.
20. Please comment on the information that municipalities can voluntarily spread pupils, who need support in Danish as their second language, to another school than the district school, and provide information on the reasons for such policy. Please explain in particular why such programmes are not extended to Danish pupils having difficulties in learning Danish. Does this result in Danes belonging to ethnic minorities not entitled to exercising a right to freely choose which public school they want their children to attend, as are entitled other Danes?
21. Please indicate what groups are recognized as national minorities in Denmark. Does the State party envisage recognizing Roma as a national minority under the Framework Convention for the Protection of National Minorities?

22. What is the status of the various ethnic groups' languages under domestic law? In particular, please provide information on the possibility for individuals to use their own national language in their dealings with the administration and courts.
23. Please provide information, including statistical data, on the participation of persons belonging to ethnic minorities in Parliament, national and local government, the judiciary and the police.
24. Please comment on the information that the Police, for example the Copenhagen Police, have refused to receive complaints of racial discrimination in accessing public places such as restaurants and discotheques. (Periodic report, paras. 160-161)

#### **Article 6**

25. Please comment on the information that a Complaints Committee for Ethnic Equal Treatment was established in 2003. Please report on the mandate and effectiveness of such mechanism. (Periodic report, paras. 167-169)

#### **Article 7**

26. To what extent does the current school curriculum include programmes to combat prejudice and to promote tolerance among ethnic groups? Please indicate to what extent pupils and students, at all levels of education, have access to information on the culture of national minorities and of ethnic groups living in Denmark.

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