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EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

Fifth periodical report
presented to the Secretary General of the Council of Europe
in accordance with Article 15 of the Charter

DENMARK

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Denmark's fifth report under the Council of Europe's Charter for Regional or Minority Languages 2016

Introduction

Denmark's fifth periodical report 2016 includes information and relevant changes or developments in regard to the situation of the regional or minority languages, such as changes in legislation, new policies pursued or new data concerning the regional or minority languages or their speakers.

In addition, the periodical report contains information regarding measures which have been taken in response to the recommendations adopted by the Committee of Ministers, and to the questions and box recommendations made by the Committee of Experts of the European Charter for Regional or Minority Languages.

Contributors

The Ministry for Children, Education and Gender Equality
The Ministry of Foreign Affairs of Denmark
The Ministry of Health
The Ministry of Social Affairs and the Interior
The Ministry of Culture in Denmark
The Ministry of Transport and Building
The Municipalities of Sønderborg, Haderslev, Tønder and Aabenraa

Denmark's response to the general issues arising in the Committee of Experts' evaluation (October 2014) in respect of Part II and Part III of the European Charter for Regional or Minority Languages

1 Article 7. Response to The Committee of Experts' evaluation in respect of Part II and Part III of the Charter

No. 26 – Positive measures by Danish authorities on its own initiative and in co-operation with the representatives of the German speakers

The municipality of Aabenraa together with the municipalities of Haderslev, Sønderborg and Tønder and the Region of Southern Denmark actively participates in Region "Sønderjylland" – Schleswig. Partners are among others *Stadt Flensburg, Kreis Nordfriesland, Kreis Schleswig-Flensburg* as well as the German minority association, *Bund Deutscher Nordschleswiger* (board member) (www.region.dk/region/de/).

Region Sønderjylland – Schleswig is working within the following four fields:

- Cross-border language promotion (Danish, German, Frisian);
- Cross-border cultural cooperation;
- Crossborder labour market and,
- General cross-border cooperation.

The municipalities of Aabenraa, Haderslev, Sønderborg and Tønder have also entered into a structured dialogue with the German minority association Bund Deutscher Nordschleswiger (BDN) at the mayors' level. Meetings are conducted in the so-called "*Sønderjyske Koordinationsudvalg*".

In this setting the four mayors as well city council members of these four communities meet four times yearly to discuss and decide on a wide range of issues. This can be seen as a supplement to long-standing government regulation securing representation of the German minority in the four city councils. Currently, the German minority party "*Schleswigsche Partei/Slesvigsk Parti*" holds two of the total 31 seats in Aabenraa Council. The German minority party holds two of the total 31 seats in Sønderborg City Council.

The municipality of Sønderborg has noted that the Committee of Experts requests that the (state) authorities should contact the German minority and relevant local and regional authorities in order to draw up a strategy on the implementation of the Charter.

The Municipality of Sønderborg will, in the autumn of 2016, initiate the development of an implementation plan in order to contribute to the full implementation of the provisions in the two European Council conventions regarding the protection of national minorities.

No. 31 – Place-names in a minority language

The Danish Ministry of Transport and Building has amended two Executive Orders concerning road signs in the fall of 2016. With the changes made, legal basis has now been provided for the use of town name signs in English or the official language of a neighboring country, i. e. German. The administration of the provisions on the use of place names is delegated to the local municipalities.

The municipality of Sønderborg only posts signs for institutions and other locations if there are traffic-related reasons for doing so. This applies to all institutions, whether they associated with

minority or majority groups. The municipality of Sønderborg does not operate with multilingual traffic signs.

No. 33 – Structured approach to the provision of administrative documents and information in German

In February 2016 the Danish minister for Education and the minister for Social and Internal Affairs wrote a joint letter to the four municipalities in Southern Jutland. In this letter it was pointed out that these four municipalities have a special responsibility regarding the German minority. The ministers urged the local authorities to take action to ensure that employees at all levels were made aware of the rights of the German minority. The letter was written after the issue was raised by the German minority at a meeting of the Contact Committee. [The letter is included in appendix 1]

No. 41 – Provision concerning the reporting about the German minority in the public service contracts between the Danish state and public broadcasters

The Danish national public service providers, DR and TV 2/DANMARK A/S, and the eight regional TV 2 stations, including TV SYD, already have public service obligations relating to coverage of societal issues in Denmark.

DR is according to the public service remit, and TV 2 due to their license to engage in public service programming, committed to offering a broad coverage of societal issues in Denmark and reflect the diversity of culture, philosophy of life and living conditions in different parts of the country and ensure a broad spectrum of programs and services to the entire population via television, radio, internet and other relevant platforms.

In addition the regional TV 2 enterprises, including TV SYD, are according to the public service remits committed to in their scheduling to emphasize the regional affiliation. Thus the scheduling must reflect the diversity of culture, philosophy of life and living conditions in the region. Additionally TV SYD should pay attention to the conditions of the German/Danish border area, including the Danish minority and their conditions.

No. 42, 44 – Working group

A meeting of the working group was planned for late 2016, but was cancelled because the German Minority felt there were not enough items for discussion to warrant a meeting. The Ministry of Culture is in close contact with the German Minority's secretariat in Copenhagen, and will ensure that a meeting is scheduled for 2017

2 Article 8 - Education

No. 50, 53, 56 – Teaching of German within technical and vocational education

In order to strengthen the learning of a second foreign language, the lessons in German or French have been moved up to level 5 from level 7 and made compulsory. This means that from levels 5 and 6 the distribution of lessons will include one and two lessons respectively in either German or French. Starting from level 7 it will furthermore be possible for pupils to choose a third foreign language as an elective subject. This may be German, French, Spanish or other foreign languages that the schools choose to offer.

The strengthening of languages in the recent school reform offer students a better opportunity to learn the German language, German culture and German history. It is, however, not obligatory to learn German and there will likely be geographical discrepancies regarding the number of students choosing German, i.e. students close to the German border are probably more likely to choose German over French.

The Danish vocational education and training programs (VET) are targeted at the labor market, for which reason the programs are composed by general and technical lessons to support this aim in close cooperation with the social partners. The students have the possibility to choose lessons in German language as an integral part of the curriculum in the VET programs, for instance in the business program and the newly introduced EUX program, allowing students to combine a vocational qualification with a general upper secondary education.

Germany is Denmark's biggest export market as well as an important European partner. Therefore the Danish government is very much aware of the importance of younger Danish generations mastering the German language in a satisfying manner. To support this, an initiative in lower secondary school involves both Danish and German students as well as teachers who participate in each other's lessons with the objective to enhance learning in social science, history and the German language. The initiative will build on the experiences from the municipality Tønder where similar exchange programs have been implemented.

A number of upper secondary schools are working with lower secondary schools in order to secure academic progression and coherence as to enhancing the learning of a second foreign language including German.

As part of the efforts to strengthen the students' German language skills a program will be developed that aims to increase the quality of the classes in German in cooperation with teachers across educational institutions. Furthermore, new teaching materials will be produced as well as targeted campaigns which aim at raising awareness of the opportunities strong German language skills provide.

In collaboration with Deutscher Schul- und Sprachverein für Nordschleswiger and other institutions under Bund Deutscher Nordschleswiger the Danish government intends to clarify the needs and opportunities for stronger relations between Denmark and Germany.

3 Article 9 – Judicial Authorities

No. 61 – Organisational measures to improve the implementation of administrative documents and information in German

As stated under item 33 the Danish minister for Education and the minister for Social and Internal affairs wrote a joint letter to the four municipalities in Southern Jutland. In this letter it was pointed out, that these four municipalities have a special responsibility regarding the German minority. The ministers urged the local authorities to take action to ensure that employees at all levels were made aware of the rights of the German minority – including the right to submit documents in the German language.

As a result of this letter, the 4 municipalities invited representatives from the German minority to a meeting to discuss the issue.

4 Article 11 – Media

No. 65, 67, 68, 71, 74, 77, 80, 83 – Broadcasting in German

No. 65

Denmark has declared that it will apply b i/ii and c i/ii of the Charter to the German minority language in Southern Jutland.

The Committee of Experts suggests that Denmark in order to overcome the present deadlock apply ai) and aii) which concern radio and television that carry out a public service mission rather than bi/ii) and c i/ii) which concern broadcasting as a purely private sector function.

Denmark doesn't find it appropriate to change the application of provisions and apply ai) or aii) rather than bi/ii) and ci/ii) as suggested. Denmark finds it most appropriate to give the German speakers the opportunity to apply for and obtain licenses and support for radio and television broadcasting rather than to oblige or encourage the public service broadcasters to create a radio station and a television channel in German.

Denmark doesn't consider the provisions in bi/ii and ci/ii more demanding than the provisions in ai) and aii) but the actual creation of radio stations/television channels or provision of programmes under bi/ii) and ci/ii) requires that the German speakers themselves take the initiative and apply for licenses and financial support.

Denmark has encouraged the German speakers' organization "Bund Deutscher Nordschleswiger" to subscribe to the newsletter from the Danish Agency for Culture and Palaces as this contains information about upcoming radio and television tenders in which the German speakers have the opportunity to put in an application. It is previewed that there will be tenders for local/regional radio in the autumn of 2016 and 2017.

No. 67, 68

Denmark provides annual subsidies of DKK 247.000 (about 33.150 euro) to the newspaper of the German minority; "Der Nordschleswiger", for production and purchasing of broadcasting time for news in German at the South Jutland local radio station Skala FM.

The total amount of subsidies available for cultural purposes has diminished as the revenue in the gaming industry – that provides the funds – has diminished. Due to this the Minister of Culture has only limited funds and has decided not to increase the support to radio broadcasting in German.

Furthermore it is possible for local/regional radio and television broadcasters to obtain subsidies for radio and television broadcasting. In 2016 the Radio and Television Board provides subsidies of DKK 49.3 mio. (about 6.6 mio. euro) to the local/regional radio and television broadcasters.

The Radio and Television Board make public tenders where it is possible to apply for licenses and subsidies for broadcasting of local/regional radio and television. The German speakers have the opportunity to apply for a license and a subsidy. The license and support systems are based on objective, transparent and non-discriminatory criteria. Furthermore versatility must be facilitated in order to provide a diversity of groups including the national minorities an opportunity to obtain licenses and subsidies.

The Radio and Television Board hasn't received any applications to make local/regional radio in German and is due to the lack of applications not able to take the German speakers into consideration when issuing the licenses and giving subsidies.

No. 71

The Radio and Television Board hasn't received any applications aiming specifically at making local/regional television in German and is due to the lack of applications not able to take the German speakers into consideration when issuing the licenses and giving subsidies.

No. 74

The Danish Film Act provides the possibility of funding films in foreign languages and of co-producing with foreign production companies.

No. 77

The public service contracts between the Danish state and the public broadcasters do give the public broadcasters the possibility of buying or making audiovisual productions in German.

The Danish Film Act provides the possibility of funding films in foreign languages and of co-producing with foreign production companies.

No. 80

There is an annual pool of 2 million DKK (about 265.000 euros) for subsidizing the training of radio and television staff and other interested parties in the local radio and tv-sector. One of the purposes of the pool is to meet minority groups' need for access to local radio and television by facilitation this access.

No. 83

The so-called overspill gives the citizens of southern Jutland an opportunity, at no cost, to receive German channels with ordinary antenna devices.

The newspaper of the German minority, Der Nordschleswiger, annually receives a subsidy of almost 2,9 million DKK (about 385.000 euros).

The Ministry of Culture invites the German minority to let the ministry know if they have any problems regarding freedom of reception of radio or television broadcasts from Germany or if they experience any restrictions on freedom of expression or on free circulation of information in the German written press.

5 Article 12 – Cultural activities and facilities

No. 89 – Cultural policy abroad

Substantial information about the German national minority in Denmark has been available on Denmark's official web site – Denmark.dk - since August 2014. The suggestion to add information about the German national minority in Denmark on the websites of the Danish missions abroad has been considered. It is, however, not common for missions abroad to provide national country facts in great detail. Embassy webpages mostly contain information regarding mainly travel and residence, the trade council and Danish involvement and presence in the host country.

Informational factsheets about the German national minority in Denmark made by the Deutsches Generalsekretariat in 2016 have been distributed to Danish missions in Europe. The factsheets can be used by the embassies due to local discretion. The communication department of the Ministry of Foreign Affairs of Denmark produces an internal weekly newsletter aimed at the Danish missions abroad. In dialogue with the Deutsches Generalsekretariat in 2016, the Generalsekretariat has been informed about this newsletter and has been invited to contribute, when they have information/news that might be of general interest for the missions.

It is a hallmark of the Danish cultural cooperation with foreign countries that the majority of the Danish resources and competencies are placed in decentralized arts-funding agencies, who operate by the arm's-length principle, and in cultural institutions with their own local contacts - and not in a central body, as it is the case in some other countries. This form of organization provides an opportunity to share knowledge and collaborate with a large international network.

In addition to this the International Culture Panel, which is an inter-ministerial cooperation between the Ministry of Culture, Ministry of Foreign Affairs and the Ministry of Business and Growth, seeks to bring together a group of prominent Danish cultural institutions with international perspectives in their work, so as to give a part of the cultural exchange with foreign countries a common focus. In the International Culture Panel's new strategic action plan for 2014-16, Coherence, Synergy and Cooperation, the panel members have amongst other themes chosen to focus on the theme of dialogue, democracy and participation. In this particular area, Denmark has a distinct story to tell other countries, for example in relation to the exemplary democratic clarification of the Danish/German minority position. The Action Plan's focus on dialogue, democracy and participation is formulated broadly, so that cultural exchange initiative executed under this theme, can address anyone of the countless facets that lie therein. For example the relationship between majority and minority including - but not limited to - the recognised minorities. In the new action plan the International Culture Panel's members have also chosen to place high quality as the guiding principle for any cultural initiative or project.

A close cooperation between Danish institutions working with Denmark's international cultural exchange at home and abroad is a prerequisite for the success of individual projects and initiatives. In addition, the Danish Representations abroad are central partners. The Danish Agency for Culture and Palaces co-ordinates the international cultural cooperation within the framework of the Ministry of Culture.

The international cultural exchange covers all of the arts, culture and the culture-conservation sector and it is the artistic quality, originality and relevance that are the main criteria for all projects and funding applications that Denmark choose to support, whether they are national or international activities.

The opportunities to apply for funding are independent of the applicant's ethnic, religious, linguistic or other background

6 Article 13 - Economic and social life

No. 94 – German in hospitals

Substantial information about the Hospital of Southern Jutland is available on the official web site: sygehussonderjylland.dk. Information in German language on the hospital's strategy – Quality 24 hours a day (Kvalitet Døgnet Rundt), a career section for Germans seeking employment at the Hospital of Southern Jutland, patient's rights and contact data in case of emergency is provided.

The suggestion on ensuring that social care facilities offer the possibility of receiving and treating in German has been considered.

The somatic hospital service

Generally, in the administration of the Region of Southern Denmark, there exist various information material in the German language. The Patient Office and its patient counsellors can serve citizens in German if requested. The same applies to the Regional Visitation, which addresses questions regarding the extended free choice of hospital. The Hospital of Southern Jutland has also stated that experience from the hospital shows that the examination and treatment of the members of the German minority does not pose unsolvable language difficulties.

When one contacts the phone of the on-call General Practitioner, the welcome message is stated in Danish, English and German. In this message it is also disclosed how to proceed. In addition, pamphlets have been drafted in these languages for camping sites, holiday home rentals etc.

The psychiatric area

All who contact the departments of the hospital in Southern Jutland can use German as their language in their communication and treatment. This applies to both patients and relatives. The staff does not, however, carry visible signs that indicate whether they speak German. If requested, patients and relatives can be referred to the German-speaking staff.

When a person contacts the administrative department of the psychiatric area, which is located in Middelfart, a referral to German-speaking staff will happen to the extent possible.

The pre-hospital area

112 calls (emergency calls) about illness and accidents in the Region of Southern Denmark go to AMK Control Center in Odense. There is an emphasis on English and German language skills when recruiting medical officers to AMK Control Center. There is offered courses in German to the employees who need it at AMK Control Center. Of new initiatives since the fourth report it can be noted that the Region of Southern Denmark has taken home the ambulance service in i.a. Southern Jutland - and in this respect it can be stated that quite a few Germans have been employed as EMTs.

Material has been prepared in German on how to handle crisis reactions after a serious incident.

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De sønderjyske kommuners særlige ansvar i relation til det tyske mindretal

08 FEB. 2016

I 2015 fejrer vi 60-året for København-Bonn erklæringernes underskrivelse, som med rette betragtes som en af milepælene i den positive udvikling, grænselandet har gennemgået især siden 1945.

Det er en udvikling, vi alle med rette kan være stolte af. Men jubilæet bør også være en anledning til at turde se kritisk på, om der er ting, vi kan gøre endnu bedre. For kun ved fortsat at have respekt for anden i erklæringerne – ikke blot i ord men også i handling – fremtidssikrer vi vores særlige dansk-tyske mindretalsmodel.

Blandt andet på den baggrund er det regeringens hensigt, at Danmark fuldt ud efterlever bestemmelserne i de to Europarådskonventioner vedrørende beskyttelse af nationale mindretal, hhv. Rammekonventionen om beskyttelse af nationale mindretal og Den Europæiske pagt om regionale sprog eller mindretalssprog.

Centralt i disse konventioner er, at personer, der tilfører det tyske mindretal i Sønderjylland, hverken i skrift eller tale må hindres i at benytte det sprog, de foretrækker.

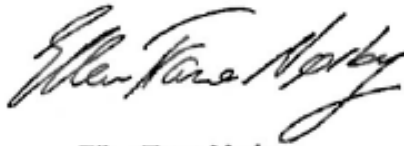
Det tyske mindretals hovedorganisation Bund Deutscher Nordschleswiger har imidlertid både i de regelmæssige monitoreringer af konventionernes efterlevelse, og på møder i Kontaktudvalget for det tyske Mindretal i Danmark, givet udtryk for, at man lejlighedsvis savner forståelse for disse sikrede rettigheder i kontakten med de offentlige myndigheder.

Fra regeringens side vil vi derfor opfordre til, at der i de fire kommuner og i Region Syd goes en systematisk indsats for at sikre, at de ansatte på alle niveauer får kendskab til mindretallets rettigheder. Der er allerede i dag blandt de ansatte i Jeres kommuner og i regionen et stort potentiale

for at tale tysk, og det burde derfor tydeligt fremgå, at der er mulighed for at tale andre sprog end dansk i forbindelse med en henvendelse til kommunen og regionen – ikke blot i forvaltningen, men f.eks. på ældrecentre, plejehjem, sygehuse mv.

Dette vil efter regeringens opfattelse imødekomme et stort ønske hos det tyske mindretal og bidrage til at fremme en fortsat positiv udvikling mellem dansk og tysk i Sønderjylland.

Med venlig hilsen



Ellen Trane Nørby



Karen Ellemann