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# SIXTH EVALUATION REPORT ON DENMARK

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Committee of Experts of  
the European Charter  
for Regional or  
Minority Languages

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Adopted on 15 November 2023

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

The European Charter for Regional or Minority Languages provides for a control mechanism to evaluate how the Charter is applied in a state party with a view to, where necessary, making recommendations for improving its legislation, policy and practices. The central element of this procedure is the Committee of Experts, set up under Article 17 of the Charter. Its principal purpose is to report to the Committee of Ministers on its evaluation of compliance by a party with its undertakings, to examine the real situation of regional or minority languages in the state and, where appropriate, to encourage the party to gradually reach a higher level of commitment.

To facilitate this task, the Committee of Ministers adopted, in accordance with Article 15, paragraph 1, an outline for periodical reports that a party is required to submit to the Secretary General. This outline requires the state to give an account of the concrete application of the Charter, the general policy for the languages protected under Part II and, in more precise terms, all measures that have been taken in application of the provisions chosen for each language protected under Part III of the Charter. The Committee of Experts' first task is therefore to examine the information contained in the periodical report for all the relevant regional or minority languages on the territory of the state concerned. The periodical report shall be made public by the state in accordance with Article 15, paragraph 2.

The Committee of Experts' role is to evaluate the existing legal acts, regulations and real practice applied in each state for its regional or minority languages. It has established its working methods accordingly. The Committee of Experts gathers information from the respective authorities and from independent sources within the state, in order to obtain a fair and just overview of the real language situation. After a preliminary examination of a periodical report, the Committee of Experts submits, if necessary, a number of questions to each party to obtain supplementary information from the authorities on matters it considers insufficiently developed in the report itself. This written procedure is usually followed up by an on-the-spot visit by a delegation of the Committee of Experts to the state in question. During this visit the delegation meets bodies and associations whose work is closely related to the use of the relevant languages and consults the authorities on matters that have been brought to its attention. This information-gathering process is designed to enable the Committee of Experts to evaluate more effectively the application of the Charter in the state concerned.

Having concluded this process, the Committee of Experts adopts its own report. Once adopted by the Committee of Experts, this evaluation report is submitted to the authorities of the respective state party for possible comments within a given deadline. A confidential dialogue may, at this stage, be requested by this state party. The final evaluation report is made public, together with the comments, if any, which the authorities of the state party may have made. This document is then transmitted to the Committee of Ministers for the adoption of its recommendations to the state party, on the basis of the proposals for recommendations contained in the evaluation report.

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## Executive Summary

The Danish authorities continue to provide a high level of protection for the German language, which is the only regional or minority language protected under the Charter. The consultation body of the speakers has been elevated to the level of a parliamentary committee. The state authorities have taken steps to raise awareness of the speakers in the last monitoring cycle. However, further efforts are needed, because the history, culture and language of the speakers is not well known outside the Danish-German border area.

The state authorities are funding German minority schools to the same level as other public schools. They are also committed to meeting the increased demand for funding caused by the higher number of students due to the migration of German citizens to Denmark. In addition to the limited number of undertakings ratified by Denmark, the lack of funding for translations of legal documents renders the use of German almost invisible in the judiciary. In order to facilitate the integration of German citizens and to meet Denmark's obligations under the Charter, the local administrations of the four municipalities of South Jutland/North Schleswig have taken effective steps to expand the use of German in administration. Although the legal base is in force and the state authorities are promoting the peaceful co-existence of the speakers of German and the rest of the population, no bilingual place names have been put on display in the municipalities of South Jutland/North Schleswig.

In the field of media, the speakers prefer to use digital platforms and social media to promote German rather than spending their resources on setting up a private television and radio channels. However, the use of German and the promotion of the culture and history of the speakers is hard to detect in public media. The local, and especially the regional forms of co-operation enable a variety of events promoting German literature and culture. In order to create a business-friendly environment, the use of German has increased in the economic life in South Jutland/North Schleswig, which also benefits the speakers. The exemplary co-operation between Denmark and Germany has resulted in a series of projects directly aimed at the field of national minority protection.

The Committee of Experts acknowledges that the Parliament of Greenland is considering a consultation with the Danish authorities about the protection of the Greenlandic language in Denmark under the Charter. Moreover, the state authorities informed the Committee of Experts after the on-the-spot visit that steps are being taken in order to fulfil the internal legal procedure necessary for the extension of their ratification regarding German under the Charter. The Committee of Experts welcomes both developments.

## Chapter 1 The situation of the German language in Denmark – Recent developments and trends

1. The European Charter for Regional or Minority Languages (hereafter referred to as “the Charter”) is a treaty of the Council of Europe putting obligations on its states parties to protect and promote the country’s traditional minority languages in all fields of public life: education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, and transfrontier exchanges. The Charter entered into force in Denmark on 1 January 2001 and applies to German, a language which receives protection under both Part II and Part III (Articles 8-14).

2. States parties are required to submit reports every five years<sup>1</sup> on the implementation of the Charter. The Danish authorities submitted their sixth periodical report on 30 March 2023.<sup>2</sup> This sixth evaluation report of the Committee of Experts is based on the information contained in the periodical report, additional information received from the authorities and statements made by representatives of the speakers of the minority language during the on-the-spot visit (27-29 June 2023) and submitted in written form pursuant to Article 16 (2) of the Charter. The visit was co-ordinated with the monitoring visit of the Advisory Committee on the Framework Convention for the Protection of National Minorities, which has prepared in parallel its sixth opinion on Denmark.

3. Chapter 1 of this evaluation report focuses on the general developments and trends regarding the regional or minority languages in Denmark and the situation of these languages. It examines in particular the measures taken by the authorities of Denmark to respond to the recommendations made by the Committee of Experts and the Committee of Ministers at the end of the fifth monitoring cycle and also highlights new issues. Chapter 2 provides a detailed overview of the state of implementation of each undertaking of Denmark in respect of the given language as well as the recommendations addressed to the authorities of Denmark. On the basis of its evaluation, the Committee of Experts proposes, in Chapter 3, recommendations to the Committee of Ministers to be addressed to the Government of Denmark, as provided for in Article 16 (4) of the Charter.

4. This report is based on the political and legal situation prevailing at the time of the Committee of Experts’ on-the-spot visit to Denmark in June 2023. It was adopted by the Committee of Experts on 15 November 2023.

### 1.1 General developments in policies, legislation and practice concerning the German language in Denmark

#### *Undertakings under the Charter and legal framework*

5. The issue of the acceptance by Denmark of further undertakings and consequently the better reflection of the needs of the German speakers has been on the agenda since the third monitoring cycle (2010).<sup>3</sup> In the subsequent monitoring cycles, the Committee of Experts has reiterated its view that the undertakings chosen by Denmark were insufficient to adequately reflect the situation of the German language in Denmark, and recommended Denmark to accept additional undertakings in accordance with the procedure in Article 3.2 of the Charter. In 2019, the umbrella association of the German minority submitted an application to the national authorities proposing the acceptance of several additional Charter undertakings.<sup>4</sup> After the on-the-spot visit, the Committee of Experts was informed by the state authorities, that effective steps were taken in order to fulfil the internal legal procedure necessary for such an international commitment, and to deposit the declaration of Denmark’s ratification document to the Council of Europe. The Committee of Experts welcomes these developments and encourages the state authorities to complete this process before the next reporting period (1 September 2025).

6. The Committee of Experts observed that the administrative restructuring of the South Denmark region,

<sup>1</sup> Article 15.1 of the Charter provides that states parties submit periodical reports every three years. However, following the entry into force of the reform of the monitoring mechanism of the ECRML on 1 July 2019, states parties are now to submit their reports every five years instead of every three years. See Committee of Ministers Decisions “Strengthening the monitoring mechanism of the European Charter for Regional or Minority Languages” ([CM/Del/Dec\(2018\)1330/10.4e](#), para. 1.a.).

<sup>2</sup> [MIN-LANG \(2023\) PR 6](#).

<sup>3</sup> See para. 13 of the [third evaluation report of the Committee of Experts in respect of Denmark](#).

<sup>4</sup> (Articles 8.1.ai, bi, ci; Art. 9.1.a.ii, a.iii, a.iv, b.ii, c.ii, d; Art. 10.1.a.iii, b, c, 2.a, b, g, 3.c, 4.b; Art. 13.2.b).

started in 2007, has not resulted in administrative divisions, and did not constitute an obstacle to the promotion of German. The political representation of the speakers is ensured on a local level, and their coexistence with the majority population is characterised by mutual respect and tolerance.

7. The legislative framework of Denmark provides a good base for the protection of the rights of minorities, but language is not included as a ground for discrimination, specifically. Although no cases of discrimination based on language were reported during the last monitoring cycle, the Committee of Experts recommends the inclusion of language as ground for discrimination into the legislative framework.<sup>5</sup>

### ***Migration of German citizens to South Jutland/North Schleswig***

8. The German speakers traditionally live in the four municipalities of South Jutland/North Schleswig.<sup>6</sup> All four local councils facilitated the migration of German citizens in the past few years in order to stop the demographic loss and boost the availability of skilled labour. As a result of the incentives and benefits offered by the local authorities, the number of German citizens relocating to South Jutland/North Schleswig has risen from 800-900 annually at the end of the last decade, to around 2200 persons in 2022. Although it is too early to analyse the overall impact of the migration of German citizens on the situation of the German speakers in Denmark, it became evident during the on-the-spot-visit, that the local authorities of South Jutland/North Schleswig are facilitating this process by offering services in local administration, taxation and legal services in German language. According to the speakers, the new residents are seeking contacts with them and tend to accommodate well into the local communities. In the view of the Committee of Experts, close consultations between local authorities, the speakers and the new residents are necessary to decide on a well-balanced strategy that can lead to a successful integration of the new residents while ensuring the speakers' rights, at the same time.

### ***Raising awareness***

9. In the previous monitoring round the Committee of Ministers recommended Denmark to **“take measures to increase awareness and appreciation of German as a minority language of Denmark in the country as a whole” (Recommendation No. 2 - CM/RecChI (2017)4)**. In 2020 and 2021, Denmark celebrated and marked the 100 years anniversary of the Schleswig Plebiscite with around 800 events and activities. As part of these events the prime minister and the monarch gave speeches<sup>7</sup> irrevocably embracing the German speakers as part of the society of Denmark. In the view of the speakers and the Committee of Experts, these statements strengthen the awareness about the speakers and foster peaceful co-existence between the speakers of German and the rest of the population. However, more significant follow-up events and a change in the political communication would have been expected at local level. Based on the excellent bilateral relations between Denmark and Germany, and the exemplary co-operation of their national minority protection efforts in the border region, the Committee of Experts asks the state authorities to take the initiative and promote tolerance and mutual respect in their communication in order to raise awareness among the local population, including policy makers.

10. As a follow-up of the last evaluation report, information about the speakers provided by the government's website was extended, and a new website was launched describing the history of the German minority and promoting the importance of a peaceful co-existence in South Jutland/North Schleswig.<sup>8</sup> The speakers are still not satisfied with the awareness of their language in mainstream society. They expressed their concern about the low awareness of the German national minority and language outside South Jutland/North Schleswig.

### ***Consultation with the speakers***

11. The Contact Committee for the German Minority exists within the Ministry of Culture. As a result of the consultations with the speakers, the Contact Committee is being restructured to the level of a full-fledged parliamentary committee, with an allocated budget, and chaired by a member of the parliament. In accordance with the wishes of the speakers, the Contact Committee is planned to have two sessions a year from 2024, instead of one. The speakers expressed their wish that, apart from the frequency of the sessions, the practical

<sup>5</sup> See para 13-16 of the [eighth evaluation report of the Committee of Experts in respect of Sweden](#).

<sup>6</sup> Aabenraa (in German: Apenrade), Haderslev (in German: Hadersleben), Sønderborg (in German: Sonderburg) and Tønder (in German: Tondern) municipalities.

<sup>7</sup> See page 5-6 of [sixth periodical report of Denmark](#).

<sup>8</sup> See information on <https://regionsyddanmark.dk/de>.

implementation of the agreed projects will also be stepped up.

12. Representatives of the speakers have at least one seat in all four local councils of South Jutland/North Schleswig.<sup>9</sup> The speakers feel that although only one or two meetings are held annually with the local authorities, their needs and wishes are taken into account in the policy making process.

### ***Greenlandic language***

13. The Danish government declared upon ratification of the Charter that by virtue of the Greenland Home Rule Act of 1978, the Greenlandic language enjoys a high degree of protection.<sup>10</sup> Hence the provisions of the Charter will not be applicable to the Greenlandic language, and the Danish government does not intend to submit periodical report on this language.<sup>11</sup> The Committee of Experts concluded in the third monitoring cycle that the Greenlandic language is not “traditionally used” in mainland Denmark in conformity with the definition of a “regional or minority language” contained in Article 1 of the Charter.<sup>12</sup> The Committee of Experts is aware that the Parliament of Greenland is considering a consultation with the Danish authorities about the protection of Greenlandic in Denmark.<sup>13</sup> Therefore, the Committee of Experts asks the state authorities to report on the developments in the next monitoring cycle.

### ***Use of regional or minority languages during the COVID-19 pandemic***

14. Due to the well-developed IT infrastructure and the widespread use of online teaching methods, the lockdown period of the Covid-19 pandemic did not hamper the level of the minority language education. Health and social distancing information was provided initially in Danish, but German translation was quickly provided upon the request of the speakers’ association.

### ***Use of the German language in education***

15. German-medium education is provided in the four municipalities of South Jutland/North Schleswig. The German speakers’ school association (*Deutscher Schul- und Sprachverein für Nordschleswig*) provides language education in 19 preschools, 13 primary and lower secondary schools, one *Efterskole*<sup>14</sup>, accommodating students in the 8th-10th grade, and one upper secondary school (Deutsches Gymnasium für Nordschleswig in Aabenraa (in German: Apenrade)), with approximately 1600 students at present. However, teaching of German is limited in technical and vocational education, due to the low number of students. The German minority language schools are private (independent) schools, financed through the state budget in the same proportion as the public school system of Denmark, except for the upper secondary school in Aabenraa (in German: Apenrade), which receives state support of various types. In private schools, the language of instruction is German, and Danish is taught as a second language. The students have to pass a Danish language test at the end of their education. The upper secondary school in Aabenraa (in German: Apenrade) meets the requirements set for both Danish and German Secondary Education Schools. The school offers the Danish Higher General Examination Programme (STX) and in addition a written confirmation that pupils have met the requirements for the German exam (Abitur). Teaching materials come from Germany, except for the content which covers the history of the German minority in South Jutland/North Schleswig, which is produced by the speakers’ associations. Teachers come both from Denmark and Germany, as there is no requirement for the schools’ teachers to master the Danish language in spoken or written form. From 2019-2022, municipalities of Aabenraa (in German: Apenrade), Sønderborg (in German: Sønderburg) and Tønder (in German: Tøndern) participated in a special program in collaboration with the University College South Denmark/Institut für Minderheitenpädagogik. Through this program the qualifications of

<sup>9</sup> Aabenraa (in German: Apenrade) (2 seats), Haderslev (in German: Hadersleben) (1 seat), Sønderborg (in German: Sønderburg) (3 seats), and Tønder (in German: Tøndern) (3 seats, plus the mayor).

<sup>10</sup> Para 15 of the Act on Greenland Self-Government entered into force on 21 June 2009 and states that Greenlandic is the official language in Greenland.

<sup>11</sup> See Appendix 1. of this report.

<sup>12</sup> See para 14-18 of the third evaluation report of the Committee of Experts in respect of Denmark.

<sup>13</sup> The revised proposal was discussed by Greenland’s parliament on 14 November 2023. The revised proposal was adopted by an unanimous vote by 19 MPs, no votes against and no abstains. <https://ina.gl/da/samlinger/oversigt-over-samlinger/2021/em-2023/dagsorden/1x/>

<sup>14</sup> The Efterskole (or Nachschule) in Tingleff is a residential school, where pupils can spend grades 9 and/or 10 to finish their lower secondary education.



German-language teachers in the region were upgraded, and new materials for teaching 'early German' were developed and made available online for free use by educators locally, regionally, and nationally. According to the speakers, the level of education meets their needs and expectations.

16. The migration of German citizens whose children do not speak Danish increased the number of students at the German private schools by at least 500 students during the last monitoring cycle. The schools had some difficulties in accommodating the large number of students, but the central authorities pledged to increase the level of funding to meet the demand. The authorities are maintaining negotiations with speakers' school associations about the sufficient level of funding. The financial support for education is supplemented by Germany, therefore the financial background necessary for a high level of German language education seems to be ensured in the future. No information was received during the on-the-spot-visit on adult education organised for the needs of the German speakers.

17. The Ministry of Education has taken steps to support the teaching of German as a foreign language in Denmark in public schools and particularly in the four municipalities of South Jutland/North Schleswig in the last monitoring cycle. An additional teaching hour of German language was decided upon from the fifth grade, and the funding was also increased to enable the introduction of German in a secondary school in Tønder (in German: Tondern) municipality.

18. The four municipalities where the speakers of German traditionally live in South Jutland/North Schleswig are conducting a policy facilitating the migration of German citizens into the region. In order to meet the increased demand, teaching of German was made compulsory at the last year of preschool in Tønder (in German: Tondern) and Sønderborg (in German: Sonderburg), in Aabenraa (in German: Apenrade) from the third grade of primary school, and in Haderslev (in German: Hadersleben), from the fifth grade. These municipalities are part of the Cultural Agreement for Sønderjylland-Schleswig, which promotes cross-border cultural activities and linguistic exchanges of students, thus increasing knowledge of German history, culture and language.

19. German as a second language is available in all public schools from the fifth grade. In general, upper secondary students have the possibility to choose to continue learning German at B-level (2 years) and A-level (3 years). It is also possible to study German at evening school or as a single course. Although the number of students learning German as a foreign language in the primary and upper secondary education has decreased slightly recently, the speakers are more concerned that German has become a less favoured choice of foreign language in higher education, which could have an impact on the prospects of teacher training. The Danish parliament agreed in December 2021 on providing additional funding to improve the teaching of German and French at tertiary level. However, the study of German has seen a decline in popularity in recent years. The Committee of Experts asks the authorities to take further steps to support the teaching of German in higher education.

20. History and culture of the German minority in Denmark is not a compulsory part of the curriculum. The German minority schools organise student exchanges where their "student ambassadors" raise awareness about the history and culture of their community in Danish public schools. The Committee of Experts refers back to the **Committee of Ministers recommendation (Recommendation No. 2 - CM/RecChI (2017)4)**, and asks the authorities to introduce the teaching of the history and the culture reflected by German into the general curricula. It also invites the authorities of Denmark to consider the possibility of joining the Observatory on History Teaching in Europe of the Council of Europe.<sup>15</sup>

### ***Use of the German language by judicial authorities***

21. The undertakings chosen by Denmark under Article 9 are limiting the possible use of German to a minimum in the judiciary. The Danish Administration of Justice Act rules that the language of the proceedings is Danish, and that the use of other languages, and consequently the funding of interpretation is subject to conditions.<sup>16</sup> The District Court of Sønderborg (in German: Sonderburg), that has jurisdiction over the four municipalities of South Jutland/North Schleswig, does not keep records on the use of German during the proceedings. The German speaking court staff assists the speakers in German only upon their requests. As the financing of translation is subject to conditions, German is seldom used in written communication. The representatives of the speakers met during the on-the-spot visit consider that the use of German should be provided on a local level judiciary, but

<sup>15</sup> See [The Observatory on History Teaching in Europe \(coe.int\)](https://www.coe.int/en/web/observatory-on-history-teaching-in-europe).

<sup>16</sup> See page 15 of the sixth periodical report of Denmark.



indicated that using German before the High Court is not a priority for them, as there could be very few cases where this language may be used.

22. According to the speakers, contrary to current practice, the time needed for the translation of legal documents should not count in the court procedure deadlines. Consequently, the procedure should be pending until all parties receive the necessary translation of the legal documents. As this is another factor that hampers the use of German in the procedure, the Committee of Experts asks the authorities to revise their practice in order to remove this obstacle. In addition, the Committee of Experts notes that the authorities do not envisage an increase of the funding allocated for the translation of legal documents. The Committee of Experts observes that German is in practice rarely used before and by judicial authorities. It therefore recommends to the authorities to analyse the obstacles to the use of German in documents before courts and define adequate measures to encourage its use.

### ***Use of the German language by administrative authorities***

23. There is limited presence of German in local branches of national administration, and the level of ratification under Article 10 is low. Instead of the use of a common approach throughout the central administration, the individual authorities seem to follow their own policies in respect of the use of German. Based on the well-developed IT infrastructure, a lot of information and services are offered in German by the Customs and Tax Administration, the health administration and the new electronic ID (NemID). However, according to the speakers, some functions are only available in Danish or in English in some cases, e.g. the Land Registry does not accept documents in German. The representatives of the German speakers met during the on-the-spot visit expressed their hope that the increased number of property and land acquisitions initiated by German citizens may change the situation in favour of the German language.

24. The local administration has to consider the implementation of the undertakings of the Charter and also the needs and wishes of the German citizens whose migration is largely supported by the municipalities themselves. As a result, the local administration can be contacted both orally and in writing in German in all four municipalities of South Jutland/North Schleswig. According to the representatives of these local administrations, at least 25 % of their employees speak German. Contrary to the wishes of the speakers, they have not established dedicated channels of communication in German. Instead, a competent employee is contacted to respond in German.

25. Sønderborg (in German: Sonderburg) municipality has improved the service offered in German in several ways. All information is available in German on their official website since September 2022. The information about the administrative procedures and the rights and obligations in respect of the use of German is on display both in their offices and at the workplaces of their officials. Websites of the municipalities of Aabenraa (in German: Apenrade), Haderslev (in German: Hadersleben) and Tønder (in German: Tondern) offer information in German also, albeit in some cases translation is subject to the availability of their interpretation services.

26. Municipalities have the possibility to display bilingual topographical signs, as obstacles were removed from the legislative framework in 2016. However, only certain road signs have been put on display in the border region with Germany so far, and no municipality has put a bilingual place name on display yet. Sporadic use of signs in German can be detected, as in the case of the building of the German minority association *Bund Deutscher Nordschleswiger* in Aabenraa (in German: Apenrade). The Committee of Experts is of the view that existing bilingual road signs alone do not make the presence of minorities visible and are not sufficient for the expression of self-identification of a national minority or minority language. The Committee of Experts also invites the Danish authorities to maintain the consultation with the local authorities and the speakers' representatives on this matter. The Committee of Experts reiterates its position from the previous reports that the present ratification under Article 10 does not provide a sufficient base for the implementation of the Charter in respect of a Part III language. Therefore, it asks the state authorities to consider the extension of the undertakings ratified under Article 10.

### ***Use of the German language in the media***

27. In the previous monitoring round the Committee of Ministers recommended Denmark to “**increase the level of radio broadcasting and provide television broadcasts in German, in cooperation with the German speakers**”(Recommendation No. 1 - CM/RecChI (2017)4). There is no private radio station and private television

channel in German. This is not in line with the undertakings ratified by Denmark under Article 11.1.bi and ci. The speakers, however, use the funding provided by the authorities to finance the production of new content on digital and social media, which includes short audiovisual productions. In their view, the funding of a separate and expensive private radio and TV channel would drain their resources and social media presence is the most cost-efficient way of media presence. This solution, chosen by representatives of speakers themselves, accommodates their main needs with regards to media and is greatly appreciated by the speakers. The authorities confirmed that it is possible to apply for subsidies to start a local or regional radio and television channel, but no such application was received from the German speakers. The public television and radio channels have an obligation regulated in their public service contracts since 2019 “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.” According to the information available, the two national public broadcasters Danish Broadcasting Corporation (DR) and TV2 broadcast programmes about the South Jutland/North Schleswig region, but it is unclear how the German minority is being presented. In addition, the language used in the programmes is mostly Danish. Although the periodical report claims that the Ministry of Culture is always ready to answer any of the German minority’s questions or potential challenges regarding freedom of reception of radio or television broadcasts from Germany<sup>17</sup>, during the on-the-spot visit the speakers expressed concerns about the fact that the television programmes from Germany cannot be received in Denmark, because they are broadcast in a format that is not always compatible with the digital receivers commonly used in Denmark.

28. The only German language newspaper, the *Nordschleswiger*, is available both in digital as a daily and in a printed as a bi-weekly version. The Committee of Experts was informed that, due to the widespread use of the internet in Denmark, the digital version is widely accepted by all speakers, including the elderly generation. Moreover, as the more popular digital version can be easily translated, it is also being read by non-speakers who wish to get general information about the South Jutland/North Schleswig region. The Committee of Experts considers the shift to the digital version a good example of how the advancements in modern information technology can be adapted for the benefit of the speakers.<sup>18</sup> The *Nordschleswiger* is financed through the Danish media subsidy scheme. The subsidy was increased from DKK 3.5 million<sup>19</sup> in 2019, to DKK 3.8 million in 2022. In addition, the German minority association *Bund Deutscher Nordschleswiger* (BDN) received DKK 2.4 million in 2022 for the production of new content. The Ministry of Culture also grants an annual subsidy of approximately DKK 0,25 million for the production and distribution of audio content in German in local radio in South Jutland/North Schleswig. The speakers confirmed that this amount of funding is sufficient for the maintenance of the level of their media coverage. At present, there is no journalist training in German specifically for the needs of German minority media.

### ***Use of the German language in cultural activities and facilities***

29. The Committee of Experts acknowledges that the state authorities maintained the level of financial support in the last monitoring cycle. The Ministry of Culture promotes and presents the culture of the German minority more since the last monitoring cycle. According to information available, more than 2% of the books published in Denmark are in German, and German literature is also being translated into Danish. According to the speakers, the authorities rather focus on the events organised in the area where the speakers traditionally live, therefore more efforts are necessary to raise awareness of the speakers in the whole territory of Denmark.

30. At regional level, the implementation of the Cultural Agreement Sønderjylland-Schleswig 2021-2024 is supported with DKK 1 million by the Region of Southern Denmark. The City of Flensburg in Germany and the Ministries of Culture of both states are amongst the supporters. The aim of the Cultural Agreement is for children and young adults living in the border region to develop an understanding of its linguistic diversity through cultural heritage projects.

31. At local level, Aabenraa (in German: Apenrade) hosts a six-day summer camp aimed at promoting the culture and history of the border region with the participation of Danish and German children. Tønder (in German: Tondern) municipality hosted the finals of the “Liet International European Song Festival” of regional and minority languages in 2022. The speakers informed the Committee of Experts about the willingness of the local authorities to organise such events. However, in many cases the costs of these events are covered by the speakers’

<sup>17</sup> See page 20 of the sixth periodical report of Denmark.

<sup>18</sup> See more <https://edoc.coe.int/en/minority-languages/8265-new-technologies-new-social-media-and-the-european-charter-for-regional-or-minority-languages.html>.

<sup>19</sup> 1 euro = 7.46 DKK as of September 2023.

associations. The Committee of Experts asks the state authorities to increase efforts and promote the language and culture of the speakers in the whole territory of Denmark.

### ***Use of the German language in economic and social life***

32. The migration of German citizens to South Jutland/North Schleswig has a positive effect on the use of the German language in this region. In order to meet the demand, job centres are employing German speaking staff in increasing numbers, especially in Aabenraa (in German: Apenrade) municipality where “Business Aabenraa”<sup>20</sup> promotes the local business by employing German speaking consultants. Sale and purchase contracts in German are being produced and accepted by local businesses in ever growing numbers.

33. The speakers expressed their concern about the lack of an official policy in respect of the use of German in elderly care. Communications in German in elderly homes are based on ad hoc decisions, rather than mandatory policy. The Committee of Experts points out that this is not in line with Article 13.2 c, and therefore asks the state and local authorities to design and implement a policy facilitating the use of German in elderly care, in consultation with the speakers.

### ***Transfrontier exchanges***

34. Several cross-border co-operation programmes are underway, ranging from bilateral relations with Germany to regional and local-level co-operation. The Foreign Ministers of Denmark and Germany launched an Action Plan for strengthened co-operation between the two countries on 26 August 2022. This comprehensive Action Plan covers regional development and minority rights issues in the Danish-German border region. Its joint working group looks into cross-border co-operation with the aim of improving the already existing forms of co-operation. The working group also examines ways to strengthen cultural ties across the border through education. The group includes relevant local and regional actors as well as ministries from Kiel, Berlin and Copenhagen. The first working group meeting was held on 26 April 2023 in Flensburg (Germany). The second meeting is planned during autumn 2023. A summary of the working group’s findings is expected to be published after the second working group meeting.

35. The region of South Denmark maintains a wide range of contacts on a regional level, for example it is a member of the cross-border initiative called “Dialog Forum Norden”. The co-operation body of the region of Southern Denmark called “Region South Jutland-Schleswig” is participating in the EU-funded Interreg-program Deutschland -Denmark which promotes cultural, linguistic and educational projects on both sides of the German-Danish border. In December 2022, the Region South Jutland-Schleswig launched a fund called Citizen’s Fund aimed at supporting mutual trust and understanding, as well as cultural relations of citizens in the program area by supporting and co-funding German-Danish microprojects. Representatives of the German speakers are part of the steering committee of the Citizen’s Fund.

36. The municipalities of Aabenraa (in German: Apenrade) and Sønderborg (in German: Sonderburg) have joined forces with the city of Flensburg in Germany in a cross-border triangle co-operation called “Grænsetrekanten” at local level. This co-operation focuses on harmonising administration processes, and on developing mutual projects in the field of business, culture and tourism. Both Aabenraa (in German: Apenrade) and Sønderborg (in German: Sonderburg) municipalities delegate a member to the steering committee of the triangle co-operation. The Committee of Experts commends the Danish authorities for being proactive at all levels of cross border co-operation and considers the joint Danish-German initiatives exemplary.

37. However, during the on-the-spot visit, the speakers informed the Committee of Experts about the border control measures introduced by Denmark on its southern borders. The temporary suspension of the free movement ensured by the Schengen Agreement was introduced in 2016 by Denmark, causing significant delays in the land border crossing stations upon entry into Denmark. The temporary suspension has been renewed since then. The speakers expressed their concerns that they have not been consulted at any stage of this process, while these measures hamper maintaining contacts with relatives, and disrupt the natural flow of the labour force, as well as cultural and educational exchanges between the two states. The Committee of Experts is of the view that the suspension of the free movement between the states has a negative effect on the speakers. It asks the Danish

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<sup>20</sup> <https://businessaabenraa.com/>.

authorities to take these aspects into consideration upon the revision of the border regime and to involve the speakers in the decision-making process in the future.

## 1.2 The situation of German as a Part III language in Denmark

38. The Danish authorities continue to provide a high level of protection for the **German** language, which is the only regional or minority language protected under the Charter. The state authorities have taken steps to raise awareness of the speakers in the last monitoring cycle. However, further efforts are needed, because the history, culture and language of the speakers is not well known outside the Danish-German border area. Although many of the competencies in respect of the implementation of the Charter lie with local authorities, the state authorities are encouraged to provide support and good examples to influence the political decision-making and enhance the compliance of the local authorities for the benefit of the speakers.

39. The state authorities are funding German minority schools to the same level as other public schools. They are also committed to meeting the increased demand for funding caused by the higher number of students in the German minority schools. In addition to the limited number of undertakings ratified by Denmark, the lack of funding for translations of legal documents renders the use of German almost invisible in the judiciary. In order to facilitate the migration of German citizens and to meet their obligations under the Charter, the local administrations of the four municipalities of South Jutland/North Schleswig have taken effective steps to expand the use of German in administration. Although the legal base is in force and the state authorities are promoting the peaceful co-existence of the speakers and the majority population, no bilingual place names have been put on display in the municipalities of South Jutland/North Schleswig.

40. In the field of media, the speakers prefer to use digital platforms and social media to promote German rather than spending their resources on setting up private television and radio channels. The use of German and the promotion of the culture and history of the speakers is hard to detect in public media, but the *Nordschleswiger* continues to receive sufficient financial support from the state authorities. The local, and especially the regional forms of co-operation, enable a variety of events promoting German literature and culture. In order to create a business-friendly environment, the use of German was increased in the economic life in South Jutland/North Schleswig, which also benefits the speakers. The exemplary co-operation between Denmark and Germany has resulted in a series of projects directly aimed at the field of national minority protection.

## Chapter 2 Compliance of Denmark with its undertakings under the European Charter for Regional or Minority Languages and recommendations

### 2.1 German

#### 2.1.1 Compliance of Denmark with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of German

Symbols used to mark changes in the evaluation compared to the last monitoring cycle: ↗ improvement ↘ deterioration = no change

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Denmark concerning German <sup>21</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of German as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of German	=				
7.1.c	resolute action to promote German		=			
7.1.d	facilitation and/or encouragement of the use of German, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the state using German</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>	=				
7.1.f	provision of forms and means for the teaching and study of German at all appropriate stages	=				
7.1.g	provision of facilities enabling (also adult) non-speakers of German to learn it	=				
7.1.h	promotion of study and research on German at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of German	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of German	=				
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to German among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to German among their objectives</li> </ul>		=			
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses German</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to German</li> </ul>	=				
<b>Part III of the Charter</b> <i>(Additional undertakings chosen by the state for specific languages)</i>						
<b>Art. 8 – Education</b>						
8.1.iii	make available pre-school education in German or a substantial part of pre-school education in German at least to those pupils whose families so request and whose number is considered sufficient	=				
8.1.biv	make available primary education in German, a substantial part of primary education in German or teaching of German as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient	=				

<sup>21</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Denmark concerning German <sup>21</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
8.1.civ	make available secondary education in German, a substantial part of secondary education in German or teaching of German as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient <sup>22</sup>					
8.1.diii	provide, within technical and vocational education, for the teaching of German as an integral part of the curriculum		=			
8.1.eii	provide facilities for the study of German as a university and higher education subject	=				
8.1.fii	offer German as a subject of adult and continuing education	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by German		=			
8.1.h	provide the basic and further training of the teachers teaching (in) German	=				
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of German and for drawing up public periodic reports of its findings					✓
8.2	in territories other than those in which German is traditionally used, allow, encourage or provide teaching in or of German at all the appropriate stages of education	=				
<b>Art. 9 – Judicial authorities</b>						
9.1.biii	allow documents and evidence to be produced in German in civil proceedings, if necessary by the use of interpreters and translations			✓		
9.1.ciii	allow documents and evidence to be produced in German in proceedings concerning administrative matters, if necessary by the use of interpreters and translations			✓		
9.2.a	not to deny the validity of legal documents solely because they are drafted in German			✓		
9.2.b	[not to deny the validity, as between the parties, of legal documents solely because they are drafted in German, and provide that they can be invoked against third parties who are not users of German] <sup>23</sup>					
9.2.c	[not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in German] <sup>24</sup>					
<b>Art. 10 – Administrative authorities and public services</b>						
10.1.av	ensure that users of German may validly submit a document in German to local branches of the national authorities		✓			
10.4.c	compliance with requests from public service employees having a knowledge of German to be appointed in the territory in which that language is used	=				
10.5	allow the use or adoption of family names in German	=				
<b>Art. 11 – Media</b>						
11.1.bi	encourage and/or facilitate the creation of at least one private radio station in German			↗		
11.1.bii	encourage and/or facilitate the broadcasting of private radio programmes in German on a regular basis <sup>25</sup>					
11.1.ci	encourage and/or facilitate the creation of at least one private television channel in German			↗		
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in German on a regular basis <sup>26</sup>					
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in German		↗			
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in German	=				
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in German		↗			

<sup>22</sup> The undertaking Art. 8.1.ciii and 8.1.civ constitute alternative options. Therefore, the Committee of Experts will not monitor the implementation of the redundant undertaking Art. 8.1.civ.

<sup>23</sup> Undertaking 9.2.a covers 9.2.b and 9.2.c, the three constituting alternative options. Therefore, the Committee of Experts will not monitor the implementation of the redundant undertakings 9.2.b and 9.2.c.

<sup>24</sup> See footnote 3.

<sup>25</sup> Undertaking 11.1.bi covers 11.1.bii. Therefore, the Committee of Experts will not monitor the implementation of the redundant undertaking 11.1.bii.

<sup>26</sup> Undertaking 11.1.ci covers 11.1.cii. Therefore, the Committee of Experts will not monitor the implementation of the redundant undertaking 11.1.cii.

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Denmark concerning German <sup>21</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
11.2	guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in German <ul style="list-style-type: none"> <li>do not oppose the retransmission of radio and television broadcasts from neighbouring countries in German</li> <li>ensure the freedom of expression and free circulation of information in the written press in German</li> </ul>		↙			
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in German	=				
12.1.b	foster access in other languages to works produced in German by aiding and developing translation, dubbing, post-synchronisation and subtitling	=				
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the German language and culture in the undertakings which they initiate or for which they provide backing	=				
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of German	=				
12.1.f	encourage direct participation by representatives of the users of German in providing facilities and planning cultural activities	=				
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in German	=				
12.2	In territories other than those in which German is traditionally used, allow, encourage and/or provide cultural activities and facilities using German		↙			
12.3	make provision, in cultural policy abroad, for German and the culture it reflects	=				
<b>Art. 13 – Economic and social life</b>						
13.1.a	eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of German in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations	=				
13.1.c	oppose practices designed to discourage the use of German in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of German in economic and social life	=				
13.2.c	ensure that social care facilities such as hospitals, retirement homes and hostels offer the use of German		=			
<b>Art. 14 – Transfrontier exchanges</b>						
14.a	apply bilateral and multilateral agreements with the states in which German is used in identical or similar form, or conclude such agreements, to foster contacts between the users of German in the states concerned in the fields of culture, education, information, vocational training and permanent education	=				
14.b	for the benefit of German, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory German is used in identical or similar form	=				

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking or the Committee of Experts has over several monitoring cycles not received any information on the implementation.



**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### **Changes in the evaluation compared to the last monitoring cycle**

41. No information was received on a supervisory body responsible for monitoring the progress achieved in the teaching of German, therefore the Committee of Experts is unable to conclude on Article 8.1.i.

42. The legal framework does not deny the possibility to produce documents in German in the judiciary. However, the lack of funding and the time needed for translating legal documents are factors that discourage the use of German in court proceedings. The Committee of Experts therefore considers Article 9.1.biii, 9.1.ciii and 9.2.a formally fulfilled.

43. Contrary to the majority of administration offices, the Land Registry does not accept documents in German, therefore Article 10.1.av is partly fulfilled.

44. Speakers of German have an earmarked funding for their media productions. According to the information provided during the on-the-spot visit, the speakers seem to be satisfied with the support provided by the authorities and instead of private radio and TV channels they prefer to finance the production of new content on digital and social media. The Committee of Experts therefore considers Article 11.1.bi and 11.1.c formally fulfilled.

45. The state authorities are providing financial support for the digital version of the *Nordschleswiger* and for the social media presence of the German language. This policy is in accordance with the speakers' needs and wishes. However, a more proactive approach is necessary to inform them about the possibilities of financial support in order to facilitate the production of content in German in the local electronic media. The Committee of Experts therefore considers Article 11.1.d and 11.1.fii partly fulfilled.

46. At present there is no journalist training in German specifically for the needs of German minority media, therefore the Committee of Experts considers Article 11.1.g not fulfilled.

47. The use of advanced digital television broadcasting caused disruptions in the reception of more conventional television broadcasts from Germany. The Committee of Experts therefore considers Article 11.2 partly fulfilled.

48. According to the speakers the authorities rather focus on the events organised in the area where the speakers traditionally live, more efforts are necessary to raise awareness of the speakers in the whole territory of Denmark. Therefore, the Committee of Experts considers Article 12.2 partly fulfilled.

### **2.1.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of German in Denmark**

The Committee of Experts recommends that the authorities of Denmark comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered "fulfilled" (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Denmark<sup>27</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

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<sup>27</sup> [RecChL\(2004\)2](#), [CM/RecChL\(2007\)6](#), [CM/RecChL\(2011\)1](#), [CM/RecChL\(2014\)6](#), [CM/RecChL\(2017\)4](#), [CM/Del/Dec\(2020\)1391/10.3e](#)

**I. Recommendations for immediate action**

- |   |
|---|
| <b>a. Take measures to increase awareness of German as a minority language in the whole territory of Denmark, including in the media.</b> |
|---|

**II. Further recommendations**

- b. Take measures to encourage and facilitate the use of German by the speakers in their contacts with the judicial authorities.
- c. Introduce the teaching of the history and the culture reflected by German into the general curricula.
- d. Support the training of journalists and other staff for media using German.

### **Chapter 3 [Proposals for] Recommendations of the Committee of Ministers of the Council of Europe**

The Committee of Experts, while acknowledging the efforts the Danish authorities have undertaken to protect the regional and minority languages spoken in their country, has in its evaluation chosen to concentrate on some of the most important deficiencies in the implementation of the Charter. The recommendations forwarded by the Committee of Experts to the Committee of Ministers should not, however, be interpreted as diminishing the relevance of the other, more detailed observations contained in the report, which remain valid in their own right. The recommendations proposed by the Committee of Experts are drafted accordingly.

The Committee of Experts of the European Charter for Regional or Minority Languages, in accordance with Article 16 (4) of the Charter, proposes, on the basis of the information contained in this report, that the Committee of Ministers makes the following recommendations to Denmark:

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the instrument of ratification deposited by Denmark on 8 September 2000;

Having taken note of the evaluation made by the Committee of Experts on the Charter with respect to the application of the Charter by Denmark;

Bearing in mind that this evaluation is based on information submitted by Denmark in its sixth periodical report, supplementary information given by the authorities of Denmark, information submitted by bodies and associations legally established in Denmark and on the information obtained by the Committee of Experts during its on-the-spot visit;

Having taken note of the comments submitted by the authorities of Denmark on the content of the report of the Committee of Experts;

Recommends that the authorities of Denmark take account of all the observations and recommendations of the Committee of Experts and, as a matter of priority:

1. Take measures to increase awareness of German as a minority language in the whole territory of Denmark, including in the media.

The Committee of Ministers invites the authorities of Denmark to submit the information on the recommendations for immediate action by 1 September 2025, and the seventh periodical report by 1 March 2028.<sup>28</sup>

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<sup>28</sup> See Committee of Ministers Decisions [CM/Del/Dec\(2018\)1330/10.4e - CM-Public](#), and Outlines for the periodical reports on the implementation of the European Charter for Regional or Minority Languages to be presented by the states parties, [CM\(2019\)69 final](#).

## Appendix I: Instrument of Ratification

### Denmark

#### **Declaration contained in a Note Verbale from the Permanent Representation of Denmark, handed at the time of deposit of the instrument of ratification on 8 September 2000 - Or. Engl.**

In accordance with Article 2, paragraph 2, and Article 3, paragraph 1, of the European Charter for Regional or Minority Languages, Denmark declares that it will apply the following provisions of Part III of the Charter to the German minority language in Southern Jutland:

Article 8, paragraph 1 a iii; b iv, c iii/iv, d iii; e ii, f ii, g; h; i; paragraph 2;  
 Article 9, paragraph 1 b iii; c iii; paragraph 2 a/b/c;  
 Article 10, paragraph 1 a v; paragraph 4 c; paragraph 5;  
 Article 11, paragraph 1 b i/ii, c i/ii; d, e i, f ii; g, paragraph 2;  
 Article 12, paragraph 1 a; b; d; e; f; g; paragraph 2; paragraph 3  
 Article 13, paragraph 1 a; c; d; paragraph 2 c;  
 Article 14, a; b.

The Danish Government considers that Article 9, paragraphs 1 b iii, and 1 c iii, does not preclude that national procedural law may contain rules which require that documents produced in a foreign language before courts as a general rule be accompanied by a translation.

**Period covered: 1/1/2001 -**

The preceding statement concerns Article(s) : 2, 3

#### **Declaration contained in a Note Verbale from the Permanent Representation of Denmark, handed at the time of deposit of the instrument of ratification on 8 September 2000 - Or. Eng.**

The Danish Realm comprises Denmark, the Faroe Islands and Greenland.

Section 11 of Act No. 137 of 23 March 1948 on Home Rule of the Faroe Islands states that "Faroese is recognized as the principal language, but Danish is to be learnt well and carefully, and Danish may be used as well as Faroese in public affairs." By virtue of the said Act the Faroese language enjoys a high degree of protection and the provisions of the Charter will therefore not be applicable to the Faroese language, cf. Article 4 (2) of the Charter. For this reason, the Danish Government does not intend to submit periodical reports according to Article 15 of the Charter as far as the Faroese language is concerned.

Denmark's ratification of the Charter does not in any way prejudice the outcome of the negotiations on the future constitutional status of the Faroe Islands.

Section 9 of Act No. 577 of 29 November 1978 on Greenland Home Rule states that:

"(1) Greenlandic shall be the principal language, Danish must be thoroughly taught.  
 (2) Either language may be used for official purposes."

By virtue of the said Act the Greenlandic language enjoys a high degree of protection and the provisions of the Charter will therefore not be applicable to the Greenlandic language, cf. Article 4(2) of the Charter. For this reason, the Danish Government does not intend to submit periodical reports according to Article 15 of the Charter as far as the Greenlandic language is concerned.

**Period covered: 1/1/2001 -**

The preceding statement concerns Article(s) : 15, 4

#### **Communication contained in a Note Verbale from the Permanent Representation of Denmark, dated 25 August 2000, handed at the time of deposit of the instrument of ratification on 8 September 2000 - Or. Engl.**

Upon instruction the Representation hereby transmits certified translations into English of the Greenland Home Rule Act of 29 November 1978 and the Home Rule Act of the Faroe Islands of 23 March 1948, on the basis of which mandatory consultations were held as part of the ratification process. Attention is drawn to sections 9 and 11 respectively and to the corresponding lists of matters brought under Home Rule.

**[Note by the Secretariat:** The final versions are available on request to the Treaty Office.]

**Period covered: 1/1/2001 -**

The preceding statement concerns Article(s): -

## Appendix II: Comments from the Danish authorities

### Denmark's comments on the 6<sup>th</sup> evaluation report on the language charter

Denmark would like to thank the Committee of Experts for the invitation to comment on the evaluation of the sixth periodical report on the Danish implementation of The European Charter for Regional or Minority Languages.

In the table below you will find the Danish authorities' comments to various paragraphs in the Evaluation report as well as proposed changes to the current text.

PARAGRAPH	CURRENT WORDING	PROPOSED CHANGES /COMMENTS
18	The four municipalities where the speakers of German traditionally live in South Jutland/North Schleswig are conducting a policy facilitating the migration of German citizens into the region. In order to meet the increased demand, teaching of German was made compulsory at the last year of preschool in Tønder (in German: Tondern) and Sønderborg (in German: Sonderburg), in Aabenraa (in German: Apenrade) from the third grade of primary school, and in Haderslev (in German: Hadersleben), from the fifth grade. These municipalities are part of the Cultural Agreement for Sønderjylland-Schleswig, which promotes cross-border cultural activities and linguistic exchanges of students, thus increasing knowledge of German history, culture and language	Comment: It is correct that German is taught at the last year of pre-school, but this was not because of the increased influx of German native speakers, but because of the area's close proximity to Germany both culturally and economically. The paragraph should be modified to reflect this.

- |    |   |  |
|----|---|--|
| 21 | <p>The undertakings chosen by Denmark under Article 9 are limiting the possible use of German to a minimum in the judiciary. The Danish Administration of Justice Act rules that the language of the proceedings is Danish, and that the use of other languages, and consequently the funding of interpretation is subject to conditions. The District Court of Sønderborg (in German: Sonderburg), that has jurisdiction over the four municipalities of South Jutland/North Schleswig, does not keep records on the use of German during the proceedings. The German speaking court staff assists the speakers in German only upon their requests. As the financing of translation is subject to conditions, German is seldom used in written communication. The representatives of the speakers met during the on-the-spot visit consider that the use of German should be provided on a local level judiciary but indicated that using German before the High Court is not a priority for them, as there could be very few cases where this language may be used.</p> | <p>Comment:<br/>The District Court of Sønderborg informs that the Court is obliged to assist in enabling the German Minority to be able to speak German in Court and hand in documents in German. Therefore, the report's comments on current practices should be updated/modified.</p>  |
| 22 | <p>According to the speakers, contrary to current practice, the time needed for the translation of legal documents should not count in the court procedure deadlines. Consequently, the procedure should be pending until all parties receive the necessary translation of the legal documents. As this is another factor that hampers the use of German in the procedure, the Committee of Experts asks the authorities to revise their practice in order to remove this obstacle. In addition, the Committee of Experts notes that the authorities do not envisage an increase of the funding</p>   | <p>Comment:<br/>The District Court of Sønderborg informs that the Court is obliged to assist in enabling the German Minority to be able to speak German in Court and hand in documents in German. Furthermore, The Land Registry informs that the court as a rule demand foreign language documents translated into Danish, but that it accepts smaller documents in German and English as well as documents from the German Minority. Therefore, the report's comments on current practices should be updated/modified.</p> |



	<p>allocated for the translation of legal documents. The Committee of Experts observes that German is in practice rarely used before and by judicial authorities. It therefore recommends to the authorities to analyse the obstacles to the use of German in documents before courts and define adequate measures to encourage its use.</p>	
24	<p>The local administration has to consider the implementation of the undertakings of the Charter and also the needs and wishes of the German citizens whose migration is largely supported by the municipalities themselves. As a result, the local administration can be contacted both orally and in writing in German in all four municipalities of South Jutland/North Schleswig. According to the representatives of these local administrations, at least 25 % of their employees speak German. Contrary to the wishes of the speakers, they have not established dedicated channels of communication in German. Instead, a competent employee is contacted to respond in German.</p>	<p>Proposed change: The local administration has to consider the implementation of the undertakings of the Charter and also the needs and wishes of the German citizens whose migration is largely supported by the municipalities themselves. As a result, the local administration can be contacted both orally and in writing in German in all four municipalities of South Jutland/North Schleswig. <del>According to the representatives of these local administrations, at least 25 % of their employees speak German.</del> Contrary to the wishes of the speakers, they have not established dedicated channels of communication in German. Instead, a competent employee is contacted to respond in German.</p>
25	<p>Sønderborg (in German: Sonderburg) municipality has improved the service offered in German in several ways. All information is available in German on their official website since September 2022. The information about the administrative procedures and the rights and obligations in respect of the use of German is on display both in their offices and at the workplaces of their officials. Websites of the municipalities of Aabenraa (in German: Apenrade), Haderslev (in German: Hadersleben) and Tønder (in German: Tondern) offer information in German</p>	<p>Proposed change: Sønderborg (in German: Sonderburg) municipality has improved the service offered in German in several ways. All information is available in German on their official website since September 2022. <u>Digital solutions including the homepage and the self-service screen of the citizen service are available in German.</u> The information about the administrative procedures and the rights and obligations in respect of the use of German is on display both in their offices and at the workplaces of their officials. Websites of the municipalities of Aabenraa (in German: Apenrade), Haderslev (in German: Hadersleben) and Tønder (in German: Tondern) offer information in German also, albeit in</p>

	also, albeit in some cases translation is subject to the availability of their interpretation services.	some cases translation is subject to the availability of their interpretation services.
27	<p>In the previous monitoring round the Committee of Ministers recommended Denmark to “increase the level of radio broadcasting and provide television broadcasts in German, in cooperation with the German speakers”(Recommendation No. 1 - CM/RecChI (2017)4). There is no private radio station and private television channel in German. This is not in line with the undertakings ratified by Denmark under Article 11.1.bi and ci. The speakers, however, use the funding provided by the authorities to finance the production of new content on digital and social media, which includes short audiovisual productions. In their view, the funding of a separate and expensive private radio and TV channel would drain their resources and social media presence is the most cost-efficient way of media presence. This solution, chosen by representatives of speakers themselves, accommodates their main needs with regards to media and is greatly appreciated by the speakers. The authorities confirmed that it is possible to apply for subsidies to start a local or regional radio and television channel, but no such application was received from the German speakers. The public television and radio channels have an obligation regulated in their public service contracts since 2019 “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.”</p> <p>According to the information</p>	<p>Comment: The Danish Ministry of Culture remarks that in addition the eight regional broadcasters (TV 2 regionerne) with public service obligations provides covers the different regions in Denmark. One of these, TV SYD, holds a special obligation to highlight the conditions within the Danish-German border region as a part of TV SYD’s public service obligations.</p>

available, the two national public broadcasters Danish Broadcasting Corporation (DR) and TV2 broadcast programmes about the South Jutland/North Schleswig region, but it is unclear how the German minority is being presented. In addition, the language used in the programmes is mostly Danish. Although the periodical report claims that the Ministry of Culture is always ready to answer any of the German minority's questions or potential challenges regarding freedom of reception of radio or television broadcasts from Germany[1], during the on-the-spot visit the speakers expressed concerns about the fact that the television programmes from Germany cannot be received in Denmark, because they are broadcast in a format that is not always compatible with the digital receivers commonly used in Denmark

30 At regional level, the implementation of the Cultural Agreement Sønderjylland-Schleswig 2021-2024 is supported with DKK 1 million by the Region of Southern Denmark. The City of Flensburg in Germany and the Ministries of Culture of both states are amongst the supporters. The aim of the Cultural Agreement is for children and young adults living in the border region to develop an understanding of its linguistic diversity through cultural heritage projects.

Proposed change:  
At regional level, the implementation of the Cultural Agreement Sønderjylland-Schleswig 2021-2024 is amongst others supported with DKK 1 million by the Region of Southern Denmark. The City of Flensburg in Germany and the Ministries of Culture of both states are amongst the supporters. The aim of the Cultural Agreement is to bring forces together to develop culture across the Danish-German border and focus on children and young people living in the border region to develop an understanding of its linguistic diversity through cultural heritage projects.

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| 31 | At local level, Aabenraa (in German: Apenrade) hosts a six-day summer camp aimed at promoting the culture and history of the border region with the participation of Danish and German children. Tønder (in German: Tondern) municipality hosted the finals of the “Liet International European Song Festival” of regional and minority languages in 2022. The speakers informed the Committee of Experts about the willingness of the local authorities to organise such events. However, in many cases the costs of these events are covered by the speakers’ associations. The Committee of Experts asks the state authorities to increase efforts and promote the language and culture of the speakers in the whole territory of Denmark | <p>Comment:</p> <p>The municipality of Tønder would like to stress, that it is not in agreement with the statements put forward by the speakers. The municipality supported the Liet Festival with funding, and has recently supplied funding for the “Europeada” (The European Football Championship of the autochthonous national minorities in Europe).</p>   |
| 32 | The migration of German citizens to South Jutland/North Schleswig has a positive effect on the use of the German language in this region. In order to meet the demand, job centres are employing German speaking staff in increasing numbers, especially in Aabenraa (in German: Apenrade) municipality where “Business Aabenraa” promotes the local business by employing German speaking consultants. Sale and purchase contracts in German are being produced and accepted by local businesses in ever growing numbers  | <p>Proposed change:</p> <p>The migration of German citizens to South Jutland/North Schleswig has a positive effect on the use of the German language in this region. In order to meet the demand, job centres and <u>other departments</u> are employing German speaking staff in increasing numbers, especially in Aabenraa (in German: Apenrade) municipality where “Business Aabenraa” 20 promotes the local business by employing German speaking consultants. Sale and purchase contracts in German are being produced and accepted by local businesses in ever-growing numbers</p> |

- 35 The region of South Denmark maintains a wide range of contacts on a regional level, for example it is a member of the cross-border initiative called “Dialog Forum Norden”. The co-operation body of the region of Southern Denmark called “Region South Jutland-Schleswig” is participating in the EU-funded Interreg-programme Deutschland - Denmark which promotes cultural, linguistic and educational projects on both sides of the German-Danish border. In December 2022, the Region South Jutland-Schleswig launched a fund called Citizen’s Fund aimed at supporting mutual trust and understanding, as well as cultural relations of citizens in the programme area by supporting and co-funding German-Danish microprojects. Representatives of the German speakers are part of the steering committee of the Citizen’s Fund.
- Proposed change:  
The region of South Denmark maintains a wide range of contacts on a regional level, for example, it participates in the cross-border initiative called “Dialog Forum Norden”. The region of Southern Denmark is programme partner in the EU-funded Interreg-programme Deutschland -Denmark which promotes cultural, linguistic and educational projects on both sides of the German-Danish border. In December 2022, the Region South Jutland-Schleswig launched a fund called Citizen’s Fund aimed at supporting mutual trust and understanding, as well as cultural relations of citizens in the programme area by supporting and co-funding German-Danish microprojects. The Citizen’s Fund is mainly financed with aid from Interreg Deutschland-Danmark. Representatives of the German speakers are part of the steering committee of the Citizen’s Fund
- 36 The municipalities of Aabenraa (in German: Apenrade) and Sønderborg (in German: Sonderburg) have joined forces with the city of Flensburg in Germany in a cross-border triangle co-operation called “Grænsetrekanten” at local level. This co-operation focuses on harmonising administration processes, and on developing mutual projects in the field of business, culture and tourism. Both Aabenraa (in German: Apenrade) and Sønderborg (in German: Sonderburg) municipalities delegate a member to the steering committee of the triangle co-operation. The Committee of Experts commends the Danish authorities for being proactive at all levels of cross border co-operation and considers the joint
- Proposed change:  
The municipalities of Aabenraa (in German: Apenrade) and Sønderborg (in German: Sonderburg) have joined forces with the city of Flensburg in Germany in a cross-border triangle co-operation called “Grænsetrekanten” at local level. This co-operation focuses on harmonising administration processes, and on developing mutual projects in the field of business, culture and tourism. Both Aabenraa (in German: Apenrade) and Sønderborg (in German: Sonderburg) municipalities delegate a member of the German Minority to the steering committee of the triangle co-operation. The Committee of Experts commends the Danish authorities for being proactive at all levels of cross border co-operation and considers the joint Danish-German initiatives exemplary.

	Danish-German initiatives exemplary.	
37	<p>However, during the on-the-spot visit, the speakers informed the Committee of Experts about the border control measures introduced by Denmark on its southern borders. The temporary suspension of the free movement ensured by the Schengen Agreement was introduced in 2016 by Denmark, causing significant delays in the land border crossing stations upon entry into Denmark. The temporary suspension has been renewed since then. The speakers expressed their concerns that they have not been consulted at any stage of this process, while these measures hamper maintaining contacts with relatives, and disrupt the natural flow of the labour force, as well as cultural and educational exchanges between the two states. The Committee of Experts is of the view that the suspension of the free movement between the states has a negative effect on the speakers. It asks the Danish authorities to take these aspects into consideration upon the revision of the border regime and to involve the speakers in the decision-making process in the future.</p>	<p>Comment: The Danish Police maintains a close cooperation 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. The Danish authorities are focused on making the border control as flexible as possible for cross-border commuters. In that regard, there have been consultations with relevant stakeholders [municipalities, organizations and representatives from the Danish-German border area and commuters.</p>
42	<p>The legal framework does not deny the possibility to produce documents in German in the judiciary. However, the lack of funding and the time needed for translating legal documents are factors that discourage the use of German in court proceedings. The Committee of Experts therefore considers Article 9.1.biii, 9.1.ciii and 9.2.a formally fulfilled.</p>	<p>Comment: The District Court of Sønderborg informs that the Court is obliged to assist in enabling the German Minority to be able to speak German in Court and hand in documents in German. Furthermore, The Land Registry informs, that the court as a rule demand foreign language documents translated into Danish, but that it accepts smaller documents in German and English as well as documents from the German Minority</p>

- 43 | Contrary to the majority of administration offices, the Land Registry does not accept documents in German, therefore Article 10.1.av is partly fulfilled.
- Comment:  
The Land Registry does not consider itself to be included under article 10, but Registry informs, that the court as a rule demand foreign language documents translated into Danish, but that it accepts smaller documents in German and English as well as documents from the German Minority. The paragraph should be altered to reflect this as it is factually incorrect.



The Committee of Experts of the European Charter for Regional or Minority Languages is an independent body that evaluates the compliance of the States Parties with their undertakings and, where appropriate, encourages them to gradually reach a higher level of commitment.

The European Charter for Regional or Minority Languages, adopted by the Committee of Ministers of the Council of Europe on 25 June 1992 and entered into force on 1 March 1998, is the European convention for the protection and promotion of regional and minority languages. It is designed to enable speakers to use them both in private and public life and obliges the States Parties to actively promote the use of these languages in education, courts, administration, media, culture, economic and social life, and cross- border co-operation.

Regional or minority languages are part of Europe's cultural heritage and their protection and promotion contribute to the building of a Europe based on democracy and cultural diversity.

[www.coe.int/minlang](http://www.coe.int/minlang)

The text of the Charter is available in over 50 languages.

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member