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| **MINISTERS’ DEPUTIES** | Resolutions | **CM/ResCMN(2020)11** | 21 October 2020 |

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| **Resolution CM/ResCMN(2020)11**  **on the implementation of the Framework Convention for the Protection of National Minorities by Denmark**  *(Adopted by the Committee of Ministers on 21 October 2020 at the 1386th meeting of the Ministers' Deputies)* |

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as “the Framework Convention”),

Having regard to Resolution [CM/Res(2019)49](https://search.coe.int/cm/Pages/result_details.aspx?Reference=CM/Res(2019)49" \o "Resolution on the revised monitoring arrangements under Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (Adopted by the Committee of Ministers on 11 December 2019 at the 1363rd meeting of the Ministers' Deputies)) of 11 December 2019 on the revised monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the applicable voting rule;[[1]](#footnote-1)

Having regard to the instrument of ratification deposited by Denmark on 22 September 1997;

Recalling that the Government of Denmark transmitted its State report in respect of the fifth monitoring cycle under the Framework Convention on 2 April 2019;

Having examined the Advisory Committee’s fifth opinion on Denmark adopted on 7 November 2019,

Adopts the following conclusions in respect of Denmark:

The authorities are invited to take account of the observations and recommendations contained in the Advisory Committee’s fifth opinion. In particular, they should take the following measures to improve further the implementation of the Framework Convention:

Recommendations for immediate action:

1. reconsider the concepts of ‘immigrants and descendants of immigrants of Western origin’ and ‘immigrants and descendants of immigrants of non-Western origin’, both based on the arbitrary aggregation of statistics related to place of birth or citizenship, and their subsequent application in the framework of the so-called “Ghetto law” leading to possible discrimination on the grounds of citizenship, ethnic affiliation and place of residence;
2. adopt a new action plan against racism, including monitoring of hate speech in political and public discourse. Such a strategy should be designed in close and active co-operation with civil society actors as well as with representatives of communities confronted with such forms of abuse and should include, without prejudice to the editorial independence of the press, an assessment of the way persons belonging to minority communities as well as migrants are portrayed in the media; ensure that integration legislation and policies are based on facts and expertise, look for long-term solutions to guarantee equal access to rights and ensure inclusive participation of the civil society in relevant decision-making processes, including parliamentary discussions;
3. consider developing a more comprehensive and efficient approach to the poverty problems of those concerned, most of whom have a Roma background;
4. take all necessary measures, at local level, to promote intercultural understanding and dialogue in order to create an environment conducive to the display of bilingual signs at the entrance of the four municipalities traditionally inhabited by a substantial number of persons belonging to the German minority.

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Further recommendations:[[2]](#footnote-2)

1. maintain a continuous constructive dialogue with members of the communities which may benefit from the protection provided by the Framework Convention and thus continue applying a flexible approach, namely an article-by-article application of relevant provisions of the Framework Convention, to such communities irrespective of a formal recognition as a national minority; ensure that persons belonging to such communities have sufficient awareness of the Framework Convention, in particular its cornerstone that is the right to free self-identification;
2. step up efforts to raise awareness among people and groups most frequently targeted by discrimination of the legislative standards that currently apply and of the available remedies to victims of discrimination;
3. set up a comprehensive data collection system with regard to hate crimes and hate speech, with fully disaggregated data on offence, hate motivation and target group, in order to enable better analysis of the crimes committed and to subsequently design more accurate strategies to combat them, where relevant in co-operation with organisations representing victims;
4. take proactive integration and inclusion measures aimed at creating an environment where Roma people and communities, including those living in Denmark for several generations, do not refrain from identifying themselves publicly as Roma and from showing their identity;
5. ensure that persons belonging to the German minority, in the four municipalities where they live in South Jutland, be able to communicate fully in German, as the case may be also by digital means, with all administrative bodies – including central services – and even when public services are provided through private companies;
6. ensure an appropriate level of visibility of the German culture within the Danish education system, promoting a positive narrative regarding the German presence in South Jutland; in this regard, it is important of including a specific item in the compulsory curricula applicable to the entire South Jutland region.

1. On 17 September 1997, the Committee of Ministers adopted decision [CM/Del/Dec(97)601/4.5](https://search.coe.int/cm/Pages/result_details.aspx?Reference=CM/Del/Dec(97)601/4.5" \o "Ad hoc committee on the implementation mechanism of the Framework Convention for the Protection of National Minorities (CAHMEC) - Final activity report), which provides: “Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour”. [↑](#footnote-ref-1)
2. The recommendations below are listed in the order of the corresponding articles of the Framework Convention. [↑](#footnote-ref-2)