



International Convention on the Elimination of All Forms of Racial Discrimination

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Held at the Palais Wilson, Geneva, on Tuesday, 23 November 2021, at 3 p.m.

Chair: Ms. Li

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The meeting was called to order at 3 p.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention (continued)

*Combined twenty-second to twenty-fourth periodic reports of Denmark
(CERD/C/DNK/22-24; CERD/C/DNK/Q/22-24)*

1. *At the invitation of the Chair, the delegation of Denmark joined the meeting.*
2. **Mr. Melgaard** (Denmark), introducing the combined twenty-second to twenty-fourth periodic reports of Denmark (CERD/C/DNK/22-24), said that he wished to draw the Committee's attention to three of his Government's recent or forthcoming initiatives. One of the Government's priorities was the prevention of antisemitism. It was soon to launch a comprehensive plan to combat that phenomenon, with a particular focus on education. The Government also intended to further strengthen its efforts to combat racist hate speech and hate crimes. It had recently reached an agreement with a majority of the parliament on an initiative that would provide guidance for the police and the public prosecution services in the coming years on the subject of racist hate speech and hate crimes and that would raise awareness, address underreporting and strengthen police training on support for the victims of such crimes. In that context, the police and the public prosecution services were developing information material for victims and also material aimed at stakeholders in some of the most affected communities. A project had been launched to raise public awareness of the colonial history of Denmark, which might include the creation of a museum dedicated to that subject.
3. Turning to the Committee's list of themes in relation to the State party's report (CERD/C/DNK/Q/22-24), he said that, with regard to statistics and data on ethnicity, the purpose of the Civil Registration System was to provide objective basic personal data to facilitate effective administration in the public and private sectors. In that context, information on ethnicity was not relevant. Statistics Denmark, on the other hand, monitored the socioeconomic living conditions of immigrants and their descendants and collected data to inform policy initiatives. The integration barometer of the Ministry of Immigration and Integration also looked at the situation of immigrants and their descendants and of newly arrived refugees and reunified families. It showed positive developments in several areas over recent years, for example a rise in the employment rate of non-Western immigrants and their descendants between 2012 and 2019 and an increased proportion of non-Western immigrants and descendants attending institutions of higher education in Denmark. Specific information of that type made it possible to further improve integration efforts.
4. With regard to the status of the Convention, the Government maintained its position that its incorporation into Danish law would risk shifting the powers currently held by the parliament and the Government to the courts. It was important that elected representatives should retain responsibility for compliance with the State's international obligations, even if the application of the Convention was under the responsibility of the courts and other national institutions.
5. Persons believing that they had suffered discrimination could complain to the Board of Equal Treatment, free of charge. The Danish Institute for Human Rights could also file complaints with the Board on matters of public interest. The Board could award compensation to victims of racial discrimination who had suffered harm of a non-pecuniary nature. It published monthly newsletters with a summary of cases and an annual report with articles on subjects relating to equality of treatment.
6. The waiting period for family reunification for refugees had been reduced to two years, in compliance with the European Court of Human Rights judgment of July 2021 in the case of *M.A. v. Denmark*, and the Aliens Act would be amended accordingly. As to access to the labour market, immigrants, refugees and their families could avail themselves of programmes designed to increase employment among eligible groups through measures such as internships, wage subsidies and Danish language training.
7. Measures taken to combat structural discrimination against ethnic minorities included the adoption of the Act on Ethnic Equal Treatment and the Act on the Prohibition against Discrimination on the Labour Market. The provision of public housing ensured that the entire

population, regardless of income, health, ethnicity or national background, had equal access to suitable housing. In addition, the right to health care was conditional on residency, not citizenship, even extending, in respect of emergency treatment and follow-up, to persons temporarily resident in Denmark. Asylum-seeking children had access to the same education as bilingual children in primary and lower secondary schools and to support with learning Danish as a second language. Pupils from the European Union or the European Economic Area also had access to mother-tongue education free of charge.

8. The trend towards social polarization and educational segregation seen in recent years had, however, left a minority of schools to bear the heaviest burden of issues related to integration and social problems. Accordingly, in 2018, the Government had decided that no more than 30 per cent of children in each day-care centre should be from vulnerable housing areas. Similarly, an agreement had recently been reached with a majority in the parliament to secure a more even distribution, based on parents' income levels, of students in upper secondary schools. The Roma community, on an equal footing with everyone else, had access to social services such as childcare, education and health care and to employment placement programmes. The Government had recently submitted the Danish national strategy on the equality, inclusion and participation of Roma people to the European Commission, in compliance with a European Union Council recommendation issued in March 2021.

9. Turning to the situation of ethnic and ethno-religious minorities, he said that it was a matter of priority for the Government that all persons, regardless of birthplace, should have the same opportunities in life. That was a cornerstone of the Scandinavian welfare society. However, when the mix of residents in social housing neighbourhoods differed socially, economically and culturally from the average Danish population, those who lived there would have poorer opportunities of becoming integrated or obtaining a job, an education and a decent income. That applied to some of the social housing neighbourhoods in Denmark.

10. Accordingly, a large majority of the Danish parliament had reached an agreement on the subject of parallel societies. The agreement included a reduction in the proportion of social housing in the most deprived areas. Municipalities and social housing associations had several options in pursuit of that goal. Demolition of social housing was one, but new private housing was also being built in order to reduce the proportion of social housing and to attract homeowners. Where social housing was demolished, the law protected tenants' right to be rehoused in alternative, suitable housing in the same municipality.

11. The terminology used in that context had been changed to more precisely reflect the challenges in the residential areas in question: instead of "ghetto", the term "parallel society" was used, and "transformation area" had replaced "hard ghetto".

12. With regard to high rates of poverty among non-Western ethnic minority children, the Government recognized that some children's families could be financially stressed if the benefits received by parents were of certain types or if they were subject to benefit caps. Accordingly, the Government had introduced a temporary child allowance and had cancelled the previous Government's plans to reduce benefits.

13. In terms of human rights education, students were required by law to learn how to live in a free and democratic society, with respect for human rights and equality. The Government had in early 2021 proposed the introduction of an educational canon consisting of a list of key texts on children's rights.

14. In pursuit of its strategy to assist vulnerable Greenlanders and their children, the Government was to allocate 26 million Danish kroner (DKr) over four years to support relevant civil society initiatives. In addition, more than DKr 12 million was to be allocated to the Greenlandic Houses in order to improve inclusion and outreach services for Greenlandic newcomers in Denmark, especially in education and employment.

15. **Ms. Søvndahl Gant** (Greenland, Denmark) said that the Government of the self-governing country of Greenland – Kalaallit Nunaat in Greenlandic – had stated its commitment to human rights in its April 2021 coalition agreement. Its guiding principles included combating discrimination based on sex or gender, religion, identity, language or other characteristics. Race was not mentioned, because the word "race" did not exist in Kalaallisut, the Greenlandic language. From the Greenlandic perspective, the concept of

different races or racial superiority was scientifically false, socially unjust, dangerous and simply absurd. That did not mean, however, that unjust and wrong distinctions could not be made, which was why the Government of Greenland welcomed the dialogue with the Committee, with a view to better equipping itself to combat discrimination on any grounds.

16. **Ms. íHorni** (Faroe Islands, Denmark) said that, as a self-governing country, the Faroe Islands were a separate jurisdiction from the contracting party to the Convention, with exclusive competence in most areas. The Faroe Islands had chosen to be subject to seven United Nations treaties and actively contributed to the reports submitted by the Kingdom of Denmark to the relevant treaty bodies.

17. With the improved infrastructure made possible by significant economic growth, the Faroe Islands had overcome many of the challenges often associated with geographically remote and isolated societies, especially demographic challenges such as the brain drain and a deficit of women and young people. Low unemployment and a growing population had brought both opportunities and challenges, notably with regard to the inclusion of new residents in society. Of the roughly 2,100 new residents from non-Nordic countries, 1,035 were from 71 different countries outside Europe. Initiatives had been taken at all levels to inform new residents of their rights and duties and the services available to them and to help them cope with difficulties.

18. **Ms. Ventegodt** (Danish Institute for Human Rights) said that she acknowledged the positive initiatives taken to prevent hate crime and promote awareness of the Danish colonial past. The Danish Institute for Human Rights welcomed the legislative amendments that had made it easier to convict offenders for hate crimes, and it was pleased to note that the Government had announced a national action plan to combat antisemitism. The Institute nevertheless maintained its recommendation for a broader national action plan to combat all hate crimes.

19. Ethnic profiling was still not acknowledged as a problem by the State or the police. Figures from Statistics Denmark showed that persons with a non-Danish ethnic background were much more likely than persons with a Danish ethnic background to be charged and arrested for crimes and subsequently absolved. The Institute recommended that steps should be taken to amend the Police Act to ban discrimination, including ethnic profiling, and that the police should take practical measures to prevent ethnic profiling.

20. The legislation on social housing and so-called ghettos had had severe consequences for many of the people living in the areas concerned, since it had led to the demolition of housing and eviction of residents. Since the legislation was based explicitly on ethnicity, it resulted in negative differential treatment on that basis. The Institute therefore considered it to be discriminatory and recommended that the concept of ethnicity should be removed. In the Institute's view, the term "parallel society", proposed as an alternative to "ghetto" by the Ministry of the Interior and Housing, was equally stigmatizing.

21. Noting that Greenland had no civil anti-discrimination legislation and no mechanism for lodging complaints of racial discrimination, she said that the Institute, in collaboration with the Human Rights Council of Greenland, recommended that the Greenlandic Government should introduce a civil law prohibiting discrimination on the grounds of race or ethnic origin or on any other grounds of discrimination recognized in international human rights law.

22. **Ms. Ko** (Country Rapporteur) said that she would like to know how, in the absence of data on ethnicity, the State party accurately assessed racial discrimination and determined which groups were most affected by it. She asked the delegation to provide information on specific policy or action plans. She said that she would also appreciate receiving data on the country of origin and citizenship of immigrants and their descendants, foreign nationals and newly arrived refugees and immigrants.

23. She would be grateful if the delegation would confirm that, in the view of the State party, the courts rarely invoked the Convention directly because almost all its provisions were covered by pre-existing national and European Union laws on discrimination. The Committee noted that, in 2012, the Government had appointed an expert committee to examine the possibility of incorporating a number of human rights treaties into Danish law.

That being the case, she wondered why the expert committee had not considered it necessary to incorporate the Convention, and why the Government was still unwilling to consider its incorporation. The Committee would welcome an explanation of how the Convention was applied by Danish courts and how often it had been invoked by courts, tribunals and other bodies in the State party, including in Greenland and the Faroe Islands. It would also welcome some specific examples of cases in which the Convention had been invoked.

24. In view of the fact that the terms “Western countries” and “non-Western countries” were used by Statistics Denmark and in the State party’s policies and legislation, it would be interesting to know how the term “non-Western country” was defined, whether it was defined in law and whether the main factor used to distinguish between immigrants from Western and non-Western countries was their contribution to the national economy.

25. In order to be classified as a ghetto or vulnerable area, an area was required to meet at least two of four detailed criteria defined on the basis of the residents’ employment rates, education and income and on the crime rate there. In addition, it was necessary for at least 50 per cent of the residents to be from non-Western countries, or their descendants. In view of the fact that the four criteria in question were so detailed, she wondered whether it was necessary to have an additional criterion relating to the national origins of the area’s residents, and whether the resulting classification of vulnerable areas would be any different if the additional criterion was not used. It would be interesting to know what proportion of persons evicted from their homes as a result of measures taken to reduce segregation in social housing were of ethnic minority backgrounds and how many of those persons belonged to a group classified as non-Western.

26. The Committee noted that, under amendments made to the Criminal Code, the police services were authorized to designate areas with high crime rates as “enhanced punishment zones”, where persons convicted of certain offences generally received harsher penalties than those convicted of the same offences elsewhere. In that connection, she asked how many persons living in such zones had been subjected to harsher penalties on the basis of where they lived, and how many of those persons belonged to groups classified as non-Western. The Committee would welcome the delegation’s comments on allegations that classifying areas as “enhanced punishment zones” was discriminatory, as they generally contained higher proportions of persons considered to be non-Western.

27. She would be grateful if the delegation would address the Committee’s concerns about the potentially discriminatory effects of the Mandatory Learning Programme for Young Children. In particular, the Committee was concerned to note that parents living in vulnerable areas who did not enrol their children in the Programme were required to implement aspects of the Programme at home, which might not be possible for some migrant parents.

28. She asked why the State party had not allowed complainants to provide oral testimonies when submitting complaints to the Board of Equal Treatment, as recommended by the Committee in its previous concluding observations (CERD/C/DNK/CO/20-21). She said that she wondered how many of the complaints received by the Board from 2018 onwards related to racial discrimination, how many of the decisions taken in respect of those complaints had been in favour of the complainants and what forms of compensation had been awarded to the victims. The delegation might state whether any measures had been taken to raise awareness of the Board and, if so, what their impact had been. She would be grateful to know how many complaints related to racial discrimination had been received by the Ombudsman in recent years, how many complaints had been received by the Danish Mediation and Complaints-handling Institution for Responsible Business Conduct, and what the outcome of those complaints had been.

29. Noting that neither Greenland nor the Faroe Islands were members of the European Union, she asked whether any human rights laws or regulations originating from the European Union were applied in those territories. She said that she wondered whether the national authorities cooperated with the authorities of Greenland and the Faroe Islands in implementing the Convention, and if so, how. The delegation might comment on the extent to which racial discrimination and hate speech, including online hate speech, were a problem in Greenland and the Faroe Islands, how the authorities determined the scale of those problems or raised awareness of them, whether any research into those issues had been

conducted and whether their populations were aware that racial discrimination was prohibited under the Convention. She would be grateful to learn about any measures taken to encourage the authorities of Greenland and the Faroe Islands to adopt legislation on racial discrimination, develop tools for collecting data on that problem and establish a competent body to deal with complaints of discrimination based on race, colour or ethnic or national origin, as recommended by the Committee in its previous concluding observations.

30. With regard to Greenland, she wished to know what efforts had been made to hold consultations with the Thule Tribe regarding matters of importance to them. With regard to the Faroe Islands, she wondered whether any efforts had been made to determine what model of national human rights institution might be appropriate. She would also be interested to hear about the content and impact of the campaign against hate speech in the Faroe Islands and the status of the bill on tackling discrimination in the labour market. Lastly, she asked why Greenlandic Inuit people living in Denmark continued to experience social marginalization, including low levels of education and high levels of unemployment, and whether any new measures were being taken to promote their social integration.

31. **Ms. Stavrinaki** (Country Task Force) said that, according to the second European Union minorities and discrimination survey, conducted in 2019, 30 per cent of respondents in Denmark believed they had been treated disrespectfully by the police during the 12-month period prior to the survey and 41 per cent of respondents of African descent felt that they had been subjected to racial discrimination. In view of that situation, she asked how the Government evaluated the results of the survey and what measures were being taken to combat the stereotyping and disrespectful treatment of persons of African descent by police officers.

32. Noting that there were significant differences in the rates at which persons of different ethnic backgrounds were convicted after being charged with an offence, she said that she wondered how the State party accounted for those differences and whether it would conduct an investigation into the use of racial profiling by law enforcement and in the administration of justice. It would be interesting to know whether the State party intended to adopt laws or regulations that would clearly define and prohibit racial profiling and whether law enforcement agencies had adopted any operational measures to eliminate it. The delegation might state whether law enforcement officers were trained to identify practices that could be considered to be racial profiling.

33. The Committee would be grateful to know what proportion of police officers in Denmark belonged to minority ethnic groups and what measures had been taken to increase such representation. It would also like to know whether the authorities, including law enforcement agencies, used any kind of algorithmic profiling in their work and if so whether any measures had been taken or envisaged to counter its discriminatory effects. The delegation might indicate whether data provided by police services were used to conduct profiling in other areas, such as social affairs and employment, and if that was the case, what measures were being taken to prevent their discriminatory effects.

34. She wondered which criminal convictions were liable to lead to the expulsion of convicted persons and the withdrawal of their citizenship, whether the decision to take such measures depended on the severity of the offence in question, whether any other factors were considered by the authorities and whether the authorities were required to justify such decisions. She would be grateful to know whether the State party collected data on the withdrawal of citizenship and whether it considered that the use of that measure was sometimes motivated by indirect discrimination.

35. Noting that, under a new political agreement adopted in June 2018, the conditions for obtaining Danish citizenship had become more restrictive, she asked whether it was true that access to citizenship was denied to persons convicted of criminal offences and persons owing more than €400 to the State. She said that she wondered whether non-nationals who remained in education rather than entering employment were forced to delay their applications for citizenship. The Committee wished to know whether the State party had assessed the impact of the new policy agreement on refugees, stateless persons and children born and raised in Denmark, and whether the delegation considered that the agreement undermined the State party's efforts to eliminate racial discrimination.

36. According to reports received by the Committee, women in the Syrian Arab Republic who were suspected of having links with militant groups such as Da'esh were stripped of their Danish citizenship and could not return to the country, but their children could be repatriated, on the condition that their mothers stayed behind. Apparently, children in that situation were being forced to choose between their Danish citizenship and their mothers. Lastly, she asked whether the State party's decision to deny citizenship to children born to a Danish parent who had unlawfully entered a conflict zone amounted to a form of discrimination, as it was only ever applied to children of parents with a specific ethnic and religious background.

37. **Mr. Albuquerque e Silva** said that he wished to know whether the Government's particularly tough stance on immigration had given rise to the scapegoating of foreign nationals, particularly non-white foreign nationals, and whether, in the delegation's view, systemic racism was a serious problem in Denmark that hindered access to employment and education for persons belonging to minority ethnic groups. In view of the fact that persons belonging to minority ethnic groups had a significantly higher chance of being wrongfully arrested and charged with an offence, he asked whether the Government planned to draft and implement national guidelines on racial profiling and whether it would consider amending the law to prohibit such practices.

38. **Mr. Diaby** said that he wished to know what happened to people who, having renounced their original citizenship to become Danish, later lost their Danish citizenship. He also wished to know whether people who were born as Danish citizens outside Denmark but had never lived in the country were able to retain their citizenship even if they failed to apply for its recognition before they turned 22. Lastly, he wondered whether the segregationist policies previously put in place at Langkær Gymnasium, a secondary school near Aarhus, were common at other Danish schools.

39. **Ms. Ali Al-Misnad** asked what policies or strategies the State had developed to ensure that the media, including social media, which had a great deal of influence, had a positive impact on efforts to help immigrants integrate into Danish society.

40. **Mr. Rayess** said that, while the State party's efforts to combat antisemitism were certainly commendable, it would also be interesting to know what steps it was taking to combat Islamophobia.

41. **Mr. Yueng Sik Yuen** said that the State party's arguments for not incorporating provisions of the Convention into national law struck him as unpersuasive.

42. **Mr. Amir** said that he had appreciated the response of the Danish authorities to the controversy surrounding the publication in *Jyllands-Posten*, a Danish newspaper, of cartoons depicting the Prophet Muhammad.

The meeting was suspended at 4.35 p.m. and resumed at 4.50 p.m.

43. **Ms. Hauberg Wilhelmsen** (Denmark) said that the authorities collected data on the countries of origin and citizenship, gender, age, housing situation, employment status and overall educational attainment levels, including the number of years of education in Denmark, of all immigrants and their descendants, foreign nationals and newly arrived refugees. Survey data provided information on such topics as respondents' self-sufficiency, Danish language skills and other relevant matters. Those data were used in what was referred to as an integration barometer, an instrument that made it possible to gauge the progress of immigrants and their descendants towards nine integration-related goals.

44. **Mr. Nielsen** (Denmark) said that the Government had taken several steps to combat hate crime. The multi-year agreement on the financing of the Danish National Police and the prosecution service, for example, had made provision for initiatives, including specific training for police officers, to help the police and prosecutors respond more effectively to victims of such crime.

45. Denmark was of the view that incorporating the Convention into national law, as recommended by the Committee, might lead to what it considered an undesirable power shift. Namely, powers conferred on the executive and legislative branches of government could be

transferred to the courts. The Convention was nonetheless a relevant source of law and was applied by the country's courts.

46. Since 2018, explicit reference to the Convention had been made in at least four published judgments. In one of those judgments, the Supreme Court had in January 2021 ruled on the question of whether handing out spray cans labelled "asylum spray" – as if to suggest that the cans contained a repellent to be used on asylum seekers – amounted to hate speech punishable under the Criminal Code. The judgments handed down by many of the country's courts, however, were not published, so it was not entirely clear exactly how many contained explicit references to the Convention.

47. Danish law had been amended to ensure that it was compatible with the Convention. A section of the Criminal Code requiring the police to investigate reports of racial discrimination had been amended for that very purpose.

48. **Mr. Melgaard** (Denmark) said that, although the courts might refer to the Convention only rarely, all national legislation was interpreted in accordance with the country's international obligations. In countries such as Denmark, which had not adopted the monist view that national and international legal systems formed a single whole, those obligations were not national laws in their own right.

49. **Ms. Ørum Rasmussen** (Denmark) said that all countries except the 27 States members of the European Union, Andorra, Australia, Canada, the Holy See, Iceland, Liechtenstein, Monaco, New Zealand, Norway, San Marino, Switzerland, the United Kingdom and the United States of America were classified as non-Western countries. That classification, which was not a legal definition, was used by Statistics Denmark, the national statistical office.

50. Information about the percentage of residents of non-Western origin helped the Government identify the neighbourhoods that it had categorized as parallel societies. There were 15 such neighbourhoods in Denmark. Ten others had been categorized as vulnerable neighbourhoods because of the socioeconomic situation of their residents, but because those neighbourhoods were not inhabited primarily by residents of non-Western origin, they were not viewed as parallel societies.

51. Urban renewal plans were likely to affect 25,000 people, of whom more than 70 per cent had a non-Western background. The execution of those plans, for which municipal governments were responsible, would not necessarily involve the demolition of housing projects or the eviction of neighbourhood residents.

52. **Mr. Nielsen** (Denmark) said that only areas affected by particularly high crime rates could be designated as enhanced punishment zones. No such zone could cover an entire municipality, and the designation applied for no more than three months. Persons convicted of committing crimes in such zones received heavier penalties regardless of whether they lived in the zone. He did not know whether the Government had data on the number of immigrants who had been convicted of crimes committed in such circumstances.

53. **Ms. Solgård Hvæs** (Denmark) said that the Government believed that day care could play an important role in preventing the exclusion and marginalization of children. As approximately half of the bilingual children starting school every year in Denmark were not fully proficient in Danish, early intervention was vital, including assessment of the language ability of all children aged 2 and 3 who were not in day care. Municipalities were required to provide language stimulation activities to all 2- and 3-year-old children who needed them, regardless of nationality.

54. The adoption of the law instituting a mandatory learning programme for young children in vulnerable areas had led to an increase in the number of children whose families had enrolled them in ordinary day-care centres there. In the two years since the entry into force of the law, only 35 children had been placed in mandatory learning programmes; 97 families had been allowed to work with their children at home. In 15 instances, child benefits had been withdrawn.

55. **Ms. Jensen** (Denmark) said that the Board of Equal Treatment addressed complaints more expeditiously than the courts. The complaints had to be submitted in writing and were

considered if submitted by a complainant with a direct personal interest or, since early 2015, by the Danish Institute for Human Rights. The Board posted anonymized versions of all its decisions on its website, and its monthly newsletters contained summaries of the month's cases. The Board's annual report included statistics relating to its work.

56. In 2020, the Board had investigated 68 complaints of discrimination on grounds of race, religion or ethnic or national origin. Of those complaints, seven had been dismissed for lack of evidence, while two had been rejected because considering them would have required oral hearings, which the Board did not offer. In 15 cases, the complaints had been upheld and the victims had been awarded compensation. In 2019, the Board had considered 48 complaints, of which 3 had been upheld.

57. **Mr. Melgaard** (Denmark) said that if the Ombudsman's office published any information on complaints of racial discrimination it received, that information would be provided to the Committee in due course.

58. **Ms. Hørby** (Denmark) said that the proportion of Greenlanders receiving public support was almost five times greater than that of the general Danish population. The Greenlandic Houses provided them with systematic support in handling linguistic, educational and cultural challenges and in the area of employment. Pursuant to a political agreement reached in 2019, DKr 12.3 million had been allocated to the Greenlandic Houses for a three-year period. A survey had been conducted on the results of an initiative on behalf of vulnerable Greenlanders in Denmark. Many participants in that initiative had welcomed the positive support they had received. The proportion of participants at risk of distress had decreased, from 29 per cent when the initiative had been launched to 17 per cent at the time of the survey, and the proportion of participants recording a significant improvement in their health situation had risen from 42 per cent to 69 per cent. In addition, the proportion of homeless persons had declined from 30 per cent to 7 per cent. In 2020 the Government had allocated DKr 28 million for the launching of new initiatives over a four-year period. An agreement had been reached the previous week on an initiative to combat homelessness among young Greenlanders.

59. **Mr. Melgaard** (Denmark) said that special arrangements had been introduced to assist students from Greenland. Admission to certain university courses, for instance in the areas of medicine and law, was granted on a competitive basis in terms of examination results. However, that condition was not applicable to Greenlandic students, who were admitted if they met the basic requirements.

60. **Mr. Nielsen** (Denmark) said that the basic training courses for the Danish National Police included instructions aimed at preventing racial profiling. Police officers were informed that interventions against citizens should comply with the legislation in force and should be based on a concrete and individual assessment of the basis for suspicion, depending on the specific situation and circumstances. The assessment should be made without regard to a person's ethnicity, gender, nationality or skin colour. However, there might be situations in which police investigations drew attention to a particular ethnic group or person.

61. Police officers were trained to distinguish between legitimate profiling, which was based on factors other than a person's race, ethnic origin or religion, and illegitimate profiling based solely on those factors. They were also trained to tackle hate crimes and were alerted to the importance of ensuring that the police should be seen to be acting in a security-creating and service-oriented manner. Applicants for admission to the Danish National Police underwent a thorough screening and assessment process. Individual interviews were held to ensure that they were fully competent to perform police functions.

62. The recruitment criteria of the Danish National Police force reflected its ambition to recruit personnel who were diverse in terms of gender, age and ethnic representation. A large majority of the population could thus identify with police officers and trainees. Statistics Denmark had collaborated in compiling data on the number of immigrants and their descendants in the police force or enrolled in the Police Academy. The proportion of officers with a non-Danish ethnic background had increased from 1.1 per cent in 2009 to 2.3 per cent on 31 August 2021. The proportion was expected to rise further in light of a recent significant increase in enrolment.

63. Article 14 of the European Convention on Human Rights, which required the rights and freedoms set forth in the Convention to be secured without discrimination on any ground, was applicable to the norms governing access to justice and fair treatment by law enforcement agencies. The Government therefore considered that no such prohibition was required in the legislation governing the activities of the police.

64. **Ms. Hauberg Wilhelmsen** (Denmark) said that an amended agreement on naturalization adopted by the parliament in 2018 imposed criteria aimed at preventing criminals from obtaining citizenship. Applicants were permanently denied citizenship if they had been found guilty of terrorist or gang-related crimes. The agreement also introduced stricter self-support requirements and provided for a constitutional ceremony to celebrate the day on which an applicant acquired citizenship.

65. A new agreement adopted in April 2021 introduced stricter criteria governing the residence and nationality test in order to ensure that applicants endorsed Danish values. Applicants with a criminal record involving a suspended or unconditional prison sentence were permanently denied citizenship. The agreement introduced an employment requirement in order to ensure that applicants would contribute actively to society. However, exceptions were made for young people who sought educational benefits.

66. The courts could deprive people of citizenship if they had committed crimes against the independence and safety of the State or against the Constitution. The same applied to persons who had been convicted of gang-related crimes, who had engaged in conduct prejudicial to the country's vital interests, or who had obtained citizenship by misrepresentation or fraud. The Ministry of Immigration and Integration could also take administrative action to deprive people of citizenship if they had engaged in conduct prejudicial to the country's vital interests. However, the courts and the Ministry could not take such action if the people in question would be rendered stateless. A proportionality assessment was conducted in all circumstances in order to strike a balance between the offences in question and the implications of deprivation of citizenship.

67. With regard to the deprivation of citizenship of persons located in camps in the Syrian Arab Republic, the authorities could not sympathize with persons who joined or supported terrorist organizations. The parliament had authorized the Ministry of Immigration and Integration to deprive such persons of their citizenship if they had engaged in conduct that was seriously prejudicial to the vital interests of Denmark and if they had dual citizenship. The decision on deprivation must also be proportionate. The persons in question were guaranteed the right to deliver their opinion and to institute legal proceedings against the decision. Administrative deprivation of citizenship did not affect a person's children. The parliament had amended the legislation governing nationality to ensure that children born in certain conflict zones did not acquire Danish citizenship at birth unless they were stateless. However, they could acquire citizenship if a Danish parent resided legally in the conflict zone or had not entered the conflict zone.

68. **Mr. Melgaard** (Denmark) said that the Danish authorities exercised no form of control in the north-eastern region of the Syrian Arab Republic and they had no diplomatic presence in the region. Accordingly, they lacked jurisdiction in legal terms and would not be required under any international treaty to evacuate children and mothers from the camps there. However, the Government had decided to do so anyway, owing to its concern regarding the children's health and the mothers' security conditions.

69. **Ms. Ko** said that she wished to repeat her request for data concerning the number of vulnerable areas classified as ghetto areas. She also wished to know whether such an area might not be classified as such even if the share of immigrants and their descendants from non-Western countries exceeded 50 per cent.

70. **Ms. Stavrinaki** said that she wished to draw attention to her previous question concerning the use of police data in other sectors where algorithmic profiling was conducted and requested clarification of the delegation's description of the Convention as a soft law instrument.

71. **Ms. Ørum Rasmussen** (Denmark) said that there were 25 vulnerable areas, 15 parallel societies known as ghettos and 13 "hard ghettos", which were now called

“transformation areas”. There were 10 areas that did not meet the criterion regarding non-Western immigrants and their descendants. That criterion could only be used to categorize neighbourhoods and not to determine individual rights. Tenants were never evicted on account of their origin, and their right to rehousing in the event of sales or demolition was unrestricted.

72. **Mr. Melgaard** (Denmark) said that all treaties were binding under international law and entered into effect in Denmark through the country’s interpretation of its international law obligations. They could not, under any circumstances, be deemed to constitute soft law.

73. **Mr. Diaby** said that he would be interested in hearing about the interpretative powers of the prosecuting authorities in cases of racial hatred. He wished to know whether the Danish Institute for Human Rights was also active in Greenland and the Faroe Islands.

74. **Mr. Amir** commended the amendment to article 266 (b) of the Criminal Code concerning racial hatred. He would welcome information on the State party’s response to a request that Greenlanders imprisoned in Denmark be returned to Greenland in order to be closer to their families.

75. **Mr. Melgaard** (Denmark) said that the mandate of the Danish Institute for Human Rights, which was of an advisory nature, extended to Greenland.

76. **Mr. Nielsen** (Denmark) said that article 266 (b) of the Criminal Code had been amended in 1971 following his country’s ratification of the Convention. There had been no recent amendments of any importance.

The meeting rose at 5.55 p.m.