

Special Rapporteur on minority issues

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QUESTIONNAIRE OF THE SPECIAL RAPPORTEUR ON MINORITY ISSUES TO NATIONAL HUMAN RIGHTS INSTITUTIONS

Does your National Institution undertake work specifically relating to promotion and protection of the rights of Roma? What particular activities relating to Roma is your National Institution involved in? Does your Institution have any strategic or action plan to address Roma issues?

The Danish Institute for Human Rights (DIHR) – Denmark’s national human rights institution is a national human right institution in accordance to UN – Paris Principles and a National Equality Body in accordance to EU equal treatment directives.

As an equality body it is DIHR’s duty to promote equal treatment of all persons without discrimination on the grounds of race or ethnic origin, make independent surveys concerning discrimination and publish independent reports. Further, it is DIHR’s duty to make recommendations on any issues relating to discrimination and provide independent assistance to victims of discrimination in pursuing their complaints about discrimination.¹

DIHR has in its activities had particular focus on Roma issues. For instance in reporting to EU Agency for Fundamental rights annual report and service requests, in legal briefs, when Roma persons were evicted from Denmark administratively in 2010 and when there were hate crime issues at the music festival in Roskilde (2008, 2009 and 2010). DIHR does not have a particular program for Roma people. During years 2003 – 2009, the former Complaints

¹ Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, article 13

Committee on Ethnic Equal Treatment of DIHR handled complaints made by Roma and launched an investigation into the practice of the Municipality for Helsingør in segregating Roma children in specific Roma classes.

In 2011 Denmark presented the Danish national Roma Inclusion Strategy to the European Commission.

In a legal brief regarding the strategy, DIHR recommended that Denmark make an effort to collect more knowledge on Roma people residing in Denmark and map their need for further protection against discrimination. DIHR also recommended that the National Strategy be translated to Romani, Romanian and Bulgarian.

Does your National Institution have a unit that deals with minority rights with sufficient dedicated expertise on Roma issues, or a focal point for Roma issues? Does your National Institution include staff members from Roma communities?

DIHR has a department for Equal Treatment. The department deals with issues regarding equal treatment in regards to people with disability, gender, race and ethnic origin, which also includes promotion and protection of Roma people. We have staff that have a particular knowledge on Roma issues.

The Institute does not keep an inventory on the employees' ethnic origin, as it is a violation of the act on data registration.

Does your National Institution monitor violations of the human rights of Roma and provide advice to the Government on compliance with national, regional and international human rights instruments?

DIHR annually monitors the human rights situation in Denmark. This monitoring takes place by submitting to the Government, Parliament and any other competent body independent opinions, recommendations, proposals and reports on any matter concerning the promotion and protection of human rights. It is DIHR's duty inter alia to publish any lack or gaps in complying with human rights standards and efforts to combat all forms of discrimination, in

particular racial and ethnic discrimination, by increasing public awareness, especially through information and education.²

Does your staff receive training on how to counter racism and intolerance, discrimination, social exclusion and/or marginalization of Roma?

Not as such. DIHR provides training on equal treatment and anti-discrimination for the civil society and authorities.

Does your National Institution consider complaints and petitions concerning individual situations and, if so, does it assist Roma in gaining access to effective redress for human rights violation?

Yes, in cases regarding discrimination the Equal Treatment Department assists victims of discrimination on grounds of gender, race and ethnic origin and when possible assists with filing a complaint to the Board for Equal Treatment. Complaints on other human rights violation than discrimination cannot be handled however. Here DIHR provides advice and referrals to other bodies that could be of help.

In what ways are the views and opinions of the Roma communities taken into account in your work, and how are Roma able to participate in relevant aspects of your work including through public consultations or seminars?

DIHR has an equal treatment committee, where more than 12 different civil society organisations working with equal treatment participate. Organisations such as SOS- Against Racism and European Network Against Racism (Danish chapter), National Council of Ethnic Minorities who represent ethnic minorities are member of the committee. These organisations as such also represent the Roma people. Organisations representing Roma are invited to participate, however it shows that they have little resources to participate actively. When DIHR holds public hearings, the Roma people and organisations are also invited.

² Principles relating to the Status of National Institutions (The Paris Principles), Adopted by General Assembly resolution 48/134 of 20 December 1993

Does your National Institution apply a gender perspective throughout its activities? In the affirmative, how does it ensure the effective participation of Roma woman to its work?

The gender perspective is mainstreamed in our work and activities. We also acknowledge intersectional discrimination.

Have your National Institution conducted surveys or collected disaggregated data relating to national or ethnic, religious or linguistic minorities, or otherwise produces reports concerning the Roma population?

Statistical data is aggregated, but only relating to gender and nationality. These statistics are collected and processed by *Denmark Statistics*. DIHR produces reports concerning the Roma on an ad hoc basis, i.e. reports for the European Agency for Fundamental Rights mapping report on Roma. However, statistical data on Roma cannot be found, as it is not allowed to register information regarding ethnicity.

The Council of Europe has estimated that there are between 1.500 and 10.000 people with a Roma background in Denmark. According to the Danish Refugee Council, there are 2.000 Roma living in Denmark.

It is relevant to mention that there are no statistical data on Roma in Denmark available. The Roma population is estimated to constitute less than 0,1 percent of the Danish population.

Kind regards,

Christoffer Badse
HEAD OF MONITORING