



## European network of legal experts in gender equality and non-discrimination

### NEWS REPORT

<b>Country:</b>	Denmark
<b>Title:</b>	ECRI Report
<b>Date:</b>	11 July 2017
<b>Expert:</b>	Pia Justesen
<b><u>Context</u></b>	
<b>Issue at stake:</b>	Recommendations from ECRI on school segregation in Denmark
<b>Ground of discrimination:</b>	Race and ethnic origin
<b>Source:</b>	ECRI Report on Denmark (fifth monitoring cycle), published on 16 May 2017
<b>Field:</b>	Education
<b>Applicable law:</b>	The Act on Ethnic Equal Treatment

### **Content**

ECRI describes in its fifth report on Denmark that an education gap between ethnic Danes and ethnic minorities persists. Only 62% of pupils belonging to ethnic minorities finished school with adequate skills for further education. Among ethnic Danes, this ratio was 87% (par. 80).

ECRI refers to its previous recommendations in its fourth report to tackle the problem of school segregation and expresses its worry that new developments suggest that such practices continue. ECRI particularly expresses its worry that a concrete school in Aarhus – the Langkaer upper secondary school – in September 2016 divided its new students into three classes with a 50% limit of non-ethnic Danes each, while the other four classes were comprised solely of pupils from ethnic minorities (par. 81).

ECRI recommends that the Danish authorities take urgent measures to end this ethnic segregation in the Langkaer school and to prevent any such practices in Danish schools in the future (par. 82). ECRI reiterates its previous recommendations to “combat school segregation by devising, in consultation with all the parties concerned and taking into account the socio-economic dimension (employment and housing) policies to avoid, in the best interests of the child, pupils from minority groups being overrepresented in certain schools [...].”

In September 2016, the Danish Institute for Human Rights (DIHR) had submitted a complaint to the Board of Equal Treatment in the Langkaer case claiming that the school practice constituted discrimination based on ethnic origin. On 15 March 2017, DIHR published a statement that it had agreed with Langkaer school on an out-of-court settlement concluding the case for the Board of Equal Treatment (Forlig i sag om fordeling af elever på grund af etnicitet). In the statement, DIHR expressed the following: “You cannot divide classes according to ethnicity as the Langkaer school has done. That is illegal discrimination, no matter what the underlying intent has been.” In the statement, the Langkaer school expressed the following: “Langkaer school agrees

that it cannot use names of pupils as a criterion for dividing its classes in the future. We have had no intention to discriminate anybody and we don't think that anybody has been put in a bad position compared to others by this practice. However, because of the complaint from the Institute for Human Rights, we take note that it constitutes discrimination and we will therefore not reiterate this procedure in the future."<sup>1</sup>

The statement from DIHR and the Langkaer school does not publish the actual settlement and it does not describe efforts to combat future ethnic segregation in the Langkaer school.

The ECRI report features an appendix with viewpoints from the Danish government. Besides of commenting on the Langkaer school settlement, these viewpoints do not deal with or describe any measures to combat ethnic school segregation in Denmark in general (ECRI report page 49).

**Key points of analysis:** The Danish government has not described general efforts to combat and prevent further ethnic school segregation in Denmark.

**Internet link source:** Forlig i sag om fordeling af elever på grund af etnicitet, 15 March 2017 (DIHR and Langkaer school settlement):

<https://menneskeret.dk/nyheder/forlig-sag-fordeling-elever-paa-grund-etnicitet>.

ECRI Report on Denmark (fifth monitoring cycle), published on 16 May 2017:

[http://hudoc.ecri.coe.int/eng/ - {"ECRIIdentifier":\["DNK PR V 2017 247 ENG"\]}](http://hudoc.ecri.coe.int/eng/-/{).

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<sup>1</sup> Danish Institute for Human Rights (DIHR) statement regarding an out-of-court settlement between DIHR and Langkaer school (*Forlig i sag om fordeling af elever på grund af etnicitet*), 15 March 2017, available at: <https://menneskeret.dk/nyheder/forlig-sag-fordeling-elever-paa-grund-etnicitet>.