



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

FLASH REPORT

Country:	Denmark
Title:	No ghettos in Denmark by 2030!
Date:	22 January 2019
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Update of news report:	Denmark - No ghettos in Denmark by 2030! (PDF 148 kB)
<u>Context</u>	
Issue at stake:	New laws to prevent and dismantle ghettos and parallel societies in Denmark
Ground of discrimination:	Ethnic origin
Source:	Legislation
Field:	Housing, education and social services

Content

In May 2018, the Danish government entered into 6 political agreements with various parties in the Parliament. The agreements were based on the government's strategy plan called "A Denmark without Parallel Societies - No Ghettos by 2030."¹

Initiatives in the political agreements included plans to prevent and dismantle so-called ghettos and parallel societies in Denmark. In early October 2018, the government put forward a number of individual bills to implement the agreements. By early 2019, most of the bills have been adopted.

The new legislation defines marginalized residential areas according to a number of criteria including level of income, number of convicted individuals, level of education, and unemployment rate. Ghettos are furthermore defined by the percentage of immigrants and descendants from third-countries.

The following will describe the various acts in brief:

- Mandatory training for any child over the age of 1 who lives in marginalized residential areas and who is not enrolled in a day care centre. The 25 hours a week training must include the Danish language as well as Danish traditions, norms, and values.²
- Distribution of young children to day care centres. The aim is to make sure that not more than 30 per cent of children in a day care centre come from a marginalized residential area.³

¹ See: <https://www.regeringen.dk/nyheder/ghettoudspil/>.

² Bill No. L 7 of 3 October 2018. See <https://www.retsinformation.dk/Forms/R0710.aspx?id=203091>, Adopted 13 December 2018: <https://www.ft.dk/samling/20181/lovforslag/l7/index.htm>.

³ Bill No. L 6 of 3 October 2018. See: <https://www.retsinformation.dk/Forms/R0710.aspx?id=203139>, Adopted 13 December 2018: <https://www.ft.dk/samling/20181/lovforslag/l6/index.htm>.

- Act that makes it illegal for housing associations in marginalized residential areas to assign housing to applicants who receive public integration benefits.⁴ The same prohibition is thought to apply if family members of the housing applicant receive public integration benefits.⁵
- Act that gives the police the authority to designate a demarcated geographical area as a strict penalty zone. See below paragraph for the consequences of an area being designated as a strict penalty zone. For a Police Commissioner to designate a strict penalty zone, the area must be characterized by an extraordinary crime situation that creates insecurity for people living in the area. It will often be the case in areas, which the police have designated as "particularly vulnerable residential areas" (SUB-areas). Examples include areas where mal-adjusted youth dominate an area and create insecurity with threats, violence, vandalism, and drug dealing. Another example mentioned in the preparatory works include the situation where postal services, fire department and other public services experience difficulties entering the area because of threats and violence.⁶
- Act that doubles the penalties for crimes committed in a designated strict penalty zone. Relevant crimes encompassed by the provision are violence, fights in public, vandalism, arson, theft and robbery, drug dealing. For other crimes it must be regarded as an aggravating circumstance when evaluating the penalty that the crime was committed in a designated strict penalty zone.⁷
- Proposal to establish mandatory Danish language test in schools with a high percentage of students coming from marginalized residential areas. Passing the language test will be a requirement for the student's promotion to the next class.⁸

Key points of analysis: The new legislation primarily affects ethnic minorities. The various acts raise legitimate questions of possible illegal indirect discrimination because of ethnic origin within the areas of housing, education and social services.⁹

⁴ Bill No. L 38 of 3 October 2018. See: <https://www.retsinformation.dk/Forms/R0710.aspx?id=203288>, Adopted 22 November 2018: <https://www.ft.dk/samling/20181/lovforslag/l38/index.htm>.

⁵ More than 90 per cent of individuals receiving public integration benefits have an ethnic minority background and are not Danish citizens. See Ministry of Foreigners and Integration: <http://uim.dk/nyheder/integration-i-tal/integration-i-tal-nr-4-4-januar-2017/hvem-er-integrationsydelsesmodtagerne>.

⁶ Bill No. L 22 B. Adopted on 4 December 2018. For the original bill including preparatory works, see L22: <https://www.ft.dk/samling/20181/lovforslag/l22/index.htm>.

⁷ *Id.*

⁸ Bill No. L 60 of 4 October 2018. See: <https://www.retsinformation.dk/Forms/R0710.aspx?id=203372>, Bill was expected to be adopted on 17 January 2019 but it is now unclear when it will happen: <https://www.ft.dk/samling/20181/lovforslag/l60/index.htm>.

⁹ See <https://menneskeret.dk/monitorering/hoeringssvar> for hearing statements from the Danish Institute for Human Rights:

- Høring over udkast til lov om ændring af lov om almene boliger m.v., lov om leje af almene boliger og lov om leje (initiativer der modvirker parallelsamfund) (3 april 2018).
- Høring over udkast til forslag til lov om ændring af dagtilbudsloven og lov om børne- og ungeydelse (obligatorisk læringstilbud til 1-årige børn i udsatte boligområder) (7 august 2018).
- Høring over forslag til lov om ændring af lov om almene boliger m.v., lov om leje af almene boliger og lov om leje (nye kriterier for udsatte boligområder og ghettoområder, initiativer til udvikling eller afvikling af ghettoområder, skærpelse af anvisnings- og udlejningsregler, ophævelser af lejekontrakt på grund af kriminalitet m.v.) (22 august 2018).
- Høring over udkast til lovforslag til lov om ændring af lov om folkeskoleloven, lov om friskoler og private grundskoler (29 august 2018).
- Høring over udkast til lov om ændring af straffeloven, pasloven og politiloven (initiativer mod parallelsamfund) (14 september 2018). See L22: <https://www.ft.dk/samling/20181/lovforslag/l22/index.htm>.