

Denmark  
RAXEN National Focal Point

Thematic Study

Housing Conditions of Roma and  
Travellers

March 2009

DISCLAIMER: This study has been commissioned as background material for a comparative report on housing conditions of Roma and Travellers in EU Member States by the European Union Agency for Fundamental Rights. The views expressed here do not necessarily reflect the views or the official position of the FRA. The study is made publicly available for information purposes only and does not constitute legal advice or legal opinion.

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## Executive summary

- The Roma community in Denmark is traditionally not travelling and consequently the relevant legal framework has mainly to do with rules concerning rental housing and other forms of housing etc.
- Discrimination in all forms of housing against Roma is covered by the Act on Equal Treatment Irrespective of Ethnic Origin which prohibits direct and indirect discrimination in relation to (amongst other things) access to housing.<sup>1</sup> If discrimination due to ethnic origin takes place in access to housing, the Roma population can file a complaint to the newly established Board on Equal Treatment.
- Collecting statistics related to race and ethnicity is not allowed according to the Act on Registration<sup>2</sup> section 7. This is a general rule in order to protect ethnic minority groups against the use of ethnic data. However in relation to proving indirect discrimination, it is a major setback that these data are missing.
- A group of Roma asylum-seekers have arrived in Denmark since the outbreak of the civil war in the former Yugoslavia (especially from Kosovo). Consequently, the legal framework concerning housing for asylum-seekers and refugees is also relevant and the rules on the distribution of housing to those asylum-seekers who are granted refugee status and thus obtain a residence permit are also included in the study.
- By the 11 April 1955 decision of the Danish Parliament, the German minority was granted certain rights as a group, such as the right to speak its own language, start its own schools, participate in elections, publish German-language newspapers and the right to have religious and cultural links with Germany. No other ethnic religious or linguistic group other than the German national minority group has been granted similar wide ranging minority rights. Under Danish national legislation, the Roma population in Denmark cannot benefit from protection similar to what the German national minority receives.
- Various sources state that the number of Roma living in Denmark is 1,500-2,000,<sup>3</sup> but this figure does not necessarily reflect reality. Other estimates are far higher. According to some Roma associations, there are between 15,000

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<sup>1</sup> Act on Ethnic Equal Treatment  
<https://www.retsinformation.dk/Forms/R0710.aspx?id=27362> (05.04.2009)

<sup>2</sup> Act on Registration section 7:  
<https://www.retsinformation.dk/Forms/R0710.aspx?id=828> (05.04.2009)

<sup>3</sup> This figure is often cited but without proper reference. It is unclear where it actually derives from, but one possible source is a report made by the Committee on Legal Affairs and Human Rights, the 'Legal Situation of Roma in Europe', 2002. The report is based on a questionnaire survey with all Danish municipalities and gives the official number of Roma in Denmark as 1750.

and 25,000 Roma, the largest majority of whom are settled.<sup>4</sup> Most Roma in Denmark prefer to register according to nationality and to hide their Romani identity in public to prevent being discriminated against by the authorities and others active in the communities.

- In the last quarter of 2008, 50 people (45 adults and 5 children) out of the 1,843 total were identified as coming from Kosovo.<sup>5</sup> Some of them were Roma. In January and February 2009, 14 people from Kosovo and one person from Moldova entered Denmark and applied for asylum.<sup>6</sup> The latter two groups consist of 25 people in total, and they are probably in asylum centres in Denmark at the moment.
- Project Udenfor based in Copenhagen estimates that over the last few years there have been approximately 60-70 homeless people with a Romani background in the city of Copenhagen.
- There is no specific data on Roma and housing, but reports on ethnic minorities and housing where one of the ethnic groups mentioned is 'Eastern European' or 'from the Balkans', might give an indication of the housing conditions for Roma families in these areas.
- Sixty per cent of ethnic minorities – compared to 14 per cent of the majority population - live in social housing and many live in multi-ethnic areas where more than 40 per cent of the population is from an ethnic minority background.<sup>7</sup> In other words, two out of three immigrant families live in social housing areas.
- Ethnic minorities generally have fewer square metres per inhabitant than ethnic Danes. On average, the population occupies 60 square meters per person. The latest immigrants to arrive have on average 32 square meters per person and 'older' immigrant groups a little more. Immigrants who have obtained Danish citizenship, descendants and immigrants in mixed families have more square metres per person, but still considerably less than ethnic Danish households. The government's mail answer stresses that Roma seldom obtain Danish citizenship. This information places most Romani families in the group of immigrants who, according to the study referenced, on average have less square metres per person than 'older' immigrant groups and less square metres than ethnic Danish households.

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<sup>4</sup> See for instance [www.romanet.dk](http://www.romanet.dk) and interview no. 1.

<sup>5</sup> DK/Ministry for Refugees, Immigrants and Integration: Statistics on the number of persons accommodated in asylum centres:  
[http://www.nyidanmark.dk/NR/rdonlyres/BA2E6CE6-9B72-42E5-9793-58550479247D/0/seneste\\_tal\\_udlaendingeomraadet\\_da.xls](http://www.nyidanmark.dk/NR/rdonlyres/BA2E6CE6-9B72-42E5-9793-58550479247D/0/seneste_tal_udlaendingeomraadet_da.xls) (23.03.2009)

<sup>6</sup> Police Homepage:  
<http://www.politi.dk/NR/rdonlyres/E29A2C7F-4159-44BE-BEA7-463C97D944A7/0/Table2.pdf> (23.03.2009)

<sup>7</sup> Ministry of Immigration, Refugees and Integration:  
[http://www.nyidanmark.dk/NR/rdonlyres/554DE44C-BCFB-4DEC-BF13-A549D669C1F3/0/talogfakta\\_befolkningsstatistik.pdf](http://www.nyidanmark.dk/NR/rdonlyres/554DE44C-BCFB-4DEC-BF13-A549D669C1F3/0/talogfakta_befolkningsstatistik.pdf) (Table 8.1. p. 31)

- Some of the interviews indicate that the government's strategy with regard to 'ghettoising' seems to have changed the situation in some municipalities where many Romani families live in the same neighbourhood. In one of the interviews, it is stated that the municipality and the housing associations were eager to throw out Romani tenants from their apartments as soon as they did not pay their rent on time in order to separate Romani tenants from each other.<sup>8</sup>
- Asylum-seekers who have fled from countries such as Kosovo and have been denied asylum in Denmark, have lived for many years in the refugee camps known as centre Sandholm and centre Avnstrup. Many children, as well as adults, have become sick from living in the camps for years and some have been granted residence on humanitarian grounds.<sup>9</sup> The issue was also raised by the Committee against Torture in February 2007.
- In November 2006, the Ombudsman inspected the asylum centre Avnstrup. In his report about the visit published in May 2008, he states that on average the asylum-seekers had stayed in the centre for 1,000 days. The Danish Red Cross informed the Ombudsman that a person should not stay in a refugee camp for more than a maximum of a year. In April 2008, the Civil Liberties Committee from the European Parliament visited the Sandholm and Kongelunden asylum centres. Reporter Martine Roure (PES, FR), criticised the fact that asylum-seekers have to stay in the centres, often for many years, without being given permission to work or join in social activities.<sup>10</sup>
- Over the last couple of years, there has been an influx of Romani EU citizens into Denmark. The sparse information on this group is gathered from newspaper articles referring to the police in the eastern part of Denmark<sup>11</sup> and from NGOs offering free food and shelter to homeless people mainly in the capital, Copenhagen.
- The housing situation for a group of approximately 60-70 homeless people from a Roma background is characterised by the fact that they do not have access to shelters and other overnight accommodation for the homeless, supported by the state, as they are not registered with a Danish civil person number.
- In addition to NGO accounts, the police have also noted an influx of Roma from the new EU member states. DACoRD's main source for this information is the press. The police press releases and the press articles reflect a negative ethnic profiling of Roma.

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<sup>8</sup> See 2.2.

<sup>9</sup> See for instance: Røde Kors Chef ønsker amnesti til afviste asylansøgere [Red Cross chief wants amnesty for failed asylum seekers], 5. September 2006.

<sup>10</sup> European Parliament: Final Report of the Committee on Civil Liberties, Justice and Home Affairs from the Delegation to Denmark, [http://www.flygtningeunderjorden.dk/download/LIBE\\_final%20report%20as%20adopted%20DK.pdf](http://www.flygtningeunderjorden.dk/download/LIBE_final%20report%20as%20adopted%20DK.pdf)

<sup>11</sup> This information has also been reported to FRA in June 2008 as a quick response.

- The fact that the government does not recognise Roma as a national minority seems to have made Roma organisations give up their effort to spread information and improve the situation for the Roma population in Denmark. The lack of recognition has resulted in a lack of support for organisations working with information and education on Roma rights, history, culture and language.
- Complaints concerning racism and/or discrimination can be recorded and processed via a new independent Common Complaints Board for Equal Treatment, which was set up in January 2009. In 2003-2008 the Danish Institute for Human Rights was assigned the power to review individual complaints. During this period, five cases concerning Roma were investigated by the Complaints Committee, of which two are directly and one is indirectly related to housing. (See Annexes 1 and 2). Tenants in public social housing associations can complain to the Beboerklagenævnet (Tenants' Complaints Board).
- No good practices and major national projects targeting the housing situation of Roma have been identified.

# 1. Desk research

## 1.1. Legal and policy framework

### 1.1.1. Protection of the right to adequate housing in national legislation

The European Convention on Human Rights is incorporated into national Danish legislation. Other international instruments like the UN International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Racial Discrimination-(CERD), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC) are all ratified but not incorporated into national legislation. Of particular interest for this study is the Framework Convention on National Minorities, but even though this instrument has been ratified by Denmark it does not apply to Roma, since the only minority Denmark recognises is the German minority. According to Paragraph 80 Chapter 14 of the Law on Social Service, it is the responsibility of the municipalities to provide homeless individuals and families with proper housing, which they have to pay for.<sup>12</sup>

According to the Law on Integration Chapter Three, Paragraph 12, the municipalities have the responsibility to offer housing to refugees who have been referred to the municipality by the quota system.<sup>13</sup>

There has not been a Housing Ministry in Denmark since the present government came into power in 2002. At the moment housing issues are partly dealt with by the Ministry of Welfare<sup>14</sup> and partly by the Danish Enterprise and Construction Authority,<sup>15</sup> which is part of the Ministry of Economy and Business Affairs. The government's housing policy has recently been criticised by experts in the field for being out of course.<sup>16</sup>

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<sup>12</sup> Act on Social Service, Chapter 14, Paragraph 80:  
<https://www.retsinformation.dk/Forms/R0710.aspx?id=121091>

<sup>13</sup> Bekendtgørelse om Lov om Integration i Danmark [Announcement of the Law on the integration of foreigners in Denmark (Integration Act)]:  
<https://www.retsinformation.dk/Forms/R0710.aspx?id=114165#Kap3>

<sup>14</sup> Ministry of Welfare: <http://www.vfm.dk/Sider/Start.aspx>

<sup>15</sup> The Danish Enterprise and Construction Authority: <http://www.deaca.dk/>

<sup>16</sup> [http://vbn.aau.dk/research/regeringens\\_boligpolitik\\_faar\\_haard\\_kritik\(16444522\)/](http://vbn.aau.dk/research/regeringens_boligpolitik_faar_haard_kritik(16444522)/)



## 1.1.2. Specific protection in national legislation

Discrimination against Roma in all forms of housing is covered by the Act on Equal Treatment irrespective of Ethnic Origin, which prohibits direct and indirect discrimination in relation to (amongst other things) access to housing.<sup>17</sup> If discrimination due to ethnic origin takes place in access to housing, the Roma population can file a complaint to the newly established Board of Equal Treatment (January 1, 2009).<sup>18</sup>

By the 11 April 1955 decision of the Danish Parliament, the German minority was granted certain rights as a group, such as the right to speak its own language, start its own schools, participate in elections, publish German-language newspapers and maintain religious and cultural links with Germany. No ethnic, religious or linguistic group other than the German national minority group has been granted similar wide-ranging minority rights. According to the second report submitted by Denmark to the Council of Europe pursuant to article 25, paragraph 1 on the Framework Convention for the Protection of National Minorities,<sup>19</sup> it is stated amongst other things that: 'Denmark did not identify Roma in Denmark as a national minority within the meaning of the Convention.' [...] 'According to information available to the Danish government, the Roma who live in Denmark today may be divided into two main groups: one group came to Denmark from the middle of the 1990s onwards fleeing the wars in the former Yugoslavia; the other came to the country at the end of the 1960s. Only a few Roma are Danish citizens. Any Roma who took up residence in Denmark prior to the 1960s have, according to information available to the government, been completely integrated and do not emerge as an identifiable group.' [...] 'According to the information available, the Roma living in Denmark today have no historical or long-term and continuous association with Denmark, but consist partly of immigrants and partly of refugees. Thus, in the opinion of the Danish government, the Roma do not constitute a national minority in Denmark.'<sup>20</sup>

It should be noted that it is also stated that registration of race and ethnicity is not allowed, thus there is no information in the Central Population Register for determining the number of Romani persons. Furthermore the Romani

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<sup>17</sup> Act on Equal Ethnic Treatment  
<https://www.retsinformation.dk/Forms/R0710.aspx?id=27362> (05.04.2009)

<sup>18</sup> Act on the Board for Equal Treatment:  
<https://www.retsinformation.dk/Forms/R0710.aspx?id=117192> (05.04.2009)

<sup>19</sup> Second report submitted by Denmark pursuant to article 25 paragraph 1 of the framework convention for the protection of national minorities, May 2004, ACFC/SR/II(2004)004 (p. 10)  
[http://www.coe.int/t/dghl/monitoring/minorities/3\\_FCNMdocs/PDF\\_2nd\\_SR\\_Denmark\\_en.pdf](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_2nd_SR_Denmark_en.pdf) (30.03.2009)

<sup>20</sup> Second report submitted by Denmark pursuant to article 25 paragraph 1 of the framework convention for the protection of national minorities, May 2004, ACFC/SR/II(2004)004 (p. 11)  
[http://www.coe.int/t/dghl/monitoring/minorities/3\\_FCNMdocs/PDF\\_2nd\\_SR\\_Denmark\\_en.pdf](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_2nd_SR_Denmark_en.pdf) (30.03.2009)

association 'Romano' had asked the Danish authorities to consider the possibility of recognising Roma in Denmark as a national minority. According to the Framework Convention, however, the Danish government said no, but expressed its willingness to 'take into account and evaluate any other material on Roma in Denmark that the Romano association is able to contribute.'<sup>21</sup> In other words, it is up to the organisation Romano to prove that the Roma population that existed in Denmark before the 1960s can still be identified as members of a national minority group, in contrast to the argument that all members of this group have disappeared since they are now fully assimilated into the majority population in Denmark. It is further inconsistent with the claim that members of the older Roma category are fully integrated when the government remarks that few Roma are Danish citizens. Consequently, as long as such proof is not produced, under Danish national legislation the Roma population in Denmark cannot benefit from a similar protection as the German national minority group.

### 1.1.3. Legislative or administrative decisions regarding 'ethnic' data.

The collection of statistics related to race or ethnicity is not allowed according to section 7 of the Act on Registration<sup>22</sup>. This is a general rule in order to protect ethnic minority groups against the use of ethnic data.

### 1.1.4. General public policy on housing.

The Romani community in Denmark is traditionally not nomadic, and consequently the relevant legal framework has mainly to do with rules concerning rental housing and other forms of housing. This includes the Act on Public Housing, section 51, paragraph 1 stating that people who apply for housing with the housing associations are placed on a waiting list.<sup>23</sup> The distribution of housing is thus based on waiting time.

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<sup>21</sup> Second report submitted by Denmark pursuant to article 25 paragraph 1 of the framework convention for the protection of national minorities, May 2004, ACFC/SR/II(2004)004 [http://www.coe.int/t/dghl/monitoring/minorities/3\\_FCNMdocs/PDF\\_2nd\\_SR\\_Denmark\\_en.pdf](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_2nd_SR_Denmark_en.pdf) (p.14) (30.03.2009)

<sup>22</sup> Act on Registration paragraph 7: <https://www.retsinformation.dk/Forms/R0710.aspx?id=828> (05.04.2009)

<sup>23</sup> See Public Housing Act, LBK no 1000 of 9.Oct 2008, section 51, subsection 1 <https://www.retsinformation.dk/Forms/R0710.aspx?id=121304#Kap4> (05.04.2009)

### 1.1.5. 'Positive actions'

Since the beginning of the 1990s, there have been various government programmes aimed at changing the social and ethnic composition of tenants in social housing. In the 1990s the focus was mainly on the social composition of tenants. In 2004, the government adopted a strategy to prevent ghettoisation.<sup>24</sup> Since then, the focus has, to a great extent, been on changing the ethnic composition towards a broader representation of the Danish majority population in those social housing areas where mainly ethnic minority groups are now settled.

As part of the strategy, a Programme Committee (Programbestyrelsen) was set up to 'support and strengthen a positive development in the most vulnerable social housing areas'.<sup>25</sup> A new model for allocating social housing has been introduced in a number of social housing areas, annually appointed by the Committee which puts in place different criteria of employment and income required in order to become a tenant. The new model was designed to make it possible to redirect social security beneficiaries who are on the top of the waiting list for a family dwelling in a social housing organisation to another area.

In 2005, a bill was passed on this specific element amending the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc.<sup>26</sup> Section 51b, paragraph 1 of the Act gives municipalities the right to remove people who receive social cash benefits, the so-called 'start-up allowance' or 'introduction allowance', from the waiting lists for accommodation. The municipality has this right if the person on the waiting list has received any of the mentioned social benefits for more than six months in a row, and if the housing unit is located in an area with a high percentage of residents who are already outside the labour market. The municipality must, in most cases, offer the rejected applicant another apartment. (cf. Section 51b, paragraph 8.)

In December 2005, a bill amending, among other acts, the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc. was passed<sup>27</sup>. The purpose of the amendment was to stimulate the sale of vacant apartments in overburdened social housing areas. The act also contains a provision for granting aid to cover moving expenses for disadvantaged persons

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<sup>24</sup> Government Strategy to prevent ghettoisation:  
[http://www.nyidanmark.dk/bibliotek/publikationer/regeringsinitiativer/2004/regpub\\_ghettoisering/ren.htm](http://www.nyidanmark.dk/bibliotek/publikationer/regeringsinitiativer/2004/regpub_ghettoisering/ren.htm) (03-09.2009)

<sup>25</sup> Government Strategy towards Ghettoisation – initiatives.  
[http://www.nyidanmark.dk/bibliotek/publikationer/regeringsinitiativer/2004/regpub\\_ghettoisering/ren.htm](http://www.nyidanmark.dk/bibliotek/publikationer/regeringsinitiativer/2004/regpub_ghettoisering/ren.htm) (03.06.2009)

<sup>26</sup> Denmark/LBK no 610 of 21 June 2005, Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives, etc.

<sup>27</sup> Denmark/L no 1421 of 21 December 2005, Act on amending the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives, etc.

who wish to move away from such areas. These amendments also contribute to promoting the restoration of the resident composition.<sup>28</sup>

In an agreement between the governments, the Danish People's Party and the Social Liberals came to a conclusion in November 2006 on the future regulation of social housing, the initiatives of the strategy against ghettoisation (2004) are taken further. One of the main objectives is still to 'discourage tendencies of ghettoisation'.

The policies and strategies mentioned above might have affected Roma families as well as other ethnic minority families. Information from the qualitative interviews in this study indicates that many Roma are settled or used to be settled in social housing located in such areas. Some municipalities reveal in the interviews that they, in line with the government's strategy of 2004, have utilised the new measures to give notice to some of the most vulnerable ethnic minority families in their areas – with probably Roma families among them.

The Programme Committee has published four reports. The last one was issued in November 2008 when the Committee ended its work. In this final report the Committee focus less on changing the composition of tenants by forced eviction, and more on the need for developing private as well as public services in the social housing areas, and on developing a greater variety in forms of ownership in the areas.<sup>29</sup>

This conclusion is in line with researchers in the field stressing that it seems impossible to force such a change in tenant composition in social housing areas where ethnic majority Danes are already practically non-existent. Experts in the field propose that the aim should be to develop the social housing areas in such a way that they become more attractive to established groups of ethnic minority households who will then want to stay.<sup>30</sup>

The Ministry for Refugees, Immigration and Integration Affairs also established a fund named Byer for alle [Cities for All] running in 2001-2007.<sup>31</sup> Its purpose was to strengthen positive developments in overburdened areas and increase the

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<sup>28</sup> Ministry of Social Affairs (Now Ministry of Welfare): *Styrk beboersammensætningen i de almene boliger – 5 udvalgte redskaber* [Strengthen the composition of tenants – 5 selected tools] p. 3, 2006.

<sup>29</sup> *Programbestyrelsen*: [From a vulnerable housing area to a total city], November 2008: [http://www.nyidanmark.dk/NR/rdonlyres/87536727-F400-4F3A-9A2C-895BB138DEEC/0/fra\\_udsat\\_boligomraade\\_til\\_hel\\_bydel.pdf](http://www.nyidanmark.dk/NR/rdonlyres/87536727-F400-4F3A-9A2C-895BB138DEEC/0/fra_udsat_boligomraade_til_hel_bydel.pdf) (29.03.2009)

<sup>30</sup> Andersen Skifter, Hans: Segregationen på boligmarkedet – kan den påvirkes? [Segregation in the housing market – can it be influenced?]: [www.sbi.dk/boligforhold/bolipolitik/sbiintroside.2006-01-12.9015501312](http://www.sbi.dk/boligforhold/bolipolitik/sbiintroside.2006-01-12.9015501312) (30.03.2009)

<sup>31</sup> DK/Ministry for Refugees, Immigrants and Integration: [http://www.nyidanmark.dk/da-dk/integration/by\\_og\\_bolig/byer\\_for\\_alle/byer\\_for\\_alle.htm](http://www.nyidanmark.dk/da-dk/integration/by_og_bolig/byer_for_alle/byer_for_alle.htm) (29.03.2009)

integration of ethnic minorities in the local labour market, educational establishments and cultural and recreational life.

There are no positive action measures to improve the housing situation of Roma and Travellers, given the fact that nobody knows whether or not the Roma need any improvement of their housing situation.

#### 1.1.6. Housing components of gender equality legislation and policy.

There are no public policy measures specifically addressing the housing situation of Roma and Traveller women, children, the elderly and persons with disabilities, but there are measures addressing social housing areas with a high percentage of immigrants. (See 1.1.5.)

#### 1.1.7. Housing components of disability legislation and policy.

According to section 51, paragraph 2 of the Act on Public Housing, the local municipality does have the option to take over the distribution of flats according to other criteria. Other criteria could be the distribution of housing to elderly or disabled people according to section 51, paragraph 4<sup>32</sup> which would also benefit the disabled or elderly segment of the Roma population in Denmark.

#### 1.1.8. The impact of legislation and especially of the Race Equality Directive on the housing situation of Roma and Travellers.

In order to establish a case of indirect discrimination, it is crucial to have access to statistics such as those on the gender composition in a workplace. As mentioned above, such statistics are not allowed according to section 7 of the Act on Registration.<sup>33</sup> This is a general rule in order to protect ethnic minority groups against the use of ethnic data: However, in relation to proving indirect discrimination, the absence of this data is a major obstacle, as illustrated by the situation in the labour market. While data on the gender composition has been very important in order to improve gender equality, it is illegal to collect data on

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<sup>32</sup> See: Section 51, paragraph 4:  
<https://www.retsinformation.dk/Forms/R0710.aspx?id=121304#Kap4> (05.04.2009)

<sup>33</sup> Act on Registration paragraph 7:  
<https://www.retsinformation.dk/Forms/R0710.aspx?id=828> (05.04.2009)

the ethnic origin of the labour force according to the Act prohibiting differential treatment in the labour market.<sup>34</sup> Since we have no data on the situation for Roma in the housing market, it is difficult to assess the need for action plans or strategies specifically targeting the housing situation of Roma on national, regional and local levels. When it comes to the impact of the Race Equality Directive on the housing situation of Roma in Denmark, the situation is very similar. This EU Directive was implemented into Danish legislation by Act no. 374 on the prohibition of unequal treatment due to race or ethnic origin (2003). No example of direct discrimination of Roma in housing has been detected, and consequently the Act is most likely to have effect in relation to indirect discrimination in housing. Since no figure exists concerning the housing situation of Roma in Denmark, it is more or less impossible to use the legislation in the Danish context in order to protect Romani people from discrimination in housing.

It is thus possible to indicate instances of legislation that could inadvertently result in indirect discrimination against Roma, however at the same time it is to be underlined that it is extremely difficult to prove given the lack of ethnic data. One example is the Act on Public Housing, section 59 paragraph 4,<sup>35</sup> which states that municipalities can take over the allocation of housing in public housing associations with a large percentage of tenants outside of the labour market. Consequently the municipality can give preferential treatment to applicants who have a job in order to shift the composition of tenants towards a higher percentage of tenants who have their own work income. The indirect discriminatory effect of this, however, is due to the difficulties the Roma population is facing in the Danish labour market. As a minority group that suffers from discrimination in access to work, the inadvertent result of the housing rule that allows preferential treatment for tenants in employment will consequently limit the number of housing units available for Romani people in Denmark overall. As mentioned above, this is difficult to prove, because no data exist on the Roma participants in the workforce (including their employment rate compared to the majority population) and no data exist on the housing conditions of Roma compared to the majority population in Denmark.

To conclude, it could be argued that the lack of data on housing and the labour market in itself is a major source of indirect discrimination, since the situation cannot be monitored in any relevant way.<sup>36</sup>

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<sup>34</sup> Act on Prohibition of Differential Treatment in the Labour Market, section 4:  
<https://www.retsinformation.dk/Forms/R0710.aspx?id=122522>

<sup>35</sup> Act on Public Housing, Section 59, § 4 states that: *'the municipality may decide that the housing associations must make available family housing units in areas with a high proportion of people outside the labour market available to the municipalities' decision on new tenants in order to enhance the composition of residents in the area.*  
<https://www.retsinformation.dk/Forms/R0710.aspx?id=121304#Kap4> (05.04.2009)

<sup>36</sup> See: Second report submitted by Denmark pursuant to article 25. paragraph 1 of the

### 1.1.9. The impact of general public policies on the housing situation of Roma and Travellers.

In this section, the focus is on Roma asylum-seekers in Denmark. Secondly, a group of Roma asylum-seekers have moved to Denmark since the outbreak of the civil war in the former Yugoslavia (especially from Kosovo). Consequently the legal framework concerning housing for asylum-seekers and refugees is also relevant. This includes the rules concerning housing of asylum-seekers during the processing of their applications,<sup>37</sup> which states that asylum-seekers must take up residence in specific asylum centres, located in different places in Denmark. Only very few asylum-seekers are allowed to take up residence outside the asylum camps. An exception may be that if the person has a spouse already living in Denmark, the authorities may (or may not) allow asylum-seekers to take up residence with their spouse (private residence).

Furthermore, the rules on the distribution of housing to the asylum-seekers who are granted refugee status and thus obtain a residence permit are relevant. According to the Act on Integration of Foreigners in Denmark,<sup>38</sup> those who are granted refugee status are placed in different local municipalities in order to have a more even distribution of the refugees around the country. Municipalities which already have a high percentage of refugees do not receive any more; only municipalities with a smaller percentage will receive a quota of refugees over the year.

Finally, with the new member states of the European Union, Denmark has lately experienced members of the Roma community visiting/working according to the rules of freedom of movement.<sup>39</sup> This again is another issue concerning (short-term) housing.

When a Roma asylum seeker receives a final rejection of asylum in Denmark, he or she must leave the country immediately. However because of the prevailing situation in Kosovo, it has been the policy of UNMIK not to accept the forced deportation of Roma for a long period of time.<sup>40</sup> As the Roma

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framework convention for the protection of national minorities, ACFC/SR/II(2004)004, May 2004:

[http://www.coe.int/t/dghl/monitoring/minorities/3\\_FCNDdocs/PDF\\_2nd\\_SR\\_Denmark\\_en.pdf](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNDdocs/PDF_2nd_SR_Denmark_en.pdf) (30.03.2009)

<sup>37</sup> According to the Aliens Act, section 42 A subsection 7, paragraph 1 asylum seekers must take residence in asylum camps:

<https://www.retsinformation.dk/Forms/R0710.aspx?id=120712#Kap7> (30.03.2009)

<sup>38</sup> Act on Integration of Foreigners in Denmark Chapter 3

<https://www.retsinformation.dk/Forms/R0710.aspx?id=114165#Kap3> (30.03.2009)

<sup>39</sup> According to the Danish Aliens Act paragraph 2:

<https://www.retsinformation.dk/Forms/R0710.aspx?id=120712#Kap1> (05.04.2009)

<sup>40</sup> UNHCR's Position on the Continued International Protection Needs of Individuals from Kosovo (June 2006):

asylum-seekers did not leave ‘voluntarily’, the sanctions intensified over a period of time – subsidies (pocket money) were denied and a madkasseordningen (food box scheme) was introduced, whereby every 14th day they received a box containing food and other basic necessities.<sup>41</sup> As asylum-seekers are not allowed to have a working income, in practice they could not leave the refugee centre because they had no money for transportation. The next step is to force the rejected applicants to be transferred to Centre Sandholm – a refugee centre, enclosed with a fence and entrance control. Here individuals would have to share a room with three others (bunk beds) and the food box scheme was replaced with a central cafeteria. Now the Roma asylum-seekers were no longer allowed to make their own meals but had to go to the cafeteria three times a day for food. Finally, if all other measures fail to force the Roma to go back to Kosovo, the Danish police can detain rejected asylum-seekers to speed up their departure from the country. Romani children asylum-seekers’ access to school is elaborated in chapter 1.3. ‘Qualitative information on the housing situation of Roma and Travellers’. The Ministry of Refugee, Immigration and Integration Affairs has the authority to grant a temporary residence permit on humanitarian grounds to rejected asylum-seekers. The situation of the Roma asylum-seekers who have stayed in refugee camps for years has had very negative effects on people’s mental health. Consequently, a number of them have applied for a temporary residence permit on humanitarian grounds. Those who have received a positive decision are allowed to move out of the refugee camps and are handed over to a local municipality according to the rules of the Act on Integration of Foreigners in Denmark.

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<http://www.unhcr.org/cgi-bin/texis/vtx/home/openssl.pdf?tbl=SUBSITES&id=4492bdaa2>  
(05.04.2009)

<sup>41</sup> Act Amending the Aliens Act No 292 (30.04.2003), now Consolidated Act No 808  
<https://www.retsinformation.dk/Forms/R0710.aspx?id=120712> (05.04.2009)



## 1.2. Quantitative data on the housing situation of Roma and Travellers

### 1.2.1. Number of Roma and Travellers in the country.

No official statistical data on Roma and Travellers is available in Denmark, in accordance with the general policy that registration on the basis of ethnicity does not take place e.g. in the Central Population Registry. Thus statistical data of an official nature is not available either in general or concerning housing.<sup>42</sup>

At our request, the Ministry of Welfare wrote to DACoRD in March 2009: ‘We can inform you that neither the Ministry of Welfare nor the Ministry of Refugees, Immigration and Integration keep statistics on the number of Roma in Denmark. Generally we can inform you that the Ministry of Refugees, Immigration and Integration estimates that the majority of Roma in Denmark immigrated during the last century, largely as a consequence of the conflict in the former Yugoslavia.’<sup>43</sup>

Various sources state that the official number of Roma living in Denmark is 1,500-2,000,<sup>44</sup> but this figure does not necessarily reflect reality. An academic source within linguistics states that there are approximately 1,000 Romani-speaking people in Denmark.<sup>45</sup> Other estimations are, however, far higher. According to some Roma associations, there are between 10,000 and 25,000 Roma, the great majority of whom are settled.<sup>46</sup> Most Roma in Denmark prefer to register according to nationality and to hide their Roma identity in public to prevent their being discriminated against by the authorities and others active in the communities.<sup>47</sup> Therefore, it is impossible to make any estimation about the ratio of Roma from Denmark and Roma immigrants.

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<sup>42</sup> See Section 1.1.3.

<sup>43</sup> E-mail answer from the Ministry of Welfare on 5th March 2009 replying to a letter forwarded by DACoRD for this study on 20th January 2009.

<sup>44</sup> This figure is often cited but without proper reference. It is unclear where it actually derives from, but one possible source is a report made by the Committee on Legal Affairs and Human Rights with the title ‘Legal Situation of Roma in Europe’, 2002. The report is based on a questionnaire survey to all Danish municipalities and shows the official number of Roma in Denmark to be 1750.

<sup>45</sup> Bakker, P. & and Rooker, M. (2001), The political status of the Romani Language in Europe, available at <http://www.ciemen.org/mercator/pdf/wp3-def-ang.PDF> (19.01.2009)

<sup>46</sup> See for instance [www.romanet.dk](http://www.romanet.dk) and interview no. 1.

<sup>47</sup> Also according to qualitative interviews conducted for this data collection (int.1, 2 and 3) as the desk study. See for instance: *Roma-fordomme lever* [Prejudices towards Roma is on-going] by Andersen, Lars Otto, in Metro Express 2008-06-11 <http://www.metroexpress.dk/dk/article/2008/06/11/09/5259-66/index.xml> (19.01.2009)

Due to the lack of official data, DACoRD sent a letter to the Ministry of Welfare and to 13 municipalities<sup>48</sup> which had been mentioned in relation to Roma during our desk studies. Six municipalities answered the letter. Some of them said that they were not in a position to give any figures as they are not allowed to register citizens according to ethnicity. Other municipalities gave a number, stressing that it was not statistically valid data but an estimate based on the knowledge of the municipality's employees who had known the Roma families since they arrived as refugees. Based on this together with information from our qualitative interviews, we estimate the total number of Roma living in the six municipalities to be around 6,520.

### 1.2.2. Data on housing conditions.

No specific data on the housing conditions of Roma or Travellers are available as it is illegal to register according to ethnicity. (See chapter 1.1.3.) Neither is any disaggregated data available on ethnicity in relation to such aspects as sex, disability and age.

### 1.2.3. Data on housing tenure of Roma and Travellers.

No data available.<sup>49</sup>

### 1.2.4. Number of Roma living in regulated encampments.

In addition to the number of Roma mentioned in 1.2.1., there are a number of rejected Roma asylum-seekers living in refugee camps. As elaborated in chapter 1.3. 'Qualitative information' refugees are registered according to nationality rather than ethnicity. To the best of DACoRD's knowledge, most asylum-seekers from a Roma background come from Kosovo. In the last quarter of 2008, 50 people (45 adults and 5 children) out of the 1,843 in total were identified as coming from Kosovo,<sup>50</sup> some of whom might be Roma. In the same period, 5 people were deported from the country.<sup>51</sup> In mid-March 2009, 11

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<sup>48</sup> The 13 municipalities mentioned in relation to Roma are: *Brøndby, Lolland, Varde, Sønderborg, Halsnæs, Slagelse, Bornholm, Fredericia, Odense, Helsingør, København, Svendborg and Thisted.*

<sup>49</sup> See Section 1.1.3. and 1.2.2.

<sup>50</sup> DK/Ministry for Refugees, Immigrants and Integration: Statistics on the number of persons accommodated in asylum centres:  
[http://www.nyidanmark.dk/NR/rdonlyres/BA2E6CE6-9B72-42E5-9793-58550479247D/0/seneste\\_tal\\_udlaendingeomraadet\\_da.xls](http://www.nyidanmark.dk/NR/rdonlyres/BA2E6CE6-9B72-42E5-9793-58550479247D/0/seneste_tal_udlaendingeomraadet_da.xls) (23.03.2009)

<sup>51</sup> Police homepage: <http://www.politi.dk/NR/rdonlyres/48311527-3DDF-4857-B45E-8ADC7A1C24DF/0/Table d.pdf> (200810 + 200811) (23.03.2009)

people from Kosovo were in a position to be deported from Denmark.<sup>52</sup> In the same period (January and February 2009), 14 people from Kosovo and one person from Moldova entered Denmark and applied for asylum.<sup>53</sup> The latter two groups consist of 25 people in total, who are probably in asylum centres in Denmark at the moment. The living conditions in asylum centres are discussed further in section 1.3.9.

### 1.2.5. Number of Roma living in unregulated encampments.

No information available.

Unspecified numbers of individuals who might have a Roma background enter the country from the new EU Member States on a temporary visa to try to make a living in Denmark. They stay on the streets for varying periods.

In January 2009, the Municipality of Copenhagen estimated that of the approximately 5,000 homeless people in Copenhagen, approximately 200 were undocumented immigrants from Eastern European countries. Nobody knows how many of this group are Roma, but Project Udenfor based in Copenhagen estimates that over the last few years there have been approximately 60-70 homeless people from a Roma background in the city of Copenhagen.<sup>54</sup> According to the interviewee, the housing situation of this group is such that they do not have access to shelters and other overnight accommodation for the homeless which are economically supported by the state, because a person needs to be registered with a Danish civil person number to access these places.

### 1.2.6. Number of Roma living in segregated settings.

No information available.<sup>55</sup>

### 1.2.7. Data on household type and size.

No quantitative information available.<sup>56</sup> In the qualitative interviews, two representatives from local authorities said that the Roma live in greater than

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Police homepage <http://www.politi.dk/NR/rdonlyres/21D5D805-3B76-4E7E-8ACA-6894974E1D5C/0/Table 2audsendelsesposition.pdf> - (23.03.2009)

Police Homepage: <http://www.politi.dk/NR/rdonlyres/E29A2C7F-4159-44BE-BEA7-463C97D944A7/0/Table2.pdf> (23.03.2009)

<sup>54</sup> See interview no. 4.

<sup>55</sup> See Section 1.1.3.

<sup>56</sup> See Section 1.1.3. and 1.2.2.

average density: ‘And you can say that there are quite a lot of them in every apartment [...] Yes. There will be as many as is permissible in an apartment’ one of the informants said. The consultant notes that there are regulations as to how many people can live in an apartment according to its size. One explanation for the relatively high number of family members living in each apartment is that families want the elderly among them, who cannot look after themselves, to stay at home and be taken care of within the family, rather than placed in nursing homes where nobody speaks their language.

### 1.2.8. Data on forced evictions.

Since 2005, a number of Travellers apparently from the ‘former East-European countries’<sup>57</sup> have been identified by the police. According to newspaper articles, in 2005-2007, 163 reports were made against 315 Roma in the Police District of East Jutland. The relevance of this information for this study on housing conditions is the fact that the police in newspaper articles state that they have a strategy of putting under stress individuals and groups from a Roma background they meet at the road side, in order to make them leave the country. This could be defined as a kind of forced eviction, even though it is unclear where the Travellers live during their stay in Denmark. As mentioned in chapter 1.3., DACoRD asked the police for a copy of the report referred to in the newspapers, as this could be a case of illegal registration according to Danish Law mentioned at the beginning of this chapter. DACoRD was denied access to the documents, as the police reasoned that it was an ‘internal’ report.

### 1.2.9. Data on access of Roma/Travellers to public utilities.

No information available.<sup>58</sup> Meanwhile one case concerning a private camp site which delivers services and goods to users of camping site and therefore is obliged by the law could be mentioned: The owner turned away people from a Roma background and phoned nearby camping sites to get them to refuse admission as well. The Complaints Committee decided on 30 November 2006 that to the extent that the camping site owner had turned away people with Roma background or had been willing to carry on such a practice, this was a case of direct discrimination according to subsection 1 of §2 in the law on equal treatment. The law holds for all public as well as private activities, related to social protection among these social insurance and health care, social services,

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<sup>57</sup> The terminology “former East European Countries” is used by journalists in articles referring to the police’s statements. The police probably refer to countries who are now EU Member States or in the process of becoming EU Member States, who previously belonged to the Eastern Block of the European Countries.

<sup>58</sup> See Section 1.1.3. and 1.2.2.

education and delivery of goods and services, under here housing open to the public. As the camp site is a private activity which delivers services and goods to users of camping sites it is subject to this law.<sup>59</sup>

#### 1.2.10. Data on available halting sites.

No information available.

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<sup>59</sup> See also Annex 2 j.nr.780.30

### 1.3. Qualitative information on the housing situation of Roma and Travellers

In the Framework Convention for the Protection of National Minorities (2004), the government stated: ‘the Roma who live in Denmark today may be divided into two main groups: one who came to Denmark in the middle of the 1990s fleeing the wars in former Yugoslavia; the other who came to the country at the end of the 1960s. Very few Roma are Danish citizens. The Roma who took up residence in Denmark prior to the 1960s have, according to information available to the government, been completely integrated and do not emerge as an identifiable group’.<sup>60</sup>

However, the history of the Roma in Denmark dates back to the early 1500s. As in many other European countries, Denmark had specific anti-gypsy<sup>61</sup> legislation which included deportation, jailing, penal servitude, the death penalty and outlawry. In 1736, the legislation changed and gypsy outlawry ended, but children were to be taken from their parents and brought up in a Christian manner. Consequently, gypsies disappeared from public life, and it was not until the middle of the nineteenth century that they once again became visible in Denmark as a result of migration from Eastern Europe to the West and the United States. With the new Aliens Act passed in 1875, the expulsion of gypsies was sanctioned with reference to a special paragraph in the law: no gypsies were subsequently permitted to enter the country until 1953.

With the ratification of the European Convention on Human Rights in 1953, the Aliens Act of 1875 was replaced and Roma could no longer be deported on account of their ethnicity. Yet the relatively small group of travelling Roma (approx. 200) living in Denmark in the 1950s and 1960s faced threats, discrimination and stigmatisation from the local population wherever they went.<sup>62</sup> Today the earliest known group of Roma in Denmark, who have lived in the country since the early 1500s, is no longer visible in Danish society.

At the end of the 1960s, the first Roma ‘guest workers’ arrived in Denmark as part of a more extensive import of foreign labour, especially from Turkey,

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<sup>60</sup> Second report submitted by Denmark pursuant to paragraph 1 article 25 of the framework convention for the protection of national minorities, May 2004, ACFC/SR/II(2004)004 [http://www.coe.int/t/dghl/monitoring/minorities/3\\_FCNMdocs/PDF\\_2nd\\_SR\\_Denmark\\_en.pdf](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_2nd_SR_Denmark_en.pdf) (30.03.2009) p. 10

<sup>61</sup> Different terminology is used in this paragraph to indicate that historically the Roma population was officially named Gypsies in Denmark, as was the case with the anti-Gypsy legislation referred to. When the police in another paragraph are quoted as saying ‘Gypsies,’ this terminology is also maintained, as it illustrates the ethnic profiling revealed by the terminology a group of public servants use.

<sup>62</sup> Enevig, A. (1969) *Sigøjnere i Danmark* [Gypsies in Denmark], Copenhagen: Fremad

Yugoslavia, Pakistan and Morocco. The Roma settled in Copenhagen and Elsinore, and in surrounding areas in North Zealand, and worked mainly in the local shipyard and steel works in Frederiksværk. To the present day, this region continues to be the territorial centre of the Roma community.

During the 1990s, the Roma population in Denmark increased due to the Balkan War. Refugees from Bosnia and Herzegovina, Croatia, Serbia, Montenegro and Slovenia came to Denmark, and some of these were Roma who were granted asylum. Illiteracy, unemployment, housing and social problems are widespread within this group. Despite the lack of official records of the number of Roma living in Denmark, recent academic research has found that Roma groups have settled mainly in Copenhagen, Elsinore, Frederiksværk, Varde, Nakskov and Skælskør.

Roma are still entering Denmark as refugees e.g. from Bosnia and Kosovo. As late as January and February 2009, 14 persons entered Denmark from Kosovo and one from Moldova, and applied for asylum.<sup>63</sup> In order to be granted asylum, one needs to register a homeland where one can no longer reside. Since the Balkan War broke out in the early 1990s, Roma have been registered as refugees from various national states such as Croatia, Macedonia, Serbia, Montenegro, Bosnia, Kosovo and Moldova.

The government's decision<sup>64</sup> not to recognise Roma as a national minority seems to have had the consequence that most Roma organisations in Denmark have given up their struggle to provide information on and promote the right to language, culture etc. for the Roma population in Denmark. During the collection of this data, it was very difficult to establish contact with Roma organisations previously active in Denmark.<sup>65</sup> The lack of recognition has resulted in a lack of support for organisations working with Roma information and education on Roma rights, Roma history, culture and language etc. The outcome of the government's policy has been the closing down of most Roma organisations, so that there are no organisations with information on the current housing situation of Roma in Denmark: 'The state has not given us a mandate to take action and to take on responsibility' one of the Roma representatives says in an interview. In 2002-2006, Euroma applied for Government support six times to set up a national office for the Roma in Denmark. All the replies were negative. Euroma had previously been very active in producing local radio programmes in Romani, in developing material for mother tongue teaching in Romani and in the process of initiating a national Roma office.

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<sup>63</sup> www.politik.dk: <http://www.politi.dk/NR/rdonlyres/E29A2C7F-4159-44BE-BEA7-463C97D944A7/0/Table 2.pdf> (23.03.2009)

<sup>64</sup> See Section 1.1.2.

<sup>65</sup> Euroma, Romanoforeningen

### 1.3.1. Quality of housing available to Roma and Travellers.

There is no specific data on Roma and the quality of their housing, but reports on ethnic minorities and housing where one of the ethnic groups mentioned is 'Eastern European' or 'from the Balkans' might give an indication of the housing conditions for Roma families in these areas. One report from 2006 analyses where ethnic minorities settle and how they move around, based on data from public registers.<sup>66</sup> Generally ethnic minorities often live in urban areas in Denmark – less often in smaller cities and in the countryside, but immigrants from the Balkans seem to live in the smaller municipalities more often than other immigrants.<sup>67</sup> According to the Act on Integration of Aliens in Denmark (the Integration Act) refugees are allocated to a municipality according to a quota, and are forced to stay there for a period of three years.<sup>68</sup> From interviews with, for example, Sønderborg and Varde municipalities, it seems that the Roma families who fled from the war in Yugoslavia at the start of the 1990s have, if they were granted an asylum or humanitarian residence permit, often settled in the city where they were first placed in a refugee camp. They could apply for permission to settle in a certain municipality, and permission would be granted if it was in accordance with the quota system.<sup>69</sup>

### 1.3.2. Issues of spatial and social segregation.

Sixty per cent of ethnic minorities – compared to 14 per cent of the majority population - live in social housing and many live in multi-ethnic areas where more than 40 per cent of the population is from an ethnic minority background.<sup>70</sup> In other words, two out of three immigrant families live in social housing areas. These figures have been steady since 2004. 70 per cent of immigrants who came to Denmark before 1990 live in social housing areas. For their descendants, the figure is 46 per cent. This is due to the fact that many refugees and immigrants are in a low income category, are unemployed and cannot afford to buy houses. They are strongly reliant on the availability of low-rent social housing. This picture also fits with the information from desk studies

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<sup>66</sup> Statens Byggeforskningsinstitut: Danish Building Research Institute: *Etniske minoriteteters flytninger og boligvalg* [How ethnic minorities settle and move around] , SBI 2006:02

<sup>67</sup> Statens Byggeforskningsinstitut: Danish Building Research Institute: *Etniske minoriteteters flytninger og boligvalg* [How ethnic minorities settle and move around] , SBI 2006:02, p. 13.

<sup>68</sup> Ministry of Refugees, Immigration and Integration: Consolidation Act no 643 of 28 June 2001: [http://www.nyidanmark.dk/NR/rdonlyres/C2A9678D-73B3-41B0-A076-67C6660E482B/0/alens\\_consolidation\\_act\\_english.pdf](http://www.nyidanmark.dk/NR/rdonlyres/C2A9678D-73B3-41B0-A076-67C6660E482B/0/alens_consolidation_act_english.pdf)

<sup>69</sup> See Section 1.1.9.

<sup>70</sup> Ministry of Immigration, Refugees and Integration: I [http://www.nyidanmark.dk/NR/rdonlyres/554DE44C-BCFB-4DEC-BF13-A549D669C1F3/0/talogfakta\\_befolkningsstatistik.pdf](http://www.nyidanmark.dk/NR/rdonlyres/554DE44C-BCFB-4DEC-BF13-A549D669C1F3/0/talogfakta_befolkningsstatistik.pdf) (Table 8.1, p. 31)



and qualitative interviews which indicate that Roma families often live in social housing areas. A study of what the researcher called multi-ethnic areas<sup>71</sup> concludes that it is not the same 60 per cent living in the same neighbourhoods. Immigrants are moving in and out of the multi-ethnic neighbourhoods. Those who move into the multi-ethnic areas are less often Danish citizens and tend to have been living in Denmark for a shorter period than those who move out. It also appears that the proportion of unemployed people is higher among those who move in than among those who move out.

### 1.3.3. Access to private housing.

A study of housing among ethnic minorities in Denmark showed 'that to a great extent immigrants move to social housing and to neighbourhoods with many ethnic minorities among the residents - called multi-ethnic neighbourhoods. One of the reasons for this is shown to be that ethnic minorities have difficulties in getting access to the highly regulated private renting and co-operative sectors in Denmark. Either discrimination or a lack of social networks could be the explanation. Moreover, ethnic minorities are often located in the largest and least attractive estates where most Danes do not want to live.'<sup>72</sup> The research also stresses that ethnic minorities do not choose multi-ethnic neighbourhoods because they prefer the type of housing there. Previous Danish studies (SBI and AKF 2001) have shown that about 70 per cent of the Danish population wants to live in an owner-occupied home, and 83 per cent prefer a detached house. Hans Skifter Andersen's study shows that preferences among ethnic minorities are quite similar, but far fewer immigrants actually live in these types of housing. These results show that ethnic minorities, for various reasons, move to housing other than what they actually want. In the three selected multi-ethnic neighbourhoods in Andersen's study, only 18 per cent would like to live in neighbourhoods where ethnic minorities constitute less than 1/3 of the population, 41 per cent would live in an area where the population is 1/2 minority and 1/2 majority, while more than 40 per cent have no preference.

### 1.3.4. Access to social housing.

Due to lack of formal data, DACoRD sent letters to 13 of those municipalities where according to information from newspaper articles or other sources there might be a Roma population. Six municipalities responded. They all stressed

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<sup>71</sup> Andersen, Hans Skifter: Spatial Assimilation in Denmark: Why do immigrants move to and from multi-ethnic neighbourhoods? Danish Building Research Institute, forthcoming article for *Journal of Housing Studies and Built Environment*.

<sup>72</sup> Andersen, Hans Skifter: Spatial Assimilation in Denmark: Why do immigrants move to and from multi-ethnic neighbourhoods? Danish Building Research Institute, forthcoming article for *Journal of Housing Studies and Built Environment*.

that according to the law they do not register citizens by ethnicity and irrespective of ethnicity, all citizens are offered the same social service and access to housing. At the same time, some of the interviews indicate that the government's strategy with regard to combating the so-called 'ghettoising'<sup>73</sup> seems to have changed the situation in some municipalities where many Roma families live together. For example, in Elsinore, where Roma families used to live in a housing area named Vapnagård, they now seem to be referred to other areas. Vapnagård is a classic example of a social housing area where the planned public and private services for children, young people and the elderly, plus the shopping and public transport facilities were never developed as foreseen. In addition, the buildings had a lot of problems with damp and damaged concrete, and the poor outdoor facilities made the area less attractive in spite of the relatively large apartments.<sup>74</sup> Thus it might be positive that Roma families are allocated apartments of a better quality. But it might also be negative, if what is happening is mainly forced evictions in order to make it difficult for Roma families to live together in the same neighbourhood, and to practise their language and culture. In one of the interviews, it is stated that the municipality and the housing associations have been eager to throw out Roma tenants from their apartments as soon as they fail to pay their rent on time, in order to disperse Roma tenants.<sup>75</sup> At the national level, the number of tenants evicted by force by social housing companies and municipalities has increased since the ghettoising strategy came into force.<sup>76</sup> This could indicate that some vulnerable groups pay the price for 'changing the composition of tenants' in some of the social housing areas. This data is qualitative as the information comes from an interview and from questions raised in Parliament. Therefore, on the basis of this data no numbers can possibly be listed in section 1.3.5.

To DACoRD's knowledge there are no evaluations as to whether the ghettoising strategy has a negative impact on unemployed immigrants' and refugees' access to housing by giving priority to tenants described as 'individuals with resources' i.e. those who are employed or studying, and individuals who do not receive welfare benefits. In 1991, a court decision stressed that a similar practice in the municipality of Ishøj, directly discriminated against third country nationals. The government's current strategy does not allow quotas according to ethnicity, but uses them according to economy and job situation. As the study above reminds us, immigrant families have a lower average income and are more often unemployed and living on social benefits than the majority population. When 60 per cent of the population in the social housing areas is constituted of ethnic minorities, many of them living on social benefits, the question is who will benefit most from the

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<sup>73</sup> See Section 1.1.5.

<sup>74</sup> Programbestyrelsen: Fra udsat boligområde til hel bydel, (From vulnerable housing area to a total (well functioning) district) November 2008 pp. 42-43.

<sup>75</sup> See 2.2.

<sup>76</sup> [www.folketinget.dk](http://www.folketinget.dk): Question no. S1467, 27. February 2009 (NHO/J.nr. 2009-1688): <http://www.folketinget.dk/doc.aspx/?samling/20081/MENU/00000002.htm>

government's intention of creating 'a different composition of tenants' in the social housing areas.

### 1.3.5. Forced evictions<sup>77</sup>

### 1.3.6. Legality and legalization of settlements.

No information on informal settlements by Travellers.

### 1.3.7. Movement, encampment and use of private land.

No information on encampment and use of private land.

### 1.3.8. Access to public utilities.

Responding to a letter from DACoRD, six out of thirteen municipalities answered that all citizens have the same access to public utilities irrespective of ethnicity. In contrast, a recent report from the government's Programbestyrelsen [Programme Committee] concludes that in many social housing areas, the planned public and private services for children, young people and the elderly, plus shopping and public transport facilities were never developed as planned. Information sent from the Director in a Social Housing Company and information from interviews with local authorities indicates that families who are somehow identified as Roma often live in social housing areas. Therefore, it has to be questioned whether Roma families – together with the rest of the tenants in such areas - have access to public utilities to the same extent as the rest of the population.<sup>78</sup>

Access to NGO and public supported shelters and services for homeless. During the last couple of years there has been an influx of Roma EU citizens into Denmark. The sparse information on this group is gathered from newspaper articles referring to the police in the eastern part of Denmark<sup>79</sup> and from NGOs offering free food and shelter to homeless people mainly in the capital, Copenhagen.

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<sup>77</sup> See the information in section 1.3.4. above.

<sup>78</sup> Programbestyrelsen: Fra udsat boligområde til hel bydel, [From a vulnerable housing area to a total (well functioning) district] November 2008 pp. 42-43.

<sup>79</sup> This information was also reported to FRA in June 2008 as a quick response.

The first national survey on homelessness was conducted in week 6, 2007.<sup>80</sup> In this specific week, institutions and organisations usually in contact with homeless people were asked to complete a questionnaire for every homeless person they knew, or had been contacted by,. In total 5,253 homeless persons were recorded. Twenty per cent of the persons recorded belonged to ethnic minority groups. There is no breakdown of the 20 per cent into Roma or immigrants from the new EU Member States. A similar national survey was conducted in 2009 and the data will probably be available from the Danish National Centre for Research (SFI) in July 2009.

Volunteers from Project Outside, based in Copenhagen deliver healthy hot meals to homeless people on the streets in a mobile café about five times a week free of charge.<sup>81</sup> The object is to help people to cover their basic needs. The organisation does not systematically count or register its users. However, after each shift the volunteers are asked to make notes in a diary of their impressions and important points to remember. There are no specific requirements as to the content of the notes. The project workers do not ask their users where they come from, their nationality or ethnicity, so this information is only volunteered or based on impressions of behaviour or signs. From 22 May 2007 to March 2009, their volunteers made notes including the word 'Roma' on 56 different days. There is an intermission between 28 November 2007 and 25 March 2008 when the word does not appear. The word does not necessarily imply that the volunteers have met Roma on that particular day: it may reflect an internal discussion about someone they met previously or some other experience. There are reports of some animosity and competition between Danish homeless people and Roma, who are not always welcome at the Mobile Café and may be met by shouts of 'go home'. Behaviour and perceptions thus lead to discrimination. The impression of Project Outside is that most Roma are there in the summer and that they tend to avoid the winter period. The project reports that on some occasions they have met Roma parents with children on the street. The project alerted the 'Social day and night service' of Copenhagen, who could do nothing but inform the police, after which the project lost touch with both parents and children. In a case of a family from Moldova, the family is reported to look more shabby and destitute today than two years ago, when they were first seen. The project has the impression that the Roma they meet are not organised but they might have debts to pay off for their transportation to Denmark, and they beg because they need money to improve their situation in their homeland. Project Outside, in cooperation with a group of university students, conducted a study in the summer of 2008, the findings of which will be available on their homepage in July 2009. According to our interview with

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<sup>80</sup> The Danish National Centre for Social Research, L Benjaminsen & I. Christensen: *Hjemløshed I Danmark 2007. National kortlægning*, [Homelessness in Denmark 2007 – National survey] 14 august 2007, pp. 117-125.  
[http://www.sfi.dk/graphics/SFI/Pdf/Rapporter/2007/0722\\_Hjemloshed%20i%20DK.pdf](http://www.sfi.dk/graphics/SFI/Pdf/Rapporter/2007/0722_Hjemloshed%20i%20DK.pdf)

<sup>81</sup> See the qualitative interview No 4 presented in section 2.2. For further information see: [www.udenfor.dk](http://www.udenfor.dk)

Project Udenfor, Roma living on the street often live as families more often than other homeless people in Copenhagen, who are usually single. The National Survey of 2007 stresses that homelessness is often linked to psychogenic disease and drug abuse. According to Project Udenfor,<sup>82</sup> this does not seem to be the case for homeless persons with a Roma background. Their situation seems largely to occur as a result of poverty and social exclusion. Often people from a Roma background seem to have come to Denmark in the hope of finding employment. For a start, they seem 'fitter' than the rest of the group of homeless in Project Udenfor, but gradually they seem to decline if they fail to get a job.

Representatives of Project Udenfor estimate that on average during the last few years there have been approximately 60-70 homeless people from a Roma background in the city of Copenhagen, mainly coming from Romania and some from Moldova. According to Project Udenfor, the housing situation of this group is characterised by the fact they do not have access to existing shelters and other overnight accommodation for the homeless, which are economically supported by the state, as they are not registered with a Danish civil person number. In December 2007, the Minister of Welfare, Karen Jespersen, asked the municipalities not to offer homeless people from 'East European countries' without residence permits any shelter or food, but to send them back to the countries they came from: 'We do not want to be Europe's 'warming centre'', she wrote in an e-mail to the newspaper Politiken, and repeated this in a later comment in the debate.<sup>83</sup> The Mayor for Social Services in the Municipality of Copenhagen has suggested that the Minister of Welfare establishes a transit shelter for homeless EU citizens who stay illegally in Denmark. When asked in Parliament in January 2009 whether the main party in the government would follow the mayor's recommendation and establish such a transit shelter until the illegal immigrants could be sent back to where they came from, the Minister replied that she could not answer the question as it was a matter concerning the Minister of Refugees, Immigration and Integration.<sup>84</sup>

In a newspaper article, the President of Rådet for Social Udsatte [Board for Socially Vulnerable Groups], Preben Brandt, stresses that Denmark has a common international obligation to support homeless EU citizens. 'If we want the advantage of the EU labour force, we are also obligated to shoulder the duties' he states. 'If they cannot manage to get a job, they should go home. And that is a task for the police, but until then we ought to treat them properly. They should have access to treatment when they are sick, they should be supported

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<sup>82</sup> Interview no. 4, 13 March 2009.

<sup>83</sup> Jespersen, Karen: Misforstået humanisme om hjemløse østeuropæere, [Humanistic misunderstanding concerning homeless East Europeans] Comment in Politiken, Opinion p. 9, Friday 4. January. Hvem vil lukke dem ind? [Who will let them in?] Leading article in Hus Forbi' 01.02.2009 p. 2. Paragraph 20 question in the Parliament and the Minister's answer, LEH/ J.nr 2008-93 : <http://www.folketinget.dk/doc.aspx?samling/20081/MENU/00000002.htm>

<sup>84</sup> *Folketingets Lovsekretariat*: Question no. S 840, LEH/J. nr.2008-93 (8. January 2009)

with food when they are starving and with shelter when they are homeless.’<sup>85</sup> Previously the president of the Board for Socially Vulnerable Groups had stressed that we lack any basic knowledge about Roma travelling to Denmark: ‘I think we need to pay more attention to the reason why they come to Denmark. Maybe some of them are caught in a humiliating debt situation, where somebody is exploiting them. Maybe there are also people in Denmark exploiting this group by renting them rooms and overcharging.’<sup>86</sup>

As a reaction to the death of two homeless people from Eastern Europe who died from the cold on the streets in December 2007, four NGOs established an emergency shelter for homeless Eastern Europeans in January and February 2008 with one employee and voluntary support. The emergency shelter was running and fully booked, with up to 35 persons a night in January and February 2008.<sup>87</sup>

### 1.3.9. Access and quality of housing for third country Roma/Travellers immigrants (Especially for Roma/Travellers EU nationals.

Ethnic minorities generally have fewer square metres per inhabitant than ethnic Danes. On average the population has 60 square meters per person. The most recently arrived immigrants have on average only 32 square meters per person, while ‘older’ immigrant groups have somewhat more. Immigrants who have obtained Danish citizenship, descendants of immigrants and immigrants in mixed families have more square metres per person, but still considerably less than ethnic Danish households. The government’s comments and the qualitative interviews stress that Roma seldom obtain Danish citizenship. This information places most Roma families in the group of immigrants who, according to the study referenced, on average have less square metres per person than older immigrants and less square metres than ethnic Danish households. The standard of installations<sup>88</sup> is almost the same for those living in social housing but is not so good for those living in privately rented housing. Ethnic minorities move less often than ethnic Danes of a similar economic and social background to privately rented housing or andelsboliger [shared ownership properties].

<sup>85</sup> Claudi, Nadia and Dahlgaard Mette: *Hvor går Grænsen?* [Where is the limit?] In *Politiken* 23.12.2009, p. 3.

<sup>86</sup> *MetroXpress*: *Politiet skærper jagten på romaer* [Police intensify the hunting of Roma]: <http://www.metroxpress.dk/dk/article/2008/06/11/08/4427-66/index.xml> (19-01-2009)

<sup>87</sup> The NGOs initiating the emergency shelter are: Project UDENFOR, *Kirkens Korshær*, Kofoeds Skole, SAND, Hus Forbi, Domkirken I København, Fundamentet, Omsorgsorganisationernes and Samråd.: <http://www.udenfor.dk/dk/Materiale/Files/Diverse/Pressemeddelelse+-+n%c3%b8dovernatning.pdf>

<sup>88</sup> Installations are defined as linen goods, as well as installations in bathrooms like shower cabins and the like.

Research indicates that this is due to a lack of the networks which can give access to these more regulated forms of housing or due to discrimination. The privately rented housing accessible to ethnic minorities is of a lower than average standard. Ethnic minorities buy private property less often, although their income and family situation may make it possible. This might be due to a wish to live close to families from the same ethnic group, to difficulties in obtaining credit or to a lack of interest in investing in a house.

Extended families are uncommon according to this register analysis. Nevertheless, in some of the qualitative interviews, it was mentioned that some Roma families do live as extended families with as many people as allowed in each apartment. Such families have less square meters per person than the average population.

Asylum-seekers who have fled from countries such as Kosovo and have been denied asylum in Denmark have lived for many years in the refugee camps Centre Sandholm and Centre Avnstrup. According to the UN, it has not been safe for Roma families to go back to Kosovo, and until recently Kosovo refused to receive the refugees. Many children, as well as adults, have become sick from living in the camps for years, and some have been granted residence on humanitarian grounds.<sup>89</sup>

In November 2007, the government founded Mulighedernes Samfund [the Society of Opportunities]. A status report dated February 2007, elaborating on the initiatives taken to strengthen the efforts to deport refused asylum-seekers, stated that 136 people from Kosovo were in a position to be deported from Denmark – including 111 Roma who UNMIK would not accept.<sup>90</sup> In July 2008, 20 people from Kosovo (out of a total of 642 rejected asylum-seekers) were in a position to be deported from Denmark. The police wrote in a status report: ‘Most of the people from Kosovo who are currently in a position to be deported from Denmark have, during the process of asylum-seeking, informed us that they are ethnic Roma, and therefore they cannot for the time being be notified for UNMIK [...] The Danish authorities are in ongoing dialogue with UNMIK and the local authorities in Kosovo concerning their deportation to Kosovo and hope, due to Kosovo’s new constitution, to be able to negotiate a repatriating agreement with Kosovo which would make it possible to deport the Roma and others by force. The Integration Ministry’s attaché in Kosovo, who is responsible for foreigners, has an important task in this regard.’<sup>91</sup>

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<sup>89</sup> See for instance: Røde Kors Chef ønsker amnesti til afviste asylansøgere, [Red Cross chief wants amnesty for failed asylum seekers] 5. September 2006. DK, Ministry of Refugees, Immigration and Integration: [http://www.nyidanmark.dk/dadk/nyheder/pressemeddelelser/integrationsministeriet/2007/februar/hjaelp\\_til\\_kosovo.htm](http://www.nyidanmark.dk/dadk/nyheder/pressemeddelelser/integrationsministeriet/2007/februar/hjaelp_til_kosovo.htm) (23.03.2009)

<sup>91</sup> Rigspolitiet: G:Politi/Politi/Rullende status udsendelser/2008/Landebeskrivelser

In the last quarter of 2008, 50 persons (45 adults and 5 children) out of the 1,843 were identified as coming from Kosovo.<sup>92</sup> Some of them might be Roma. In mid-March 2009, 11 persons from Kosovo were in a position to be deported from Denmark.<sup>93</sup> In the same period (January and February 2009), 14 persons originally from Kosovo and one from Moldova entered Denmark and applied for asylum.<sup>94</sup> The latter two groups are probably in asylum centres in Denmark at the moment.

The length of time asylum-seekers live in camps in Denmark increased from an average of 313 days in 2001 to 1,195 days in 2006.<sup>95</sup> From the minister's notes to Parliament concerning humanitarian residence permits granted in 2008, the length of stay in the camps for individuals and families from Kosovo gaining humanitarian residence permits seems to be far above average. It is between 1,500 and 1,900 days after they have been refused asylum in Denmark. As early as 1996, a study<sup>96</sup> showed that the long stay in camps, forced inactivity, overcrowding and the lack of social relationships are stress factors that reduce asylum-seekers to a low level of social functioning and increase the risk of developing serious mental problems and psychosomatic diseases. A more recent study<sup>97</sup> finds that referrals on the grounds of mental disorders increase with the length of stay in asylum camps. This association was found in all categories of psychiatric illness studied, and occurred among the majority of the nationality groups studied. The authors suggest that the risk of psychiatric illness among asylum-seekers should be addressed by political and humanitarian means, as prevention of illness requires the highest priority. But the government policy is that asylum-seekers' psychological problems should be prevented by their return home as quickly as possible after the rejection of their asylum application, before they and their children develop medical problems.

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<sup>92</sup> DK/Ministry for Refugees, Immigrants and Integration: Statistics on number of persons accommodated in asylum centres: [http://www.nyidanmark.dk/NR/rdonlyres/BA2E6CE6-9B72-42E5-9793-58550479247D/0/seneste\\_tal\\_udlaendingeomraadet\\_da.xls](http://www.nyidanmark.dk/NR/rdonlyres/BA2E6CE6-9B72-42E5-9793-58550479247D/0/seneste_tal_udlaendingeomraadet_da.xls) 23.03.2009)

<sup>93</sup> [www.politi.dk](http://www.politi.dk): <http://www.politi.dk/NR/rdonlyres/21D5D805-3B76-4E7E-8ACA-6894974E1D5C/0/Table2.pdf> (23.03.2009)

<sup>94</sup> [www.politik.dk](http://www.politik.dk) : <http://www.politi.dk/NR/rdonlyres/E29A2C7F-4159-44BE-BEA7-463C97D944A7/0/Table2.pdf> (23.03.2009)

<sup>95</sup> HJ. Kjersem, in *Migrationsmedicin i Danmark. Vurdering af nogle migrationsmedicinske problemstillinger blandt asylansøgere og flygtninge*. Copenhagen: The Red Cross, Asylafdelingen (Ph.D. dissertation), 1996.

<sup>96</sup> HJ. Kjersem, in *Migrationsmedicin i Danmark. Vurdering af nogle migrationsmedicinske problemstillinger blandt asylansøgere og flygtninge*. Copenhagen: The Red Cross, Asylafdelingen (Ph.D. dissertation), 1996.

<sup>97</sup> P. Hallas, A. R Hansen, M. A Staehr, E. Munk-Andersen & H. L Jorgensen (2007) Length of stay in asylum centres and mental health in asylum seekers: a retrospective study from Denmark. *BioMedCentral Public Health* Vol. 7, p. 288. <http://www.biomedcentral.com/1471-2458/7/288> (30.03.2007).



When a person or family gains a humanitarian residence permit, they are placed in a municipality anywhere in Denmark according to a quota system. They have to stay in this municipality for three years before they are allowed to move, and if they have to live on social benefits, which is often the case, as they are there because they fell ill during their stay in the refugee centre, they will receive what is called a ‘start-up allowance’ – which means that they receive less in social benefits than ethnic Danes in a similar situation.<sup>98</sup>

The housing conditions in the asylum centres can be illustrated by a description in the Ombudsman’s report of a visit to one of the centres in 2006.<sup>99</sup> A family of three lives in a 21 square-metre room which is furnished with metal cupboards, a double bed and two mattresses at the end of the bed. The bed and the mattresses take up almost the whole room from one wall to the other. There is one window in the room, with a wash-basin placed next to it. A table with a microwave oven is opposite the wash-basin. A cardboard box full of kitchen utensils is placed on the floor. The only lighting is a lamp in the ceiling.

The situation concerning asylum-seekers’ housing has been the subject of much debated since 2006. In some cases, refugees who have been refused residence permits have lived in the centres for up to seven years. The issue was also raised by the UN Committee Against Torture in February 2007, which pointed out that, despite the measures taken to improve living conditions and activities in asylum centres, in particular the conditions for asylum-seeking families with children, there had been minimal change. The Committee was concerned about the unduly long waiting periods and the negative psychological effects of such long-term waiting and the uncertainty of asylum-seekers’ daily life. The Committee recommended that the governing party, while improving the living conditions in asylum centres, should take into consideration the effects of long waiting periods and provide both children and adults living in asylum centres with educational and recreational activities as well as adequate social and health services.<sup>100</sup> On 21 September the National Social Appeals Board contacted the Danish Red Cross and asked the organisation to consider if there were any cases of asylum children that they wanted the Appeal Board to investigate further.<sup>101</sup>

Different rules apply to adult asylum-seekers and children. Children are entitled to the same health assistance as other children in Denmark, whereas adults only

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<sup>98</sup> See: Section 1.1.9.

<sup>99</sup> Inspektion af Asylcenter Avnstrup. 16. november 2006, (Inspektion to Asylum Centre Avnstrup 16. November 2006), 5. maj 2008: p. 16/64  
[www.ombudsmanden.dk/sager/inspektioner/all\\_inspektioner/Asylcenter\\_Avnstrup/Inspektion\\_afAvnstrup.pdf](http://www.ombudsmanden.dk/sager/inspektioner/all_inspektioner/Asylcenter_Avnstrup/Inspektion_afAvnstrup.pdf)

<sup>100</sup> Available at:  
<http://www.menneskeret.dk/Danmark/Rapporteringer+og+afg%C3%B8relser/Official+and+supplementary+reports/Concluding+Observations+from+the+UN+System>

<sup>101</sup> U. Quistgaard og F. Hvilsom in Politiken, 22.07.09 p 2: *Styrelse går ind i sag med asylbørn*: [The National Social Appeals Board is involved in the case of asylum children]

have the right to a reduced service. If the adult asylum-seeker needs to see a psychologist or psychiatrist, he/she is only entitled to three consultations in addition to another five with other specialists. If the asylum-seeker needs further help, the referring doctor must apply for a payment guarantee from the Udlændingetjeneste [migration authorities]. The guarantee is only given if the treatment is 'necessary', 'cannot be postponed' or is 'pain relieving'.

A study<sup>102</sup> undertook a survey of the mental health of asylum-seeking children in 2006. The population comprised all asylum-seeking children aged 4-16 years living at asylum centres run by the Danish Red Cross. The respondents were teachers of the 4-16 year-olds, and the 11-16 year-old children themselves. Responses were received from 246 children, equivalent to 95 per cent of the study population. 35 per cent of children showed evidence of having a psychiatric disorder. The children had numerous physical and psychological symptoms, poor self-perceived quality of life and a fragile social network. The study concluded that emotional and behavioural problems were highly prevalent among the asylum-seeking children in comparison to children in Denmark in general.

On the basis of another study<sup>103</sup> of six asylum-seeking children, a group of children's psychiatric and psychological experts fear that the whole group of children in Danish asylum camps and their families are suffering serious difficulties which demand treatment. The experts, both as experts in children's development and health and as citizens of Denmark find it inconceivable that children in the care of the Danish state can be living under the observed conditions.

In November 2006, the Ombudsman inspected the asylum centre Avnstrup. In his report from the visit published in May 2008, he states that on average the asylum-seekers had stayed in the Centre for 1,000 days. The Danish Red Cross informed the Ombudsman that a person should not stay in a refugee camp for more than a maximum of a year. 'Due to the long periods of stay, the DRC has the task of easing a situation which should not occur,' the Ombudsman concluded in his report two years later.<sup>104</sup> In April 2008, the Civil Liberties

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<sup>102</sup> S. Smith Nielsen, M. Nørredam, K. L. Christiansen, C. Obel & A. Krasnik (2007) *Psykisk helbred blandt asylbørn i Danmark*. [The mental health of asylum-seeking children in Denmark] *Ugeskrift for Læger* Vol. 169, No. 43, pp. 3660-3665, <http://www.ugeskriftet.dk/nyhed/download/docs/F13449/Vp4307-3660-5.pdf> (23.10.2007).

<sup>103</sup> E. Christiansen, B. H. Claësson, S. Foldager, H. Hoffmann, P. Jansson, L. Lier, B. Rich, M. Gammeltoft, A. L. Hyltén-Cavallius, R. Jonassen, L. Merrild, J. R. Jepsen, K. Behnke, J. W. Gotfredsen, J. LaBianca, A. Ladefoged, T. Bille, N. Michelsen (2007) *En børnepsykiatrisk børnepsykologisk undersøgelse af 6 asylbørn*. <http://www.folketinget.dk/doc.aspx?/Samling/20071/almde/SUU/bilag/36/index.htm> (23.10.2007).

<sup>104</sup> Ombudsmanden: *Inspection of Avnstrup Centre 16. November 2006*, udkommet 2008: [http://www.ombudsmanden.dk/sager/inspektioner/alle\\_inspektioner/Asylcenter\\_Avnstrup/](http://www.ombudsmanden.dk/sager/inspektioner/alle_inspektioner/Asylcenter_Avnstrup/) pp. 59-60: "'Dansk Røde Kors har således på grund af den lange opholdstid til opgave at lindre på det der ikke bør være'.

Committee of the European Parliament visited the Sandholm and Kongelunden asylum centres together with representatives of the Danish authorities and NGOs. The delegation leader, Panayiotis Demetriou (EPP-ED, CY), was very concerned about the psychological impact on the children of years of uncertainty as to their future: ‘It’s the Danish law concerning asylum which makes people stay for ten years in an asylum centre. After ten years you cannot send the families back as they have nothing to go back to [...] As a human being, I sympathise with the refugees in Sandholmlejren and I wonder how a civilised society can treat its citizens like this.’<sup>105</sup> At the very least, they should be treated like human beings,’ ‘The system creates children who are born in Denmark and speak nothing but Danish but who are not accepted in society’, added EP Vice-President and reporter Martine Roure (PES, FR), who criticised the fact that asylum-seekers have to stay in the centres, often for many years, without being given permission to work or join in social activities.<sup>106</sup>

Romani children asylum-seekers can attend schools in the asylum centres or local public schools depending on the agreement between the local municipality and the Red Cross, which manages most of the asylum centres in Denmark. In May 2006, 21 out of 300 children attended local schools outside the centres. A report on an inspection visit at one of the centres recommends that it would be preferable if more of the students could attend public schools outside the centres.<sup>107</sup> According to the law, children have the right to schooling of the same standard as offered in public schools. They should be offered a minimum of 20 hours of instruction a week. There has been a debate concerning the quality of education offered to the children in the asylum centres’ schools, especially focusing on the consequences of the deportations from one asylum centre to another, something that children have experienced because many centres have been closed down. Another critical focus has been the lack of access to mother tongue teaching. Following a change in the law in 2006, asylum-seeking children from ‘selected language groups’ should be offered mother tongue teaching. Before that change, it was up to the individual schools to decide whether they were in a position to provide this option.<sup>108</sup> According to a recent NGO report, children cannot take any final examinations in the reception classes in asylum centres. Children who have been living in asylum centres for many years are then left with no certificate of school completion,

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<sup>105</sup> Voller, Louise: *Hvordan kan et civiliseret samfund behandle sine borgere sådan*; in Dagbladet Information, April 12, 2008: <http://www.information.dk/157789> (26.03.2009)

<sup>106</sup> European Parliament: Final Report of the Committee on Civil Liberties, Justice and Home Affairs from the Delegation to Denmark, [http://www.flygtingeunderjorden.dk/download/LIBE\\_final%20report%20as%20adopted%20DK.pdf](http://www.flygtingeunderjorden.dk/download/LIBE_final%20report%20as%20adopted%20DK.pdf)

<sup>107</sup> Inspektion af Asylcenter Avnstrup 16, November 2006, May 5, 2008: [http://www.ombudsmanden.dk/sager/inspektioner/alle\\_inspektioner/Asylcenter\\_Avnstrup/InspektionafAvnstrup.pdf](http://www.ombudsmanden.dk/sager/inspektioner/alle_inspektioner/Asylcenter_Avnstrup/InspektionafAvnstrup.pdf)

<sup>108</sup> Law 882 21. August 2006: *Inspektion af Asylcenter Avnstrup 16*, November 2006, May 5, 2008: [http://www.ombudsmanden.dk/sager/inspektioner/alle\\_inspektioner/Asylcenter\\_Avnstrup/InspektionafAvnstrup.pdf](http://www.ombudsmanden.dk/sager/inspektioner/alle_inspektioner/Asylcenter_Avnstrup/InspektionafAvnstrup.pdf) pp. 39-40.

which causes great difficulties when they return to their countries of origin. This is the case with children asylum-seekers deported to Kosovo by force.<sup>109</sup>

The number of individuals and families staying in the refugee camps for long periods who are of Romani origin is not officially known, but the number of persons from Kosovo gaining humanitarian residence permits might give some idea: in total 386 persons from Kosovo (including a few from Bosnia in 2008) gained humanitarian residence permits in 2005-2008. In 2008, the number was a total of 107, of whom 26 were children.<sup>110</sup> Many of the families stayed in asylum centres for up to five years after their asylum application had been refused.

### 1.3.10. Campaigns undertaken by authorities on Roma/Travellers' right to adequate housing

No campaigns concerning the right to adequate housing in general or on Roma/Travellers rights specifically have been identified.

### 1.3.11. Direct or indirect discrimination by public authorities, media etc.

To illustrate the ethnic profiling and stereotyping of the Roma population in Denmark in the period covered by this study, a few examples of police activity and media articles are included. Direct and indirect discrimination by local authorities might very well influence Travellers' access to shelter and the mainstream public approach towards the Roma population and the opportunity they have to practise their language and culture wherever they live.

As well as some NGOs, the police have also noted an influx of Roma from the new EU member states (EU MS). DACoRD's main source for this information is the press. From the media, DACoRD know that the police do have information – also of a statistical nature – of Roma involved in crime. According to an article in a daily newspaper 'Police intensify the hunt for

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*Supplerende NGO Rapport – til den danske Regerings fjerde periodiske rapport til FNs Komite' for Barnets Rettigheder*, 2009, [Supplementary NGO report to the Government's Fourth Periodical Report to the UN Committee for the Convention on Children's Rights] p. 23.

<sup>109</sup> <http://www.redbarnet.dk/Default.aspx?ID=6000&M=News&PID=14956&NewsID=3910> (03.06.2009)

<sup>110</sup> Parliament's Homepage: *Om meddelelse af humanitær opholdstilladelse i medfør af udlændingelovens §9b, stk. 1, i 1, 2, 3 og 4 kvartal 2008 i notater fra henholdsvis. 9 May 2008, 18 August, 2008; 13. October 2008; 29. January 2009. The 107 persons in 2008 includes a few families from Bosnia.*  
<http://www.folketinget.dk/doc.aspx/?samling/20072/menu/00000002.htm>

Roma: Migrant Roma – also called sigøjnere [gypsies], swindle, beg and steal, according to police analysis'.<sup>111</sup> The article reports that the police in the District of East Jutland have examined the phenomenon in depth and found that immigrant Roma are involved in a broad variety of scams and tricks. In the period 2005-2007, 163 reports were made against 315 Roma in the police district and 87 were charged. The scope of Roma crime is listed in a special window:

- Sale of fake 'gold' jewellery at roadside picnic areas;
- Begging on the street and in trains;
- Trick thefts, where two or more people enter an apartment. While the owner is distracted by one, the other steals cash or jewellery;
- Change of large bills in shops. The perpetrator confuses the shop assistant by letting the money change hands so many times, that the swindler leaves with more money than he brought in;
- Pick-pocketing and shop lifting;
- Covert reading of pin-codes and subsequent stealing of plastic cards.
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The East Jutland Police District has shared its analysis with other police districts. DACoRD requested a copy of the report but was refused.<sup>112</sup> The police analysis has, however, been shared with a newspaper reporter orally. It is not clear how those complained about and/or charged (163/87) were identified by the police along ethnic lines – especially if they were not arrested – just over ½ were reported as having been charged.

This type of ethnic profiling is also reflected in press releases from the police, public warnings and reports to journalists from the police daily activity report. One example is a press release of 27 May 2008 from the same police district, published on the police website<sup>113</sup> under the heading: 'Gypsies try to stop cars in East Jutland. Gypsies are again on the go in East Jutland. The police request the public to ignore the 'tricksters'. The text reports that roadside 'gypsy types' try to stop cars and ask for money and have 'gold jewellery' for sale. It states that their way of operating is recognised from previous seasons. The police encourage motorists to ignore the tricksters: 'It is not necessary to call the police in order to report the position of the gypsies. The police know they are

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<sup>111</sup> *MetroXpress*, Copenhagen, June 11, 2008, p. 12f,

<sup>112</sup> March 24, 2009 the Police reported that 'The gypsies have become more desperate. They no longer stay in the bus lane. They have moved out into the emergency track.'<sup>112</sup> The police report that they have experienced a tremendous increase in cases where gypsies signal that they need help, and when cars stop they present jewellery they want to sell.

<sup>113</sup> [http://www.politi.dk/Oestjylland/da/lokalnyt/Nyheder/Sigoejnere\\_100408.htm](http://www.politi.dk/Oestjylland/da/lokalnyt/Nyheder/Sigoejnere_100408.htm)

there, and use every opportunity to pursue them'. The police expect that this practice will spread to the entire country.

In a road-side incident those involved are reported to be Travellers from England and Ireland rather than from the new EU MS. In a local newspaper report of 22 May 2008 (Løgstør Avis), it is noted that 'two gypsy-looking men' were turned away from a supermarket when they were trying to change notes into notes of greater value. 'Police in Løgstør warn other stores against similar episodes. This form of crime is recurrent every year'. An article in *Journalisten*, a professional membership publication of the Danish Journalist Union,<sup>114</sup> in December 2007 warned against the stereotyping and poor journalism in reporting on Roma under the headline: 'Now I'll come and steal your laundry'. The author quotes a few examples of incidents concerning 'gypsies' being turned away from roadside parking lots and picnic-areas, most often because of one source of information, the police. 'I believe that the media has a large co-responsibility for one particular group's exclusion from our society because only negative stories are reported about them, based on poor journalistic leg-work.'

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<sup>114</sup> [K. Wöhlisfelt \(2007\) 'Nu kommer jeg og stjæler jeres vasketøj' \[Now I come and the laundry is stolen\] in \*Journalisten.dk\* <http://www.journalisten.dk/om-journalisten> December 2007.](http://www.journalisten.dk)

## 1.4. Case law and complaints related to the housing of Roma and Travellers

Complaints concerning racism and/or discrimination can be recorded and processed via a new independent Common Complaints Board for Equal Treatment, which came into being in January 2009.<sup>115</sup> The new Complaints Board is part of the National Social Appeals Board. The Complaints Board is empowered to review complaints on the grounds of discrimination because of gender, race, religion or faith, age, disability, national, social or ethnic origin, political observation or sexual practice. It also covers complaints related to sports although this is not explicitly mentioned. The Complaints Board can award compensation to victims for non-pecuniary damage and will be entitled to take a case to court if the perpetrator is unwilling to pay.

In 2003-2008 the Danish Institute for Human Rights was assigned the power to review individual complaints and express its opinion as to whether the prohibition of discrimination and the prohibition of victimisation had been violated (cf. Act. No 375 on Equal Treatment of May 28, 2003 and consolidated in Act. No. 31 on Prohibition of Different Treatment in the Labour Market etc. of 12 January 2005). During this period, five cases concerning Roma were investigated by the Complaints Committee, of which two are directly and one is indirectly related to housing. (See Annexes 1 and 2).

Tenants in public social housing associations can complain to Beboerklagenævnet [Tenants' Complaints Board] which have the mandate to make decisions in the areas listed in §100 in Lov om leje af almene boliger [Law on renting in public housing].<sup>116</sup> There is a Tenants' Complaints Board in all municipalities in Denmark. A complaint must be written and the cost to bring a case is 128 DKK (approx. 17 euros). No more than a week after a complaint is filed, the other party must be informed and given a chance to present their views. No later than four weeks after a complaint has been filed, the board must present its conclusions. If a Board's conclusion is not accepted by one of the parties, the case has to go to Boligretten [Housing Court].<sup>117</sup> Boligretten handles in cases concerning rented housing.<sup>118</sup>

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<sup>115</sup> Lov om ligebehandlingsnævnet:  
<https://www.retsinformation.dk/Forms/R0710.aspx?id=117192> (25.02.2009)

<sup>116</sup> Lov om leje af almene boliger, Jurist og Økonomforbundets Forlag 2008 pp.400- 430

<sup>117</sup> <http://www.domstol.dk/saadangoerdu/bolig/boligretten/Pages/default.aspx> (27.03.2009)

<sup>118</sup> <https://www.borger.dk/Emner/boligogflytning/lejebolig/Lejefalmenbolig/Sider/Botillejeialmenbolig.aspx> (27.03.2009)

## 1.5. Identifying good practices

No projects or programmes within housing specifically target Roma, apart from projects in Nakskov and Elsinore.<sup>119</sup> Although some of these projects might have some positive short-term impact on the participants' economic situation, and the relationship between Roma families and other ethnic groups in the social housing areas involved, they cannot be defined as best practice from a non-discrimination perspective. They are part of discriminatory practice in the municipalities where Roma are referred to specific projects and programmes, rather than being treated on an equal footing with other citizens. The decision of the Complaints Committee in 2007 established that the practice in Elsinore is a violation of the non-discrimination principle.<sup>120</sup>

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<sup>119</sup> In the e-mail answer from the Ministry of Welfare dated 5th March, reference is made to articles from 2003 concerning two projects targeting unemployed male Roma in a social housing association in *Nakskov* and *Elsinore*: <http://www.romnet.dk/artikler/brikker.pdf>

<sup>120</sup> See case title 'Afgørelse af 11.juli 2007 (j.nr.780.19)' Annex 2. In relation to a municipality project "Common effort" (*Fælles indsats*) and the attachment two specific caseworkers to persons with Roma origin, the Committee concluded that the practice was a violation of the Act of Equal Treatment and the prohibition of differential treatment on the ground of race or ethnic origin.



## 1.6. Major national projects targeting the housing situation of Roma and Travellers that are not included in the previous section

No major national projects targeting the housing situation of Roma have been identified, but two different local approaches to integrate the Roma population introduced in the interviews could be mentioned. In the municipality of Elsinore, the strategy has been to develop specific programmes over many years for Roma families, such as special classes for Roma students in the schools (which were judged to be illegal). The municipality has established a specific job-market section for Roma and specific projects for unemployed Roma. During the last 3-4 years, the interviewee stresses, there seems to be a specific strategy of dispersing Roma families to different social housing areas. According to the interviewee, these strategies have not led to improved integration of Roma families – just the opposite. Stigmatisation seems to be self-fulfilling. Over three years ago the municipality handed over the task of integration into the job market to a private company already involved in this field. The new strategy offering Roma citizens the same support as other citizens, including participation in the same courses as other unemployed adults, seems to have had a positive effect on the number of persons employed. At the same time, there seems to be a much more subtle policy concerning dispersal in the area of housing as described in section 1.3.4. Romano stresses that you will probably find stories about dysfunctional families within all ethnic groups. The problem is that ethnicity is specifically stressed when it is a Romani family, and the story is often made representative of the whole Roma group.<sup>121</sup>

According to the interview with the local consultant in Varde, they have chosen a different strategy concerning integration: Roma families should be given exactly the same services and opportunities as the rest of the population when in a similar situation. At the same time, the consultant stressed that different groups might need to be informed in different ways to be able to access the same opportunities. At first it was difficult to get the children into school. One strategy considered was to punish the parents by reducing the amount of money they received in social benefits. This happened in Elsinore until it was made illegal. Instead, the municipality of Varde chose to employ a ‘cultural assistant’ to improve the dialogue with the families. Today, the integration consultant stresses that there are no specific problems with the Roma families. The social housing association in Varde also employs a person from a Romani background to ensure good communications. According to the consultant, communication with Romani families is better when it takes place orally rather than in writing.

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<sup>121</sup> E-mail response to DACoRD. March 9. 2009. romanet.dk

No one is employed to provide services only to one ethnic group, but to serve all ethnic groups living in the same social area, thus avoiding stigmatisation. As an example, the municipality has just received three million DK from the Landsbyggefonden [Danish National Building Fund] to implement a new plan for all the social housing areas. They hope that some of the projects– for instance a health project – will attract Romani women and men. ‘But establishing a specific project targeting Roma families is not an issue,’ according to the integration consultant.

## 2. Field research – interviews

### 2.1. Brief description of the methodology

This summary refers to interviews no. 1-5 and written e-mail responses no. 6-7 as listed in the contact list in Annex 3.

It has been very difficult to make contact with Romani organisations and representatives. However, we did manage to conduct a personal interview with Euroma. The respondent did not agree to the interview being recorded on tape because he had previous experience of information being misused. He had seen such abuse by the authorities in connection with asylum cases. As mentioned in the report, the Romani organisations seem to have given up their work of promoting Roma rights and culture. Therefore, we did not manage to interview a woman from a Romani organisation.

We also had an interview with a woman from the Romani Association, Denmark's oldest Romani organisation. Today it appears to be a cultural association of ethnic Danes with an interest in Roma culture, and therefore the organisation was unable to contribute any knowledge in relation to housing. The association has had great difficulty in making contact with Roma and pointed out that many Roma in Denmark do not wish to be identified as such because of the fear of Danes' prejudices against them.

We repeatedly tried to contact by mail and telephone a civil society contact, but without success. DACoRD has had earlier contact with him and it is clear that he could have given significant information and views on asylum matters.

Romnet.dk is a Danish website on Roma. The owners have both been involved in the situation of Roma in Denmark during the period this study covers, and their website is the place in Denmark where the most comprehensive information on Roma is publicly available. So romnet.dk was also contacted several times by e-mail, via the website roma.dk, and by phone, asking them for an interview. They are too busy to update the website at the moment, and they could not participate in an interview but preferred to answer the key questions briefly by mail.

Before we received the contact list from the FRA, DACoRD sent written notification on 20 January 2009 to the Welfare Ministry regarding this data collection, as it takes relatively long to get an answer from a ministry in Denmark. On 5 March, we received a written e-mail response that informed us that the ministry had no knowledge of the subject, which was illustrated by the responses to our subsequent questions.

In addition, we unsuccessfully tried to get an interview with the housing association in Elsinore where the majority of Roma had previously resided. We wrote e-mails with requests for an interview three times without getting a reply. We also tried many times establishing telephone contact with a housing association in Nakskov, where some Roma families had previously resided. Again it was impossible to make contact.

When contacting the NGOs and authorities we intended to interview, we informed them about the four main questions. Two of the completed interviews were conducted in person. One was tape-recorded and subsequently transcribed. The personal interview without a tape recorder was documented with notes during the meeting and transferred into a summary immediately afterwards. The interviews with local authorities were conducted by telephone, tape-recorded and subsequently transcribed.

In terms of content, the main problem was the interviewees' lack of knowledge, specifically about the housing situation. The lack of organisations working with housing-related problems might be due to the fact that most of the organisations and institutions which dealt with the development of social housing areas from the mid-eighties to the mid-nineties have closed down. Many of the needs they were established to meet were fulfilled by extensive resource allocation over more than a decade. Also, Denmark does not have a Housing Ministry, as in 2002 it was closed down by the Government.

## 2.2. Summary of main points

The summary is made in accordance with the four main questions (five for public authorities) given in the guidelines.

1. What would you say are the most pressing issues currently facing Roma/Travellers in the field of housing and accommodation? Overall, the qualitative interviews have provided information about settled Roma, who represent by far the largest group of Roma in Denmark. In addition, a few of the interviewees provided information on travelling Roma from eastern European countries who are in Denmark periodically, when they seem to stay at cheap hotels, sleep in cars or live on the streets.

The Welfare Ministry and the Integration Ministry inform us that they do not know where or in what type of housing Roma are settled in Denmark,. They point out that, due to the debate in the media, they believe there must be a large number of Roma living in the segregated social housing areas in Elsinore and Nakskov. The Welfare Ministry and the Ministry of Integration suppose that Roma have access to the same public services as other citizens. (Mail on 5.3.2009)

The Romnet.dk and Euroma representatives indicated that no one in Denmark is interested in clarifying the situation of the Roma, including their housing situation. According to Romnet.dk, this can, be both positive and negative (e-mail on 9th March 2009). According to Euroma, it is mainly negative. Neither of the two organisations believe that there is a difference between Roma and other Danes' access to housing, but Euroma stresses that the housing waiting lists are not transparent, so if there actually is a disadvantage for the Roma, it cannot be documented. 'We do not know whether there is fair treatment now - perhaps discrimination exists, but one cannot prove it.' (Interview 1)

Euroma indicates that out of 15,000 to 25,000 persons in Denmark, in Copenhagen there are 4,000 or 5,000 Roma residents who are originally from the former Yugoslavia, of whom approximately 20 families live in Tingbjerg. Euroma also believes that there is a poor relationship between the approximately 1,000 Roma from Serbia resident in Elsinore and the municipality.

According to the municipality, some 270 Roma originating from Bosnia have settled in Varde. The informant is aware of this number, because she has followed the group since they arrived as asylum-seekers in the mid-1990s and were accommodated in the local asylum centre. Since applicants could state which centre they wished to be located in, a large group of Roma from Bosnia wanted to be in this asylum centre which had already been occupied by many Roma from Bosnia. Many of the group also wanted to settle in Varde afterwards. Some started to move into other cities in Denmark, and some

elderly people tried to be repatriated to Bosnia, but almost all went back to Varde. The integration consultant from Varde states that the Roma group seems to prefer to live together in the same area, as they do in the local social housing 'Boulevard settlement'.

Integro states that currently there are around 1,200 Roma living in Elsinore. The municipality has calculated the number of Roma on the basis of 'guesswork based on last names,' the interviewee informs us: 'They have about five different types of last name [...] and from this it is calculated that the group numbers around 1,200 persons' (Interview 2: 5:00 min.).<sup>122</sup> Until three or four years ago, the vast majority of Romani families lived in the social housing areas known as Vapnagård or in settlements in Nord - and Sydvej. Today, the Roma are scattered in different neighbourhoods. The local authority and the housing associations have worked together to scatter the Roma throughout the city. 'Instead of gathering them together, you have simply chosen to disperse them much more.' (Interview 2, 7:00 min) The strategy of dispersing the group of Roma is, according to the interviewees, because of the housing associations' experience of major problems in terms of noise, partly triggered by the fact that the Roma live in larger household groups with more people per apartment than the average Danish family. The Romani families' daily rhythm is also different from that of most other families in the housing area: 'One can well imagine that it would be a little annoying if 12 people lived in a three-roomed apartment above you.' (Interview 2, 12:30) The interviewee believes that the housing associations evict a Romani family at the earliest opportunity, i.e. as soon as they miss one payment of the rent. 'I think you and I would be given more time to pay if we did not pay our rent on time, compared to someone named Nika or Sein or Novakovič.' (Interview 2, 15:00) Failure to pay is, according to the interviewee, virtually the only justification that gives the co-operative housing society the right to get rid of the tenants. Over the last 3-4 years the social housing association has, according to the informant, in co-operation with the municipality, thrown out at least ten Roma families as soon as they missed a rent payment. The informant tells us about a family who had lived in an apartment for ten years and were ordered to leave at once the very first time they failed to pay the rent on time. When people are evicted, they either live on the streets or in a shelter for homeless persons in the municipality. Shelters for the homeless are, according to the informant, often inhabited by drug addicts and the like, and a homeless family with children risks being sent to such a place. This has not resulted in any lawsuits according to the informant: 'In general, they are just excited to get a home' - and these families do not have money for a lawyer to pursue a case. (Interview 2 approx. 15:00). The municipality has designated housing for young Romani families and families who have been thrown out of their former homes, in areas where there have

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<sup>122</sup> See Annex 2, "Decision no 780.19." where this method was stressed as one out of several reasons for the Committee's argument for this being a case of direct discrimination. Another reason was that the specific offer was not voluntary.

been no or few Roma settled beforehand, and thus they manage to disperse the Romani group. The interviewee from Elsinore thinks it is good for integration to disperse the Roma, and he has not heard that anyone should be dissatisfied with this routine. This is also practised in Varde, where ethnic minority newcomers are sent to residential areas which have a low proportion of ethnic minorities. According to a consultant, it is a practice affecting all ethnic minorities, rather than just specifically Romani families.

Both the informant from Elsinore and the one from Varde say that the Roma live at a greater than the average density: 'And you can say that there are quite a lot of them in every apartment. (Interview 3, 8:56) [...] Yes. There will be as many as is permissible in an apartment' says the informant from Varde municipality. The consultant tells us that there are regulations as to how many people can live in an apartment depending on its size. One explanation for the relatively large number of family members living in each apartment is that they want the elderly who cannot look after themselves to stay at home and be taken care of within the family, rather than placed in nursing homes where nobody speaks their language. (Interview 3, 8: 30)

There seem to be two very different approaches towards the Roma population in Varde and Elsinore. According to the interviewee, the policy in Elsinore has been to develop specific programmes over many years for Romani families, such as special classes for Romani students in the schools (which were judged to be illegal). The municipality has established a specific section of the job-market for Roma and specific projects for unemployed Roma. During the last three to four years, the interviewee stresses, there seems to be a specific strategy of dispersal of Romani families to different social housing areas. According to the interviewee, these strategies have not led to improved integration of Romani families – just the opposite. The stigmatisation seems to be self-fulfilling. According to the interview with the local consultant in Varde, they have chosen a different strategy concerning integration: Romani families should be given exactly the same services and opportunities as the rest of the population in a similar situation. At the same time, the consultant stresses that different groups might need to be informed in different ways to get access to the same opportunities. At first it was difficult to get the children into school. One strategy considered was to punish the parents by reducing the amount of money they received in social benefits. This happened in Elsinore until it was made illegal. Instead, the municipality of Varde chose to employ a 'cultural assistant' to improve the dialogue with the families. Today, the integration consultant stresses that there are no specific problems with the Romani families. The social housing association in Varde also employs a person from a Romani background to ensure good communications. According to the consultant, communication with Romani families is better when it takes place orally rather than in writing. No one is employed only to provide services to one ethnic group, but to all ethnic groups living in the same social area, thus avoiding stigmatisation. As an example, the municipality has just received three million DK from the Landsbyggefonden [Danish National Building Fund] to implement a new plan

for all the social housing areas. They hope that some of the projects – for instance a health project – will attract Roma women and men. ‘But establishing a specific project targeting Romani families is not an issue,’ according to the integration consultant. (Interview 3; 7:28) Three and a half years ago the municipality of Elsinore handed over the task of integration into the job market to one of the private companies already involved in this field. According to Integro, the new strategy offering Roma citizens the same support as others, participation in the same courses as other unemployed adults etc. seems to have a positive effect on the number of persons getting employed. At the same time, there seems to be a much more subtle policy concerning dispersal in the area of housing, as described above. Romano stresses that you will probably find stories about dysfunctional families within all ethnic groups. The problem is that ethnicity is specifically stressed when it is a Roma family, and the story is often made representative of the whole Roma group. (E-mail 9th March 2009)

As regards new groups of Roma entering Denmark from Eastern Europe in order to find employment and earn a living, there seems to be a group of Romani families who do not succeed and have to live on the streets and survive on begging etc. Project Udenfor estimates that on average during the last few years there have been approximately 60-70 homeless people from a Romani background in the city of Copenhagen. According to the interviewee, the housing situation for this group is that they do not have access to existing shelters and other overnight accommodation for the homeless, which are economically supported by the state, because they are not registered with a Danish civil person number. The interviewee refers to a discussion in the media at the end of 2007 and the beginning of 2008, when the Minister for Welfare, Karen Jespersen, stressed that shelters for the homeless that let in people with no Danish identification would have their government support withdrawn. Our interviewee states that homeless Roma in Denmark often travel as families and are discriminated against both by the authorities, as mentioned above, and by the homeless Danes who accuse them of cheating and stealing. (Interview 4) Euroma informs us that to their knowledge some of the Romani immigrants from eastern Europe visit Denmark on a visa as tourists or visitors but actually come to find a job and make a living. They often stay at hotels, but some have to sleep in a car or on the streets.

2. Could you describe briefly your institution’s work on Roma/Travellers housing and accommodation issues? None of the authorities or civil society organisations interviewed in order to collect this data work specifically on issues concerning Roma and housing. The organisations interviewed who work in housing have programmes targeting ethnic minorities but not especially those of Roma ethnicity. And the civil society organisations working with Roma do not specifically focus on housing. Only one project, Udenfor, has considered whether it would benefit the target group to focus specifically on Roma as a group. To get more information on the issue, Udenfor has in co-operation with two university students, initiated a qualitative study including interviews with Roma living on the streets. For this study, they have successfully asked for



support from people speaking some of the national languages of the target groups and the different Romani dialects. The study will be available in July 2009.

The Ministry of Welfare refers to government supported slum clearance projects benefiting all inhabitants, including Roma families. The same point is made in the mail answer from roma.net. Roma.net has the best developed web-information available to the public. This includes links to many of the press articles concerning the illegal practice in Elsinore. However, they inform us that their site is not updated, and they have no specific knowledge concerning housing.

Euroma has previously been very active in producing local radio and TV in Romani, developing material for mother-tongue teaching in Romani and trying to set up a national office supporting Roma rights in Denmark. Euroma stresses the importance of the lack of government recognition of the Roma as a national minority, which results in a lack of support for organisations working with Roma information and education, Roma rights, history, culture and language. The result of the government's policy is that most of the Romani organisations previously active in Denmark have closed down. So there are no organisations with any information on the housing situation of Roma: 'In my head I am on strike. I am tired. What is happening in Denmark is not right. Euroma cannot work as an organisation representing a people when the government does not recognise us as a people. The state has not given us a mandate to take action and to take on responsibility.' In 2002-2006, Euroma put forward six proposals to different ministries and applied for government support to start a national office for Roma people. All the responses were negative.

In the municipality of Varde, they have called on the refugees from Bosnia to establish an organisation to give the group a voice. The consultant thinks that if the group does establish an association it will not have the identity of Roma, but will work as a 'Bosnian' organisation to avoid the stigma associated with their Roma identity. In Elsinore, there are no longer any organisations representing Romani citizens.

The practices in Elsinore and Varde where municipalities and social housing associations co-operate to achieve a composition of tenants with more Danes and less tenants from an ethnic minority background in some of the social housing areas, has been legitimated by the government's strategy to avoid ghettos with a concentration of ethnic minorities and families living on social benefits. (See 1.1.)

The national policy concerning asylum centres and housing for those gaining asylum influences where Roma families settle in Denmark, as the Varde example illustrates. (See 1.1.)

Government supported slum clearance projects might benefit all inhabitants – including Romani families – as stressed in both the interviews with municipalities and in the written answer from the Ministry of Welfare.

The government policy insisting that homeless shelters are only for Danish citizens excludes Roma travellers from this social service. Project Udenfor stresses that the government's policy is out of touch with globalisation: 'Homelessness is an international problem. Homeless individuals from Denmark live in other countries and other countries' homeless individuals live in Denmark.' The interviewee underlines the need for international co-operation concerning these issues. (Interview 4)

4. Could you identify any examples of 'good practices' related to Roma/Travellers' housing.

The projects below were mentioned by the organisations and representatives interviewed when asked if they could think of any good practises. Meanwhile none of them are 'major national projects' or best practice concerning Roma and housing.

Emergency shelters for foreign homeless people were established during the coldest months of the winter 2007/2008 and 2008/2009 in the co-operation of a range of civil society and religious organisations, with Project Udenfor as one of them. The interviewee stresses that such volunteer initiatives always raise a dilemma because they can provide the authorities with an excuse not to take action.

Project Udenfor has also initiated a Mobile Café offering cooked meals. As nobody has to register or have a Danish person number to get a meal or some of the clothing or sleeping bags on offer, this service is also utilised by the Roma group.

As an example of best practice, the municipality of Varde stressed their own approach to integration, with equal services for all citizens. It might require different methods and communication strategies to ensure equal access to services. This approach has so far included the possibility for Romani families to settle in the same neighbourhood if they wanted to.

The Ministry of Welfare refers to articles published in 2003 presenting projects targeting unemployed Roma and notes that they do not know whether the projects have been evaluated. The articles concern projects in Elsingore and Nakskov.

None of the interviewees could give examples of authorities that had included Roma organisations in preparing or implementing projects or programmes. This may be due to the government's assimilation strategy towards immigrants in general and the failure to acknowledge the Roma as a national minority group in particular. From an empowering perspective, this lack of inclusion of Romani organisations is a huge problem and a step further to exterminating the Romani language and culture in Danish society.

### 3. Annexes

#### 3.1. Annex 1 A – Statistical data and tables

Please complete the table below (covering period 2000-2009)

	2000 – 2009
Number of complaints regarding ethnic discrimination received by complaints authorities (such as ombudsperson's offices and national equality bodies)	3 cases by national equality body
Number of instances where ethnic discrimination was established by complaints authorities (such as ombudsperson's offices and national equality bodies)	2 cases by national equality body
Follow up activities of complaints authorities (such as ombudsperson's offices and national equality bodies), once discrimination was established (please disaggregate according to type of follow up activity: settlement, warning issued, opinion issued, sanction issued etc.)	None – as the national equality body until January 2009 did not have the mandate to sanction – only the mandate to declare whether this was a case of direct or indirect discrimination.
Number of sanctions and/or compensation payment in ethnic discrimination cases (please disaggregate between court, equality body, other authorities or tribunals etc.) regarding access to housing (if possible, disaggregated by gender and age).	None.
Range of sanctions and/or compensation in your country (please disaggregate according to type of sanction/compensation)	No sufficient data to give a valid answer.

### 3.2. Annex 1B - Un-official statistical data and tables

According to DACoRD's database, 15 cases related to Roma have been registered in 2000-2009. Among them, four cases relate specifically to housing or access to housing open to the public.

<b>Case Number</b>	<b>Subject</b>	<b>Activity</b>
SA 0905/2001	Municipality of Elsinore demands information from a tourist with Roma background on the tourist permission to stay in Denmark	Registration and advice
SA 9957/ 2001	Neighbour harassment – Roma family ordered to leave the apartment.	Registration and juridical assistance
SA 0091/2002	Assignment of apartment by a social housing association in Elsinore	Registration
SA 2303/2009	In 2003-2008 Roma families were denied access to the church hall at the local hospital in Elsinore.	Registration

### 3.3. Annex 2A – Court, specialised body or tribunal decisions

Case title	Afgørelse af 30 November 2006 (j.nr.780.30) (Decision of 30 November 2006)
Decision date	30 November 2006
Reference details (type and title of court/body; in original language and English [official translation, if available])	Administrative Complaints Mechanism/Specialised Equality Body/ Klagekomiteén for Etnisk Ligebehandling, Institut for Menneskerettigheder Complaints Committee for Equal Treatment, Institute for Human Rights, j. nr. 780.30
Key facts of the case (max. 500 chars)	The owner of a camping place turned away people from a Romani background and phoned nearby camping sites to make them also refuse admission
Main reasoning/argumentation (max. 500 chars)	The Complaints Committee decided on 30 November 2006 that, to the extent that the camping site owner had turned away people from a Romani background or had been willing to carry on such a practice, this was a case of direct discrimination according to §2 Subsection 1 in Law on Equal Treatment. The law holds for all public as well as private activities, regard to social protection among these social insurance and health care, social services, education as delivery of goods and services, and here housing open to the public. As X camping is a private activity which delivers services and goods to users of camping sites camping X is encompassed to the law.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	Dansk Camping Union, DCU (Danish Camping Union) is an umbrella organisation for camping site owners. In the Television news TV2, which led to the Committees investigation in the case, DCU supported the camping site owners' right to turn away visitors due to their Romani background. During the process, DCU changed their attitude and dissociated the organisation from the practice used when some guests were turned away due to their Romani background. <a href="http://www.klagekomite.dk/Media/afg/780.30-AGF.pdf">http://www.klagekomite.dk/Media/afg/780.30-AGF.pdf</a> (30.03.2009)
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	Violation. The Complaints Committee did not receive any individual complaints about the practise and therefore the Committee did not go further in the case. Furthermore, the Complaints Committee did not have the mandate to give sanctions.

### 3.4. Annex 2B – Court, specialised body or tribunal decisions

Case title	Afgørelse af 4 juli 2006 (j. Nr.740.11) Decision of 4. July 2006)
Decision date	4 July 2006
Reference details (type and title of court/body; in original language and English [official translation, if available])	Administrative Complaints Mechanism/Specialised Equality Body/ Klagekomiteén for Etnisk Ligebehandling, Institut for Menneskerettigheder Complaints Committee for Equal Treatment, Institute for Human Rights, j. nr. 740.11
Key facts of the case (max. 500 chars)	A couple wanting to buy a private property. The couple stated that their offer was refused by the estate-agent because of their Romani background.
Main reasoning/argumentation (max. 500 chars)	The Complaints Committee decided that it had not been documented that the couple were exposed to direct discrimination or reprisals according to the law on equal treatment §3, subsection 1 or paragraph 8. The real estate agent has informed the owner about the couple's offer and there were no evidence that the agent in this process should have treated the couple unequally: <a href="http://www.klagekomite.dk/Media/afg/740.11-AFG-040706.pdf">http://www.klagekomite.dk/Media/afg/740.11-AFG-040706.pdf</a> (30.03.2009)
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	The couple's complaint did both refer to the estate-owner and the estate agent. Meanwhile the Complaints Committee only investigated the case in relation to the estate agent as they – according to the scope of the application of § 10 subsection 2 in Law no 374 of 28. May 2003 (Law on equal treatment) – did not have the mandate to investigate the case in relation to the estate owner.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	No

### 3.5. Annex 2C – Court, specialised body or tribunal decisions

Case title	Afgørelse af 11 juli 2007 (j. nr.780.19) Decision no 780.19
Decision date	11 July 2007
Reference details (type and title of court/body; in original language and English [official translation, if available])	Administrative Complaints Mechanism/Specialised Equality Body/ Klagekomiteén for Etnisk Ligebehandling, Institut for Menneskerettigheder Complaints Committee for Equal Treatment, Institute for Human Rights, j. nr. 740.11
Key facts of the case (max. 500 chars)	In relation to a municipality project, ‘Common effort’ (Fælles indsats) and the attachment two specific caseworkers to persons of Romani origin, the Committee concluded that the practice was a violation of the Act of Equal Treatment and the prohibition of differential treatment on the ground of race or ethnic origin.
Main reasoning/argumentation (max. 500 chars)	Based on the information provided, it was the assessment of the Committee that a special measure according to Section 4 of the Act on Ethnic Equal Treatment solely could be executed if an offer with focus on the person’s or the group’s special needs of life situation. The initiative should be to the benefit of the individual and should not contain any compulsory parts. The Committee found that the municipal project had a legitimate aim to strengthen the integration on the labour market and remove inequalities for persons of Romani origin. However, the Committee concluded that the initiative automatically directed persons with Romani background to two specific caseworkers in so far the municipality assessed that there was a special effort needed for a particular individual. Based on this reasoning, the Committee found it was a compulsory measure for persons of Romani origin and hence a violation of section 2 (1) of the Act on Ethnic Equal Treatment and the prohibition of differential treatment on the ground of race or ethnic origin.
Key issues	Special measure vis-à-vis compulsory participation or measures. This is not a housing case but it illustrates the problems in the approach to integration by Elsinore also presented in section 1.6.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	No

### 3.6. Annex 2D – Court, specialised body or tribunal decisions

Case title	Murat Haliti and others vs. Denmark
Decision date	
Reference details (type and title of court/body; in original language and English [official translation, if available])	Decision by the European Court of Human Rights Application No. 14712/03 as of 19/02/2004
Key facts of the case (max. 500 chars)	The applicants complain that an implementation of the order to deport them to Kosovo will be in breach of Article 3 of the Convention.
Main reasoning/argumentation (max. 500 chars)	The Danish National Commissioner of Police has not yet contacted UNMIK as to the applicants in the present case since their forced return has not been planned yet. Thus, relying on the information provided by the government, the Court is satisfied that in the case that UNMIK objects to the return of the applicants, their return will be suspended until further notice. In these circumstances, the Court finds that no substantial grounds have been shown for believing that the applicants, being ethnic Roma, would face a real risk of being subjected to torture, inhuman or degrading treatment or punishment upon return to Kosovo.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	Roma asylum-seekers are not deported, however, are thus forced to stay in the Danish asylum centres without proper housing, right to work etc.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	No sanctions.



### 3.7. Annex 3 – Bibliography

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[www.politi.dk](http://www.politi.dk): Statistics for asylum-seekers  
<http://www.politi.dk/da/servicemenu/statistik/Asylansoegere/>

The Complaints Committee for Equal Treatment: [www.klagekomite.dk](http://www.klagekomite.dk) and link to reports from the body referred to in Annex 2:  
<http://www.klagekomite.dk/Media/afg/740.11-AFG-040706.pdf>  
<http://www.klagekomite.dk/Media/afg/Egendriftsager/780.19-AGF-110707.pdf>  
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