**Response to questionnaire regarding reasonable accommodation** – Stig Langvad

**1.       The European Union has adopted the directive 2000/78/EC which enforce the member states to adopt national legislation/regulation protecting persons with disabilities from being discriminated on grounds of disability in relation to employment. This directive includes the recognition of denial of reasonable accommodation within the workplace to be considered as discrimination on the basis of disability.

Denmark has adopted legislation to live up to the obligations put upon their shoulders through the directive 2000/78/EC.

Denmark does not have similar legislation/regulation outside the field of employment regardless of the fact that Denmark has been recommended by the treaty bodies to adopt a horizontal legislation/regulation protecting persons with disabilities from discrimination on any ground and to include in such legislation/regulation the concept of reasonable accommodation as discrimination on the basis of disability.

The European Union has also been discussing if it should expand the existing regulations on disability-based discrimination relating to the work environment to other sectors within the competence of the European Union, but so far the member states of the European Union has not been able to reach an agreement on this subject.**
**2.       Denmark has not adopted any kind of test regarding the concept of reasonable accommodation. The use of the concept is developed through jurisprudence drawn from complaints from persons with disabilities who are putting cases regarding lack of reasonable accommodation to the governmental body dealing with equality matters (on all grounds of discrimination). But so far there have been no attempts to do anything aiming at creating a mutual understanding of the content and use of the concept of reasonable accommodation.**
**3.       Denmark do have affirmative actions regarding structural unbalances on the labour market for persons with disabilities, but it is a very narrow and old-fashioned approach that are existing within the state of Denmark.**
**a.       There is some kind of affirmative action when persons with disabilities are applying for jobs within the public sector. A person with a disability who are qualified for a certain precision within the public sector can demand to be interviewed for the job, but cannot be guaranteed to be employed even having the necessary qualifications.**
**b.      Within the legislation relating to education, employment and social affairs there are some elements which can be considered to be some kind of affirmative action aiming at eliminating barriers preventing persons with disabilities to study, be employed or live some kind of independent life within the society (personal assistants, adaptation of the workplace, tax reimbursement for travel expenditures et cetera).**
**4.       Denmark do have legislation aiming at protecting women from any kind of discrimination, but this legislation does not in any way mention women and girls with disabilities in particular, and therefore one must suspect that women and girls with disabilities are exposed to such crimes but they are not registered or investigated.**
**5.       Denmark are not collecting data regarding discrimination of persons with disabilities. Sometimes there are other entities that are focusing on some perspectives regarding discrimination of persons with disabilities, but not very structured or periodic (by example The Danish Disability Council or Disabled People’s Organisations Denmark (DPOD)).**
**I hope my answers gives information that are understandable, or otherwise do not hesitate to contact me for supplementing comments.**