# EADE

**EUROCITIES ANTI-DISCRIMINATION EXCHANGE**

# Anti-Discrimination Good Practice Guide

The European Union

against discrimination

Edited by

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## Acknowledgements

This Anti-Discrimination Good Practice Guide is the fruit of a European cooperation between municipalities. The project, called the Eurocities Anti-Discrimination Exchange (EADE), involved eight partner cities from six different European countries (Antwerp, Barcelona, Birmingham, Bologna, Madrid, Malmö, Newcastle Upon Tyne and The Hague). It was co-financed by DG Employment & Social Affairs of the European Commission. The aim of the initiative was to foster the exchange of experience around issues of anti-discrimination work among key local actors in each partner city. This objective was achieved through two transnational seminars, which took place in the Hague (27-28 April) and Birmingham (27-28 September 2001). The two meetings offered an opportunity for local authority representatives, NGO representatives, academics and representatives from any other agency playing a key role in the local anti-discrimination strategy to discuss each other's anti-discrimination work. For that purpose, the transnational meetings were prepared by a report drafted by local teams  that analysed anti-discrimination activities in each partner city.

This transnational project was initiated and coordinated by Eurocities. It also received assistance from the Centre for the Study of Ethnicity and Citizenship from the University of Bristol, which offered an external academic expertise for the editing of the present Anti-Discrimination Good Practice Guide. We would like to take this opportunity to thank Simon Hoare from Eurocities and all the people involved in the local teams for their contribution to this project. Special thanks are due to the members of the local team who took the responsibility of drafting the local papers. They readily accepted to devote a lot of time to successive revisions of their contribution. Their input into the project allowed us to have a better understanding of the good practice projects at work in the eight partner cities. Without them and without the contribution of all the local teams, this Anti-Discrimination Good Practice Guide would not have been possible.

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> **"Without prejudice to other provisions of this Treaty and within the limits of the powers conferred by it upon the Community, the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation"**
>
> **Article 13 of the Amsterdam Treaty**

# Introduction[1]

## 1. THE CONTEXT OF THE EUROCITIES ANTI-DISCRIMINATION EXCHANGE PROJECT (EADE)

The context for this European Anti-Discrimination Good Practice Guide is the emergence, by way of the Article 13 of the Amsterdam Treaty, of a common institutional framework for combating discrimination at EU level. Article 13 of the Amsterdam Treaty gives the European Union a new competence for combating discrimination based on sex, racial, or ethnic origin, religion or belief, disability, age or sexual orientation. On the basis of Article 13, an anti-discrimination package was recently adopted by the EU Council of Ministers. This package included two anti-discrimination directives and a programme of action: the Employment and Occupation Directive, the Race Directive and the Community Action Programme to combat Discrimination (2001-2006).[2] The Employment and Occupation Directive is often characterised by saying that it is a horizontal instrument, contrary to the Race Directive, which is presented as a vertical instrument. While the former is essentially concerned with the labour market and aims to a establish the principle of equality of treatment on the grounds of all the types of discrimination listed in the Article 13, the latter only covers discrimination on the grounds of race and ethnic origin and is enforceable in the field of employment and in social security matters.

These important measures provide the new institutional context within which issues of anti-discrimination needs to be addressed. They also provide for the first time a common definition of unlawful discrimination enforceable within the whole territory of the European Union.[3] In the near future, the implementation of Article 13 and of the ensuing directive will have a very noticeable impact on the anti-discrimination practices and legislation of the fifteen member states, especially in those countries which currently have less advanced anti-discrimination legislation. This is why analysing the innovation of Article 13 and assessing its potential impact is so crucial for municipalities and relevant local actors.

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[1] The views, opinions and analyses developed in the introduction of the European Guide do not necessarily reflect the position of Eurocities and of the eight partner cities. The editors of the present Good Practice Guide assume sole responsibility for any error.

[2] Respectively Directive 2000/78/ EC (28 November 2000), Directive 2000/43/EC (29 June 2000), and Council Decision 2000/750/EC.

[3] The principle of equality of treatment and non-discrimination of Article 13 is all the more visible since it is now included in the Charter of Fundamental Rights proclaimed in Nice in December 2000.

## 2.   METHODOLOGY OF THE EADE PROJECT

The methodology adopted for the implementation of the EADE project is three pronged. The first dimension relies on consultation with relevant actors locally. A local working group was established in the eight partner cities bringing together representatives of municipalities, NGOs and any other relevant agencies playing a key role in anti-discrimination work. The second dimension of the methodology is the joined-up transnational European approach. EADE brought together eight municipalities from six different countries largely without previous experience of collaboration between them. The third element is the inclusion of an external academic expertise provided by the Centre for the Study of Ethnicity and Citizenship of the University of Bristol. In the following paragraphs, we say a brief word about these three dimensions of the EADE methodology.

As far as the first dimension is concerned, it should be noted that the EADE project initiated by itself local dynamics of consultation, exchange and partnership between relevant local actors. It is therefore a project that has offered more than a mere compilation of good practice drawn from policy papers. In each partner city, a local working group was established in order to prepare the city's contribution to the two transnational European workshops in The Hague (April 2001) and Birmingham (September 2001). The local working groups met under the auspices of the municipal department responsible for anti-discrimination work and were composed of local authority representatives, NGO representatives, academics and representatives from any other agency playing a key role in the local anti-discrimination strategy. This work method stimulated a positive local dialogue between local actors, which was complemented by the European exchange of experience that took place during the two transnational workshops. Building on the virtues of deliberation, this project was able to reflect a broad range of opinions, attitudes and practices about what anti-discrimination means in Europe today.

The second central element in the method of the EADE project is its reliance on a joined-up approach to combating all forms of discrimination within the European Union. Municipalities are the closest political bodies to citizens. For that reason, they have a special part to play in giving life to the new commitment of the European Union to combat discrimination. Because Article 13 will not give rise to a strong harmonisation, as will be explained further in sections below, there is wide room for local actors to exchange ideas and experiences beyond legislation. Such European cooperation and networking between municipalities and local actors has allowed joint identification of the challenges, gaps, and prospects for change called by the emerging European anti-discrimination strategy. The joined-up approach to combating all forms of discrimination at European level is one of the key elements adopted and promoted by the EADE project.

The third central element in the method of the EADE project was its cooperation and partnership with academics. The Centre for the Study of Ethnicity and Citizenship has been associated to Eurocities and to the eight partner cities for the whole project in order to provide an external academic expertise. The Centre for the Study of Ethnicity and Citizenship is a university research centre based in the Department of Sociology at the University of Bristol. Founded as a multi-disciplinary research centre in 1999, it coordinates and promotes the study of ethnicity in two broad areas:

Ethnicity and state structures, which also include themes such as cultural pluralism and its institutionalisation, the politics of multiculturalism and other forms of difference including gendered ethnicity and ethno-religious identities, minority rights and human rights and challenges to secularism. The Centre's research also focuses on the Nation-State and other aspects of citizenship.

Ethnicity and socio-economic structures, with a special focus on racialized exclusion, discrimination, inter-generational poverty, labour markets, health, education, ethnic stratification, social mobility, ethnic competition and ethnic network as a local, national, and transnational economic resource.

Cooperation between cities and university-based research has developed to a substantial extent everywhere in Europe. In the field of anti-discrimination, such partnerships have serious potential for improving policy intervention because discrimination is a concept that has been deeply explored by social science research over the last twenty-five years. Although there is no such thing as an academic sub-discipline concerned with all types of discrimination, there are a number of disciplinary perspectives on discrimination. Gender studies, ethnic and racial studies, disability and age studies, while being clearly distinctive perspectives, are all concerned with a facet of the phenomenon.

Most social researchers tend to enter the field of discrimination through their interest in specific groups. This means that they look at discrimination through the window of either racial, sexual, religious or some other forms of discrimination. The Centre for the Study of Ethnicity and Citizenship researchers involved in the EADE project are no exception. Their perspective on discrimination dwells upon their expertise in the study of ethnic and racial minorities in the UK and Europe. The strength of this lies in the fact that discrimination research on account of race and ethnic origin, alongside research documenting discrimination against women, are probably those that have received the broadest coverage and the most coherent theorising in academia. Therefore, the disciplinary perspective of ethnic and racial studies is a particularly suitable position from which to analyse the current evolution occurring in the field of anti-discrimination work at EU level in general and at municipal level in particular.

### 3. CONTENT AND SOURCES OF THE ANTI-DISCRIMINATION GOOD PRACTICE GUIDE

This European Anti-Discrimination Good Practice Guide is based on the information, knowledge and expertise shared by the eight partner cities with the editors of this report. It is indeed on the basis of the local papers prepared by the eight local teams that this Anti-Discrimination Good Practice Guide was elaborated. As it is often the case in such exercises, not all good practice projects could be included. This Guide is a selection of the projects and approaches that were seen as most innovative and promising. A number of cities have provided multiple examples of good practice initiatives that could not all appear in this Guide. In order to offer a balanced representation of the experience of the eight cities, some interesting examples of anti-discrimination work could not be included.

The eight local papers provided an overview of the good practice strategies and projects of the eight European municipalities involved. Although each city was asked to adopt a common framework for the analysis of their local circumstances, there were noticeable variations in terms of the contents of each local paper. Issues of legality and reception are central to South European papers, whereas other papers are more clearly connected to the removal of discriminatory barriers to resident ethnic and racial minorities, while in yet other papers the perspective is one of equality focusing on all types of discrimination. As shown in Sections 2 and 3, these different emphases not only reflect different local realities, but they also testify to different models of policy intervention.

However, there is one converging trend in all the papers presented during the EADE project that consists of an attempt to move beyond a single target group approach to fighting discrimination. The eight partner cities strongly support and recommend a horizontal crosscutting approach to anti-discrimination work. The partners see the usefulness of establishing departmental connections and jointly studying the mechanisms that lie at the basis of all forms of discrimination. The identification of common goals and themes should be a central element in the future of anti-discrimination work.

### 4. OBJECTIVE OF THE ANTI-DISCRIMINATION GOOD PRACTICE GUIDE

As already mentioned, this European Anti-Discrimination Good Practice Guide has gone through a process of consultation and exchange with various local actors. The ultimate objective of the Guide is to disseminate the results of the project by offering an easily accessible presentation of the best practice identified throughout the process. However, our objectives go beyond this. Our most sincere hope is that it will be used by politicians, policy-managers, public agencies, and any other relevant actors to improve their anti-discrimination interventions. The Guide is also intended to promote the transfer of good practice. One ambition of this Guide is indeed to publicise leading examples of good practice principles, strategies and projects so that they can be adopted in part or as a whole in other European municipalities. The final ambition of this Guide is that it will be used by local actors to advocate improvements in anti-discrimination work and as a source of policy-recommendations.

## 5.  STRUCTURE OF THE ANTI-DISCRIMINATION GOOD PRACTICE GUIDE

The Anti-Discrimination Good Practice Guide is divided into four sections. The first offers an analysis of the relevance of Article 13 for the future of anti-discrimination work in Europe. It discusses the strengths and limitations of this new legislative framework. The second section identifies ten good practice basic principles of anti-discrimination work, which are recommended to any municipality willing to consolidate its anti-discrimination activities. In the third section, we look city by city where the emphasis of the anti-discrimination work is placed. This presentation, while allowing to extract the distinctive emphases in each city, does not mean that we have eight distinctive models of anti-discrimination work. There clearly exist overlapping methods and converging strategies between the eight cities, notably in terms of a crosscutting horizontal approach. The format adopted in Section 3 is simply to seek to offer the reader a richer perspective on the diversity of municipal approaches across the EU. Finally, Section 4 will present a selection of good practice projects presented by the eight cities during the two transnational meetings of the EADE project. The presentation of the local good practice projects is made by areas of discrimination (i.e. age, disability, race and ethnic origin, religion and sexual orientation).

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**The structure of the Good Practice Guide is as follows**:
**Section One**: Analysis of Article 13 of the Amsterdam Treaty
**Section Two**: Identification of Good Practice Basic Principle of Anti-Discrimination Work
**Section Three**: Identification of Good Practice Strategies of Anti-Discrimination Work by Cities
**Section Four**: Selection of Good Practice Examples of Anti-discrimination Work by Areas of Discrimination

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**SECTION ONE**

# The Legislative Framework of Anti-discrimination Work in the European Union: Article 13 Under the Microscope

## 1.    THE INNOVATION OF ARTICLE 13

There are at the international level several legal instruments directly or indirectly dealing with discrimination. The most important ones are without a doubt the International Covenant on Civil and Political Rights, the International Labour Organisation Convention n° 111, the United Nations Convention on the Elimination of all forms of Racial Discrimination, and the European Convention on Human Rights. These international agreements have been translated in the internal legal order of most member States of the EU. According to a recent European Commission report, all EU countries have indeed constitutional and/or legal instruments for combating discrimination. Considering these international and national pieces of legislation, the question which springs to mind is what is the relevance, and possibly the additional value, of an EU based legislation on discrimination?

Before addressing this question, it should be recalled that the EU initiative comes after a long inter-institutional debate between the European Parliament, the European Commission and the European Council of Ministers about the competence of the EU to take action in this domain. While the European Parliament was in favour of a European initiative, the Council of Ministers and a number of Member States adopted the view that an anti-discrimination legislative initiative would fall outside the remit of the EU and should therefore remain an exclusive competence of the Member States. This debate concerned all types of discrimination except that between men and women which had been taken on board on the basis of article 141 of the Treaty on the European Union and which is dealt with in the Equal Treatment Directive of 1976.[4]

The Treaty of Amsterdam brought this discussion to a head by giving explicit powers to the EU to take action against discrimination. However, in line with the principle of subsidiarity, Article 13 and its two directives only cover the domain of competence of the European Union. They are in fact meant to help the formation of the internal market, even if, in practice, they are portrayed as enhancing the human rights protection within the EU. Technically speaking, discrimination is combated by the EU on the grounds that it hinders the flexibility and mobility of the workforce and because it threatens simultaneously the economic growth potential of the Union.

Coming back to the question of the added value of the EU anti-discrimination initiative, the answer is that Article 13 and the two directives pursuant to it provide at least two major innovations. The first is that a single and comprehensive framework guaranteeing equality of treatment is established European-wide. A framework is established which will compel countries with less developed legislation to conform to the minimal common standards set

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[4] See Directive 76/207/EEC, 9 February 1976.

out by the EU. This innovation has a special significance for the principle of equality of treatment on the grounds of age, disability, religion or belief and sexual orientation. They have much less significance for race and ethnic origin, which are already well covered by the legislation of most EU member states. The second innovative aspect of the EU legislation is the legal guarantees it offers to individual victims. Considering the consensus that exists among legal experts to recognise the failure of international conventions and of national legislation, including the legislation of many EU member States, to provide effective guarantees to individual victims, the institutionalisation of judicial procedures protecting victims is a significant step forward. A British black person as a victim of discrimination on account of his skin colour when searching for a job in another member State may be less well protected than in his own country. But the very existence of an EU anti-discrimination framework will provide him a higher degree of enforceability of a legal protection than what exists today in most member States. A common minimal standard of legal protection is now offered to potential victims throughout the whole territory of the European Union, without prejudice of more favourable provisions nationally. In this sense, Article 13 represents a partial answer to the limitations of the effectiveness of international and national legal instruments aimed at combating discrimination.

## 2.    THE CONCEPT OF DISCRIMINATION

Looking at the long historical perspective, there is a very fundamental evolution of how public institutions have dealt with the notion of anti-discrimination. Whereas the typical 19th century anti-discrimination arrangements were developed for settling the case of philosophical and religious minorities, contemporary legislation is facing the challenge of addressing new issues such as, for instance, those raised by the massive immigration of colonial and guest workers immigrants. If racial discrimination is among the most problematic forms of discrimination, it is far from being the only one. The struggle against discrimination is an ongoing process, which is now facing the challenge of, not only addressing new social realities, but also addressing old ones innovatively. The inclusion of disability, sexual orientation and age as a basis for anti-discrimination struggle reflects the feeling that the law must be adapted to processes of social change, which are marked today by an unprecedented diversity in terms of lifestyles, ethnic, cultural and religious backgrounds.

The concept of discrimination adopted in the legislation derived from Article 13 is inspired by the EU legislation on the equality of treatment between men and women.[5] Equality of treatment is defined as the absence of any direct or indirect discrimination. By direct discrimination, reference is made to deliberate behaviours, which are defined as follows by the Employment Directive:

> "direct discrimination shall be taken to occur where, on any of the grounds referred to in Article 1,[6] one person is treated less favourably than another is, has been or would be treated."

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[5]    Ibid.

[6]    They are the same as those listed in Article 13 TUE except sex which is covered by a specific EU Directive.

The same document defines indirect discrimination as follows:

> "indirect discrimination shall be taken to occur where an apparently neutral provision, criterion or practice is liable to affect adversely a person or persons to whom any of the grounds referred to in Article 1[7] applies, unless that provision, criterion or practice is objectively justified by a legitimate aim and the means of achieving it are appropriate and necessary"

Harassment is also considered a discrimination in its own right. Harassment is any form of action that creates a disturbing, intimidating, offensive or hostile working environment, such as verbal abuses and gestures. As in the equality of treatment between men and women legislation, the two anti-discrimination directives following Article 13 place the burden of proof on the defendant in case of legal action.

The EU notion of anti-discrimination offers a minimal standard of legal protection, not an extensive and uniform one. This means that some countries will remain more advanced than others in their struggle against discrimination even after the implementation of the two directives. The legislation also suggests that equality of treatment is expected to result from *combating* discrimination.[8] It does not enact a positive duty on public and private authorities to promote positive action or equal opportunities policies. In this respect, one suspects that this absence will in the long run be felt as a major shortcoming. Lessons from both the perspective of gender studies and from ethnic and racial studies have taught that a thin notion of equality of treatment is far from being a promise of equality.


## 3.  ARTICLE 13 AND NATIONAL LEGISLATION: COMPLEMENT OR CONCURRENT?

The pervasive influence of national traditions in the struggle against discrimination makes a common European anti-discrimination language difficult. In this area as well as in other policy domains of the European Union, harmonisation is a desirable but difficult objective to reach. The fact is that potential victims of discrimination on account of race, ethnic origin, disability, sexual orientation, religion or belief etc. have a very unequal access to legal protections in the various member States of the European Union. The development of a comprehensive EU anti-discrimination legislation equally and effectively protecting victims of discrimination throughout the EU will take time and can only result from a gradual consolidation of national legislation. So far, Article 13, the Race Directive and the Employment and Occupation Directive, aim above all to provide a minimal protection against discrimination, not to achieve a system of uniform legal protection across the EU. Instead of devising binding legislation in all areas of anti-discrimination covered by Article 13, preference has been given to a step-by-step strategy on the basis of minimal standards. The method shows very clearly that gradualism is the option favoured by the institutions of the European Union, and probably the most realistic one as well considering the unanimity vote required for passing such kinds of legislation.

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[7]  Idem

[8]  The language of Article 13 is comparatively smoother than other legal instruments using the phrase eliminating, erradicating or prohibiting discrimination.

Moreover, as recalled above, the development of an anti-discrimination legislation at EU level has long been considered to fall beyond the sphere of competence of the EU. Some member States, particularly the United Kingdom, have repeatedly argued against the introduction of an anti-discrimination clause in EU law and more generally against social protection measures. The UK position has been that anti-discrimination work had to remain a competence of Member Sates in order to take full account of national specificities. The point made by the UK raises the important question of the relationship between EU action and national traditions. The key question could be formulated as follows: do national legislation still matter or are they doomed to become obsolete and/or progressively eliminated by the imposition of a directly binding EU legislation?

The EU took great care to avoid national and EU anti-discrimination provisions becoming concurrent. The solution introduced for solving this difficult question was to adopt the most appropriate technique of legislation. By choosing the directive, the EU has in effect opted for flexibility. The Directive, contrary to the regulation, offers Member States general guidelines, which should be implemented within two years after the adoption of the two directives. The anti-discrimination package proposed by the Commission and later adopted by the Council of Ministers defines minimal common standard of legal protection for victims of discrimination, without prejudice of what the Member States already have on offer in their internal legal order.

It is particularly crucial for the success of the legislation that Member States take the EU initiative as a motivation for upgrading their internal standard of protection and not as a justification for lowering them. This is why the two directives contain a "non-regression clause" which will in practice lead to better legislation in all Member States. Another reason why EU legislation should be seen as complementing national initiatives is the material scope of the Article 13. As indicated above, the sphere of competence of the EU in the area of anti-discrimination is restrictively defined by the Treaty on the European Union. The main area where it will be relevant to think in terms of Article 13 is the labour market. Therefore, there is a whole range of areas of potential discrimination where the role of the Member States will remain primordial.

## 4. THE LIMITATIONS OF ARTICLE 13

### a. Restrictions to the material scope of Article 13

As already mentioned, the principle of subsidiarity only allows the EU to take action when this provides added value to national initiatives. As far as Article 13 is concerned, most experts interpret the introductory words "*within the limits of the powers conferred by it [the Treaty] upon the Community*" as a restriction to the material scope of the Article 13. Article 13 and the secondary legislation following from it can only produce its effects in areas where the Community is competent. As a matter of consequence, there will be limitations of significance to the overall strategy of the EU. The areas where EU anti-discrimination provisions can be invoked are restrictively defined. It is now clear that while individual cases related to the functioning of the labour-market will raise no difficulty, areas such as immigration, police, sport, housing, etc., will be left out of the remit of the EU equal treatment legal framework. As explained by Bell:

"the further one moves from discrimination in the workplace, the more difficult it may be to satisfy the competency requirement. For instance, prohibiting racial discrimination in the administration of the criminal law would appear to fall outside the limits of Article 13. Similarly, prohibiting sexual orientation discrimination in the criminal law, such as unequal ages of consent, would also seem outside existing Community competency." (Bell, 1999: 19)

## b. The exclusion of differences of treatment on the basis of nationality

It is important to note that the Race and Employment Directives following from Article 13 also apply to third country nationals. However, the notion of anti-discrimination on account of race and ethnic origin provided by Article 13 will not outlaw all discrimination based on nationality. Differences of treatment based on nationality have traditionally been dealt with separately, and this will remain the case. Difference of treatment between EU citizens and non-EU citizens permanently established within the European Union, among other in relation to participation in public life, freedom of movement, and social security provisions, are not covered by Article 13. Third country nationals are protected against discrimination as long as it does not refer to a difference of treatment on the basis of nationality. For instance, Member States reserving certain jobs within the public administration to their nationals and to EU citizens in accordance with EU law is not considered a discrimination. In this sense, EU citizens and non-EU citizens will remain two distinct categories with differentiated rights attached to them, without scope for invoking racial discrimination in such instances.

## c. The unequal treatment of some forms of discrimination upon others.

The complex decision making procedure of the EU led the European Commission to adopt a gradual approach when proposing its anti-discrimination package. It was not conceivable to adopt instruments in all areas of discrimination listed in Article 13 at once. This is why the Commission recommended to the Council of Ministers to draft a horizontal directive on employment and occupation, a vertical directive on race and an action programme. The rationale for this strategy was purely pragmatic and needs to be read in the light of the unanimity rule required in the Council for the adoption of secondary legislation based on Article 13.

These technicalities lead to the obvious criticism that some potential discriminated groups will benefit less from the anti-discrimination provisions. The struggle against discrimination based on sex, race and ethnic origin has in effect received a better legal framework than discrimination based on age, disability, religion and belief and sexual orientation. The optimistic answer to this criticism would say that it is probably a matter of time and of gradual consolidation of the legislation. The pessimist view would however argue that considering the unanimity requirement in the Council of Ministers, the development of a more comprehensive and directly binding legislation at EU level may be blocked for many years.

### d. The need to cater for the specific needs of specific groups

In the earlier point, we noted that some forms of discrimination are felt to be less protected than others. In EU law, discrimination based on sex has received considerable attention and has been a major influence for drafting the two directives. The distinction between direct and indirect discrimination, the burden of proof on the defendant, and other aspects of the new equality of treatment provisions devised by the EU are inspired by the experience in relation to the equality of treatment between men and women. This raises the question of whether such policy transfers from one sector to the other are always pertinent. Different discriminated groups often have different needs, but this is not yet evident in the emerging legislation.

### e. Will anti-discrimination work without a positive duty on public authorities to promote equality of opportunities?

Another criticism that is frequently expressed against the EU legislation is that it will need to rely heavily on individual cases before courts and tribunals before it takes its shape through jurisprudence. There is no positive duty on public authorities to promote equality of opportunities. No method, other than the engagement to prohibit discrimination, is defined to reach the objective of fair and equal treatment between individuals and groups. For groups still bearing the burden of past exclusions, the eradication of discrimination, if possible at all, will be insufficient if not complemented by equal opportunities policies reducing their disadvantage in society.

**SECTION TWO**

# Good Practice Basic Principles of Anti-discrimination Work

The EU anti-discrimination strategy outlined in the previous section will have to take due account of the role of municipalities and local actors. For the citizen, the EU commitment to enforce a voluntarist anti-discrimination strategy will need to be visible at local level. Municipalities, being the political entity closest to the citizen, have a particular role to play in giving concrete shape to the architecture established at both EU and national level. It is at local level that anti-discrimination principles and strategies need to demonstrate their effectiveness to bring about real change. The irony is that there is very little explicit consideration given to the role of local authorities in the mass of documents produced by European institutions on the implementation of Article 13.

The principle of anti-discrimination of Article 13 is a negative principle imposed on public and private employers. Therefore, redress can only be obtained through litigation. EU legislation does not include a duty to take positive action initiatives capable of positively affecting the culture of organisations and institutions. It simply consists in guaranteeing a harmonised legal protection across the EU, which means that the 15 EU countries must ensure that discriminated people have effective judicial procedures to lodge their complaints. But it is in the last instance the judicial system that will be responsible for adjudicating on the basis of individual cases.

In this institutional division of responsibilities, what exactly is the role that should be performed by municipalities?

European Municipalities should adopt a proactive welcoming approach to Article 13 because, in the future, this legislation will become the main frame of reference across the EU. At the same time, the law can only provide part of the solution. The weaknesses, limitations and gaps in the legislation identified above need not in itself be an obstacle to positive developments. Good practice principles, strategies, and projects on the ground will be as decisive elements in the struggle against discrimination. The positive message of this Good Practice Guide is that the delivery of measurable changes for discriminated groups will be facilitated by the fact that many European municipalities have anticipated EU developments in the field of anti-discrimination by experimenting with a whole range of policies and projects. The task ahead now is to consolidate and share the good practice already in place. Sharing experience transnationally about this challenge was a central concern in the EADE project. This is translated into the recommendation of ten good practice basic principles.

# 1. INCORPORATING THE NEW LEGISLATION FOLLOWING ARTICLE 13

## 1.a. Good Practice Principle

The first challenge ahead for all municipalities is to incorporate the new European legislation. For local governments, the practical implication of Article 13 is that they will have to give serious consideration to the issue of non-discrimination in both recruitment and career development of staff and in service delivery. The incorporation of the new legislation will indeed heavily affect municipalities in their capacity as employers. Both the Employment and the Race Directive deal indeed with the prohibition of discrimination in both the private and public labour markets. Therefore, municipalities may themselves be held responsible for breaches to the concept of equal treatment on any of the grounds listed in Article 13. The second dimension that municipalities will have to take on board is the quality of service delivery. As the first signs are seen, municipalities will face increasing political pressure to increase their responsiveness to the needs of all discriminated groups, including those grounds of discrimination that were not covered before Article 13 such as sexual orientation, religion, age and disability. Incorporating the new Article 13 raises in a straightforward manner the challenge of accountability.

## 1.b. Illustration of The Good Practice Principle

A very positive way for municipalities to incorporate Article 13 is to work with and develop partnership with specialist local agencies. Three cities have presented good practice experiences consisting of **local anti-discrimination offices (Antwerp, Barcelona and The Hague)**. Local anti-discrimination offices can provide assistance in terms of dealing with emerging anti-discrimination areas. In Antwerp, the anti-discrimination office called the *Complaint Bank* (*Meldpunt Racisme)* was until recently only dealing with discrimination on the grounds of race and ethnic origin. Ahead of Article 13, the remit of the national anti-discrimination agency that coordinates the network Complaint Banks has been extended so as to include other grounds of discrimination. Although this is not the case right now, the new legislation is a compelling argument for extending the role of the Complaint Bank to all forms of discrimination in the future. Barcelona has also set up a Bureau for Non-Discrimination (BND). It focuses on promoting the rights of individuals and on detecting discriminatory behaviours. The Barcelona BND has played an important role in defending and promoting human rights, and especially the rights of immigrants. The third example of an anti-discrimination office is that of The Hague. The Hague's anti-discrimination office is subsidised by the municipality and is only active at local level. It has various tasks such as promoting the awareness of governments, employers, schools and the general public about the importance of prevention and combating discrimination, offering advice to individuals and institutions on anti-discrimination work, assisting people in civil and administrative procedures, and advising government departments on the implementation of their anti-discrimination policy. The anti-discrimination office plays equally a key role in terms of offering local actors information and expertise on discrimination.

Codes of practice are also good practice examples that might be used when incorporating the Article 13 legislation. The city of The Hague has implemented **anti-discrimination codes of practice**. These are codes of conduct that are developed by groups active in specific policy areas or geographical districts. The codes are not imposed from above, but evolve via a bottom-up process, with the technical support of the local Anti-Discrimination Office. The process by which the code develops is as important as the final product. A necessary follow-up for each code is an implementation plan, in which the parties involved in a case of discrimination commit themselves mutually to undertake a number of concrete steps.

## 2.    PROMOTING EQUAL OPPORTUNITY POLICIES

### 2.a. Good Practice Principle

Anti-discrimination alone is insufficient a means for achieving substantial equality. While legislation is necessary, it is not sufficient. Therefore, it should be complemented by equal opportunity policies. The new EU legislation does not address this specific need, but is certainly no objection to it. It will be in the last instance to each European country according to its specific tradition to develop equality of opportunities policies. Although there clearly is a mutual necessity of anti-discrimination and equal opportunity policy, it is important to stress their distinctiveness. *Anti-discrimination* aims to prohibit certain behaviours directly or indirectly generating discrimination, whereas *equal opportunities* is aimed at facilitating increased involvement of vulnerable groups by removing obstacles to the rewarding of merit. Generally speaking, equal opportunities policies are implemented on a voluntary basis. There are only few countries in Europe (includes the UK since recently) where public authorities are imposed a positive duty to implement aspects of equal opportunity policies. There is a very broad range of policies falling under the heading of equal opportunities. These include policies aimed at improving the employability of vulnerable groups, policies aimed at increasing their representation within the workforce of private companies and public organisations by setting targets, or policies aimed at imposing non-discrimination indirectly through contract compliance. A number of policies and projects presented in the Eurocities Anti-Discrimination Exchange Project were equal opportunity and multicultural policies, and not strictly speaking anti-discrimination ones. While this indicates that European municipalities are well prepared to welcome Article 13, it is important to note that there remains a widespread confusion in Europe about the exact nature of anti-discrimination, equal opportunities and multicultural policies (Wrench, 1997: 131).
The EADE project found that there is a genuine difficulty to provide a common definition of anti-discrimination work because of the very diverse local circumstances in Europe. Many municipalities at European level tend to use a broad notion of anti-discrimination work which includes equal opportunity policies, as well as policies aimed at making service delivery more culturally sensitive. The lack of consensus on terminology is however not a real obstacle to exchanging good practice insofar as these policies converge to a substantial extent towards the same set of goals: equality and diversity.

### 2.b. Illustration of the Good Practice Principle

In the mid-eighties the number of people from ethnic minorities employed by the Municipality of **The Hague** increased sharply within a short period of time. This was the result of a **targeted recruitment campaign** set up and carried out by ethnic minority members of staff. Using their network as well as unorthodox recruitment methods, they pro-actively sought to recruit employees from minority ethnic groups. This targeted initiative, courageously departing from customary practice, achieved clear results. However, it was observed that minority ethnic staff members leave their jobs more often and at an earlier stage than their Dutch peers. This high level of exit of ethnic staff members is a source of real concern for the municipality of The Hague. In response to this problem, exit interviews are held to gain a better understanding of the causes of this phenomenon. It was also observed that most people from ethnic minorities find themselves in positions in the lower half of the local administration. This is the reason why specific projects are currently being developed that should lead to a better representation of ethnic minorities at higher levels within the municipal organisation.

## 3.  DISSEMINATING INFORMATION AND RAISING AWARENESS

### 3.a. Good Practice Principle

The dissemination of information and awareness raising are essential to the success of anti-discrimination work. Research dealing with discrimination on the grounds of racial and ethnic origin in the European Union shows that there is a lack of information concerning the rights and duties of both citizens and organisations. In response to that need, Article 11 of the Employment Directive and Article 10 of the Race Directive both insist on the necessity for EU Member States to provide citizens and private companies with adequate information about the new legislation. This duty of publicising and explaining the scope of Article 13 to the population naturally extends to municipal authorities. Municipal authorities should not only raise awareness within their locality, but also internally. Even when there already exist anti-discrimination clauses within the internal constitution of a public organisation, it is generally not sufficiently publicised. In disseminating information and raising awareness, there is a need to take into account the role of private organisations including the organisations of discriminated groups.

### 3.b. Illustration of The Good Practice Principle

The **Malmö citizens' helpdesk** is a good practice illustration of how information may be provided to private citizens. The citizens' helpdesk was set up to assist people in finding their way through the bureaucratic labyrinth. It aims to provide answers to all sorts of question that residents of a district may want to put to public authorities. The way in which this service is implemented varies according to the city district. In the district of Rosengård, 83% of the 20,000 residents are of non-Swedish origin. A total of 55 languages are used in the area, with Arabic being the most common. In this context, the dissemination of information about Swedish society must meet certain linguistic and cultural pre-conditions if it is to be successful at all. The staff of the 10 citizens' helpdesks currently functioning in Malmö are able to provide information, services and guidance in more than 12 languages to the local population.

Another aspect of the work of the citizens' helpdesk in Rosengård is its growing focus on modern information technology. Its activities include the development of virtual links to public services. There are now several internet connections available, forming the embryo of an internet café. The intention of the citizens' helpdesk is to expand these facilities in the near future by establishing a proper cybercafé, thereby increasing opportunities to establish virtual communications. Some 25% of the visitors to the citizens' helpdesk use the computers that have now been installed. The citizens' helpdesk is also a practical way of responding to the fact that groups exposed to discrimination on the grounds of their ethnic origin have had less access to new technology than the Swedish population. With this initiative, they are encouraged to use the computers and internet facilities, for instance to communicate with their home countries.

## 4.  INCLUDING THE PERSPECTIVE OF DISCRIMINATED GROUPS THROUGH PARTNERSHIP, CONSULTATION AND DIALOGUE

### 4.a. Good Practice Principle

The inclusion of the perspective of discriminated groups through partnership, consultation and dialogue is a particularly important idea to develop at the local level. There is widespread recognition that the dialogue between service users and service providers should be encouraged at all stages of policy development (conception, planning, implementation and review). Partnership, consultation and dialogue imply on the part of municipal authorities real responsiveness. It is essential for the legitimacy and efficiency of anti-discrimination work to give discriminated groups real influence. Their views must be taken into account and those consulted should be given feedback on the decisions that are taken. The main pitfall that must be avoided is fictive partnership, consultation and dialogue. Established consultative mechanisms and partnerships must bring about change and must avoid becoming an alibi for inaction or mere talking-shops.

### 4.b. Illustration of The Good Practice Principle

Consultative councils, strategic partnerships, multi-agency working are all positive methods for including the perspective of discriminated groups. Good practice examples are available in the eight partner cities involved in the EADE project. **Barcelona** seems to however to have developed consultation in the most systematic and coherent way. They have set up six **advisory councils** to enhance the involvement and participation of vulnerable groups. Social participation has become a key element in the municipal anti-discrimination strategy. The participation councils allow a permanent dialogue between interested parties, which help in finding negotiated solutions to the concrete problems facing the city. The social participation councils are composed of representatives of local organisations, experts, delegates of political parties and experts from the municipal administration. The councils have a say at all stages of development of Barcelona's social policy.

The following Participation Councils are currently active in Barcelona:

    The Municipal Social Welfare Council (created in 1988)

    The Advisory Council for the Elderly (created in 1991)

    The Women Council of Barcelona (created in 1994)

    The One Hundred Young People Council (created in 1996)

    The Immigration Council (created in 1997)

    The Council of Gypsies (created in 1998)

## 5. PROMOTING PARTICIPATION AND EMPOWERMENT

### 5.a. Good Practice Principle

Giving discriminated groups a specific place in anti-discrimination work will not only contribute to a better symbolic recognition of them but should pave the way to their empowerment. The inclusion of discriminated groups is however difficult to achieve uniformly. Different groups have different needs and there are equally considerable differences within groups. This is of paramount importance for immigrants and ethnic minorities. When we talk about these groups at European level, we actually refer to a variety of sub-groups and communities having distinctive social identities and legal statuses. In terms of identities, they may define themselves in inclusive ways and yet be externally categorised by the majority in exclusionary terms such as foreigners, non-Europeans (c.f. the notion of extra-communitarians in Southern Europe), immigrants etc. More importantly, groups of immigrant origin are attributed different legal statuses with differentiated rights attached to them. They may be full citizens of the country where they live for instance after they have been granted nationality (at birth, through marriage, or through any other procedure) or citizens of the EU living permanently in another Member State (e.g. Italian immigrants in France, Portuguese in Luxembourg, etc). But quantitatively, most of them are either third country nationals, namely citizens from a country outside the European Union, or undocumented. The key point about legal categories is that they have created a hierarchy within the European citizenry. While the full citizens have the highest degree of legal protection in terms of freedom of movement, residence, work and participation in public life, the other categories are attributed a much weaker body of citizenship rights. As a matter of consequence, it should be recalled that the struggle for equal opportunities should closely follow the struggle for equal rights.

Comparing municipal initiatives aimed at including the perspective of discriminated groups has to take this dimension into account. UK participants in European projects such as EADE have good reasons to express their irritation against the use of notions of immigrants, foreigners or integration in relation to their own circumstances but they will easily admit that the challenges facing the struggle against racial and other forms of discrimination in Europe is also about citizenship rights and goes beyond a mere question of terminology. Debates about appropriate collective self-identifications are important in terms of shaping culturally sensitive models of governance and policies but the question of discrimination in contemporary Europe needs also to address the highly insecure position of new entrants regarding employment, residence, social security and participation in public life. The

struggle against discrimination is without a doubt also related to the question of the enjoyment of fundamental civil, social and political rights for recent immigrants. If the fundamental rights of these categories of new citizens are not guaranteed and protected, there is the risk that anti-discrimination legislation will equally be less efficient for other categories of vulnerable citizens.

## 5.b. Illustration of The Good Practice Principle

The **Birmingham community auditors** qualify without a doubt as good practice in terms of participation and empowerment. Community auditors are representatives of an equality perspective in the city. Community auditors can in essence be anyone and everyone with a passion for race equality work and knowledge around a particular issue. A potential community auditor does not necessarily have to be a qualified professional but can be anyone with direct experiences of race inequality issues, be it from their own experiences or through the experiences of others. Community auditors are the driving force behind the issue-based forums established by the Birmingham Race Action Partnership (for example, the Health and Social Care Forum, Post 16 Education, the Training and Access to Employment Forum). They are a mechanism set up to ensure the effective delivery of a community agenda to the forum that will then collectively develop race action plans to begin changing some of the current states of service provision and delivery in light of racial equality.

## 6.    DOCUMENTING DISCRIMINATION ISSUES AND PROMOTING A BETTER UNDERSTANDING OF ANTI-DISCRIMINATION WORK

### 6.a. Good Practice Principle

Legal action against discrimination poses no difficulty when discrimination is direct and overt. However, this is not the most common case. Discrimination is most often indirect and difficult to identify. This is why there is talk of apparently neutral behaviours that are in fact subtle forms of discrimination disproportionately disadvantaging certain groups. If discrimination is difficult to identify, it is also difficult to prove in court. In this context, there is a role to be assumed by the municipality in contributing to a better understanding of discrimination. There are numerous examples indicating that, for instance in the fields of housing and employment, discrimination is extremely subtle. There is a need to document these mechanisms in order to implement appropriate remedies. Municipal authorities can play a leading role in this process by publishing and disseminating good practice guides and documentation material on how best to challenge discrimination in practice.

Just as discrimination needs to be better understood, so does the notion of anti-discrimination. All too often, positive action aimed at improving equality of opportunities is taken to mean positive discrimination. This distortion should be redressed in order to avoid feeding the prejudice causing discriminatory behaviours. In most parts of Europe, the notion of positive discrimination is not very well accepted and is seen as a system of unjust privileges. It is actually reminiscent of the American systems of quotas, which is held in several parts of continental Europe to be a counter-example of good practice. This is

reflected in the fact that none of the municipalities involved in the EADE project has advocated positive discrimination policies. However, as shown by a number of studies, many people still believe that anti-discrimination work is a question of positive discrimination.

### 6.b. Illustration of The Good Practice Principle

Racist incidents in Newcastle Upon Tyne are high. Recent evidence has estimated that Newcastle has the highest level of racist incidents per head of population than anywhere else in Britain. This is a serious issue, which has led to various institutional responses (See also Section 3). Paradoxically, this negative picture is probably aggravated by the stringent recording practices that are in place. It is worth mentioning in this respect that the Northumbria Police has set up in the West part of the city of Newcastle a **Special Investigations Unit** (SIU). The aim of the SIU is to deal with vulnerable victims of crime including domestic violence and racist incidents. This is one of the most innovative developments within any police force area in England and Wales outside London. About 75 per cent of the work carried out by the SIU is concerned with racist incidents. For the year 2000 the SIU dealt with 386 racist incidents. Referral to the SIU is made by police officers, local agencies, organisations, community groups and police link workers (i.e. civilian employees employed to deliver follow-up work with victims). It is acknowledged amongst many local agencies that the SIU is particularly good at recognising racist incidents. When any incident where the victim is from a black or minority ethnic community is reported to the police, the SIU receives a special code on the computer-generated log. The SIU will then check the computer system, and at the very least, members of the Unit will telephone the victim but in many cases they will visit them in order to ascertain whether or not the incident was racist.

## 7.   ENCOURAGING POSITIVE LEADERSHIP

### 7.a. Good Practice Principle

Anti-discrimination work is not only about legislation, policies, mechanisms and procedures. It also implies political commitment and leadership. Politicians and senior managers in European municipalities have an essential role to play and a responsibility to make anti-discrimination work become more effective. To enable legislation and policies to release their full potential locally, municipal staff at every bureaucratic layer need to know that their anti-discrimination activities are fully supported by the political and managerial leadership. As far as issues related to race, immigration and asylum are concerned, political leaders also have a key role to play in positively leading and shaping public opinion rather than surfing on the waves of prejudice for short-term electoral benefits.

### 7.b. Illustration of the Good Practice Principle

The city of **Antwerp** is a city where one voter in three has supported an extreme-right anti-immigrant party. In this context, the need for positive, responsible and sound political leadership is all the more evident. Since 1994, all the democratic parties have agreed to form a democratic bloc against the extreme-right. After the local elections of October 2000, the political leaders of the city have adopted a **positive policy statement** stating that: "*Antwerp strives to give all its inhabitants equal opportunities. Discrimination based on sex, sexual orientation, or of any other kind demands an active approach on the part of the city council. The alderman for emancipation co-ordinates this policy, which relates to all policy areas within the city. Firstly, the city pursues an active equal opportunities policy within its own personnel policy. Secondly, the city strives not to generate any intentional or unintentional discrimination within its policy. The current city emancipation council is being expanded into an equal opportunities council. Special actions are being devoted to those groups that experience multiple forms of disadvantage and/or discrimination (e.g. foreign women)."*

## 8.    PROMOTING TRAINING IN ANTI-DISCRIMINATION WORK

### 8.a. Good Practice Principle

There are an increasing number of local actors calling for training opportunities to be made more readily available to them. The training needs in the area of anti-discrimination work are great. Up until now, training for municipal staff is done on an ad hoc basis and only in a very few municipalities that are in a sense ahead of their time. Training needs of local actors were insufficiently explored by the EU when devising its anti-discrimination legislative package. This gap will need to be filled, in order to increase the effectiveness of anti-discrimination work locally. In the medium term, local actors, and especially municipal staff, will need to develop their skills and include the basic principles of anti-discrimination work within their daily practice and professional cultures.

## 8.b.. Illustration of the Good Practice Principle

In 1999 the Municipality of **Bologna** organised a **training course on intercultural mediation**.[9] The course was designed for women intercultural mediators in the social, welfare, and healthcare areas. The project was part of a larger project, the "*Impresa Sociale = Femminile Plurale*" (Social Enterprise = Feminine Plurality) of the 'Safe Bologna Office', in collaboration with Bologna City Council and the Bologna-North Health Department (AUSL). The idea of setting up the course came after an analysis of the needs of the local population for social, welfare, and healthcare services was done. Fifteen unemployed foreign women of nine different nationalities participated in the training. The length of the course was 700 hours, comprising 350 hours of lectures and 350 hours in practical training sessions. Six principal thematic areas were tackled: regulatory area, dynamics of migratory inflows, computer literacy, mediation methodology, intercultural mediation, social-welfare and health-care services, enterprise and the third sector. The practical training courses were organised within the social-welfare and health-care services which traditionally deal with immigrants. The course participants worked closely with the instructors and, in certain cases, managed small pilot projects. One of these deserves special mention. It is the organisation of a 'free telephone line' supplying information about the health-care services in five languages. At the end of the training, the participants decided to form a social non-profit association under the name AMISS (*Associazione Mediatrici Interculturali Sociali e Sanitarie* – Association of Social, Welfare and Health-Care Intercultural Mediators). The purpose of the association is to progressively promote the use of cultural mediation within social, welfare and healthcare organisations.

## 9. MONITORING

### 9.a. Good Practice Principle

In countries with advanced anti-discrimination legislation and policies, the question of monitoring staff by age, gender, ethnicity, disability etc. is an essential dimension of good practice. This is not the case in all countries. Monitoring is easy to implement when it is conceived in relation to classical areas such as gender and age, but it becomes more problematic when it is envisaged in relation to ethnicity, religion and sexual preferences. Traditionally, these are seen as belonging to an individual's private life. Monitoring has thus different implications according to the ground of discrimination covered. In some parts of Europe, the idea of monitoring staff by ethnicity or religion elicits almost automatically hostile reactions, while in other countries it is simply forbidden by law. Monitoring staff in terms of recruitment and career development should remain part of a European good practice agenda in general terms, but its practical implementation will remain intrinsically linked to national traditions in the foreseeable future.

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[9] This report includes several good practice strategies and examples of mediation, including those adopted in the cities of Barcelona, Bologna and Madrid. It should be noted however that the mediation approach of these three cities are not similar in every respect. Different mediation activities are reported in this Guide in order to highlight their distinctive accents and to reflect the full range of initiatives falling under this heading.

### 9.b. Illustration of the Good Practice Principle

The aim of the municipality of **Malmö** is to see its staff closely reflect the composition of its population. For that purpose, it implements regular **staff monitoring** and assesses whether positive changes are being delivered within all municipal bodies. This work is made possible by the development of integration measures, which can be compared to quality measures in the private sector. Key indicators were devised for monitoring progress. One objective recently adopted by the municipal board is to increase employment among foreign-born residents by at least 3% during 2001. Monitoring is also implemented with the aim of improving the performances of local organisations. This is done by benchmarking and comparing the activities of the various local job and development centres at work in the city districts. 'Customer surveys' are also carried out including regular surveys on attitudes towards ethnic diversity in the workplace. Along the same lines, efforts are being made to improve existing public statistics that can provide social indicators of success in anti-discrimination and integration work. One example is the national labour force survey, which carries out in-depth research at local level to study trends in labour market participation within various groups.

## 10.  MAINSTREAMING ANTI-DISCRIMINATION WORK

Mainstreaming has become a key word in anti-discrimination work. It is a concept that originates from the movement for gender equality. Mainstreaming involves the systematic integration of a diversity, equality and anti-discrimination perspective into all areas of policy at all organisational levels and at all stages of policy development. It assumes that anti-discrimination need not be the business of a section or key departments within public institutions, but should filter through into all areas of activity. Successful mainstreaming needs to be implemented at corporate level and goes hand in hand with transparent procedures enabling the evaluation of the anti-discrimination performance of each department. It also requires adopting crosscutting strategies and establishing coordinating units linking all relevant departments. Aspects of mainstreaming, even if not always explicitly using the concept, are evident in the good practice strategies discussed in Section 3.

# Good Practice Strategies of Anti-discrimination Work

### 1. COMBATING DISCRIMINATION WITHIN THE PUBLIC SERVICE: THE DIVERSITY APPROACH OF ANTWERP

The anti-discrimination strategy of Antwerp hinges on the idea that pursuing a positive diversity policy will act preventively against discrimination. The basic principle underlying the anti-discrimination policy of Antwerp is the promotion of diversity in general and diversity management within personnel services. At the same time, discriminatory behaviours must also be effectively combated and punished when necessary. Antwerp city council has recently introduced a clause in its internal constitution holding that: "*Officers shall show the necessary respect for the values, feelings and beliefs of others. They shall refrain from any form of racism or discrimination on the basis of sex, sexual orientation, race, skin colour, extraction, origin or nationality, belief or social, physical or mental disability. Any violation of this clause shall be the subject of a disciplinary procedure*". Although this clause is not yet well known by all staff, some work is being achieved in the field of human resources management to increase the diversity profile of the workforce of the Antwerp municipality. The political leadership of the city is explicitly concerned with its important role in fighting discrimination within public services in its capacity as an employer. It has been decided that, from now on, the municipal staff must reflect the profile of the population.

### 2. IMPROVING ACCESS TO MUNICIPAL SERVICES: THE SOCIAL COHESION MODEL OF BARCELONA

Barcelona has implemented several initiatives in order to combat the various forms of discrimination. These initiatives have taken place within the framework of welfare policies based upon a model of social cohesion. This is a model that strives to shape an egalitarian, non-discriminatory and welcoming city, one that is receptive to the needs of its population and particularly to the least favoured groups. The social model builds upon a horizontal approach to service delivery, in which different departments are involved in a coordinated effort. In line with this model, a number of municipal plans were adopted for addressing the needs of specific groups such as women, youth, elderly etc.

Special attention is given to people of immigrant origin in Barcelona. In line with the social cohesion model, the *"Plan Municipal para la Interculturalidad" (City Council Plan for Inter-Cultural Matters*) was adopted in 1997. The plan is a cornerstone in the Barcelona approach. It seeks to meet the challenge of an increasingly diverse city from an intercultural perspective and invites representative organisations from the voluntary sector to become partners in giving shape to this commitment. The key concern orienting the policy of the municipality of Barcelona may be formulated as follows: how can a global phenomenon such as migration be managed locally while maintaining maximal social cohesion? This is why the anti-discrimination work of Barcelona fits within a broader policy framework pursuing the objective of social cohesion and intercultural harmony.

In practical terms, the objective of the municipality of Barcelona is to improve access to municipal services by removing discriminatory barriers in the field of education, health, employment, housing and social service delivery.

*Education*: enforcing compulsory schooling by promoting the enrolment and registration of pupils of immigrant origin under 16. Barcelona has offered special assistance to schools that have a high concentration of pupils of foreign origin and intercultural education programmes have been introduced.

*Health*: ensuring health protection to people of immigrant origin by facilitating access to the medical insurance card. Parallel to this initiative, Barcelona supports the use of mediators and carers. A specific concern is to ensure that unregistered residents are not discriminated against when accessing the healthcare system.

*Labour market*: promoting equal opportunities in terms of employment. Various initiatives are supported (codes of practice, good practice guides, mediation etc.). Reducing discrimination and promoting the employability of people of immigrant origin in Barcelona is intrinsically linked to the question of facilitating access to work permits.

*Housing*: informing and advising on available accommodation, providing rent subsidies, raising awareness among property owners are the key element of the anti-discrimination work of Barcelona in the field of housing.

*Social services*: improving the accessibility of social services through funding a network of social assistance centres.

Strategies to disseminate public information play a key role in the social cohesion model developed in Barcelona. The city is keen to guarantee that the whole population is informed of, and has an equal opportunity access, all services available. In this respect, it should be noted that the Citizens' Assistance Bureaux (CAB) plays a noticeable role in providing information to the public. Mention should also be made of the Reception and Welcoming Programmes for new citizens implemented in the different neighbourhoods and districts of Barcelona. The best example in this category is the Reception Plan in the Ciutat Vella district, which specifically targets people of immigrant and foreign origin.

## 3.  PROMOTING A CROSS-CUTTING APPROACH TO ANTI-DISCRIMINATION: THE HORIZONTAL STRATEGY OF BIRMINGHAM

The city of Birmingham is a front-runner in terms of implementing a crosscutting horizontal approach to anti-discrimination. The Birmingham experience builds on the premise that adopting a crosscutting approach to anti-discrimination work affects change by working on the issues, rather than focusing on the type of discrimination. All too often, anti-discrimination work tends to be dealt with in the different target areas (disability, gender, race etc.) with very little work between organisations or individuals that operate within them. This is in spite of the fact that so much of anti-discrimination work overlaps and has common underlying causes. The Birmingham experience shows that, while we may need to work separately in order to tackle the specific manifestations of discrimination, we also need to work, think, share and learn together. We need to work together to dig out the common roots whilst supporting our separate communities. Only through greater unity of purpose and action will our cities be transformed into cities that embrace their diversity rather than

being dismissive of it. The Birmingham experience has highlighted the benefits that could be gained from adopting a cross cutting approach to anti-discrimination work at municipal level. European cities need to explore the common underlying causes that lead to marginalized groups being discriminated against. An issue-based approach has to be the most effective way forward as this will allow discriminated groups to fight the same battle on the same battleground. Furthermore, a horizontal approach will also facilitate tackling multiple discrimination.

## 4.  CREATING SYNERGIES BETWEEN THE PUBLIC AND PRIVATE SECTOR: THE EXAMPLE OF BOLOGNA

The demographic and social transformation of the city of Bologna, as a consequence of immigration and of an ageing population, has highlighted the necessity of challenging discrimination for two categories of residents: immigrants and elderly people. Municipal authorities have in recent years sought to intensify their social policy interventions and to set up concrete policy instruments aimed at guaranteeing equal opportunities for all and particularly for these groups. It appeared nevertheless that a number of services offered by the municipality were not adapted to these categories of service users. It was observed that these discriminated groups tended often to apply for services provided by the private social sector as an alternative to those offered by the public. To tackle the inadequacy in service delivery and to ensure that municipal services can be accessed equally by all, the Municipality of Bologna has set itself the objective of creating ever greater synergies between the public and private sectors, so as to be able to offer service users the greatest possible number of high quality services.

As for the municipality of Bologna, the measures put in place are structured in different intervention areas with the objective of improving the integration between services delivered by the private sector and those of the public. Bologna has also sought to consolidate the horizontal relationship between the four key municipal departments (the Social Welfare Services Coordination Sector, the Education and Sport Sector, the Environment and Urban Renewal Sector and the Economic Sector). As far as immigrants are concerned, it is the *Immigrant, Refugee, and Traveller Department* within the *Social Welfare Services Coordination Sector* that is the main player. This department deals comprehensively with the integration of non-European citizens in the metropolitan area of Bologna.

## 5.  CHALLENGING STEREOTYPES AND PROMOTING INTERCULTURAL HARMONY: THE EXAMPLE OF MADRID

Discrimination in Madrid is essentially posed in terms of recent and new migration intakes. Since the early 1990s, the municipality of Madrid has implemented its social policy with respect to migrants following two different, but complementary approaches, with, on the one hand, a general strategy aimed at facilitating the access of migrants to existing public and private services and, on the other hand, a specific strategy geared at specific problems faced by migrants. The general assistance approach is developed through general social

centres and municipal health centres. Specific programmes are done on a project basis. Madrid is also keen on challenging stereotypes and promoting inter-cultural harmony. It is important for the city to promote a more positive image of "migrants" than the one that is conveyed by the media and the ambiguous statements of politicians. Madrid sees the need to put the presence of migrants in the city into perspective, as a structural consequence of the division of labour in a transnational, globalized capitalist economy. Madrid recognises that challenging stereotypes and promoting intercultural harmony needs to be based on a targeted strategy involving the dissemination of appropriate information. In line with this vision, Madrid has set up, in partnership with a number of NGOs, the 'Educational Programme to Promote Development and Combat Racism and Xenophobia' which reached more than 135,000 pupils in primary and secondary schools in 1999-2000. Projects aimed at promoting intercultural harmony and challenging stereotypes are also funded through a policy of support to the voluntary sector.

## 6.  REGARDING DIVERSITY AS A RESOURCE: THE OVERARCHING VISION OF MALMÖ

Anti-discrimination work in Malmö takes place within the framework offered by the municipal integration and diversity policy. There is a broad political legitimacy within the municipal administration for working towards integration and diversity. The Malmö action plan to promote integration was adopted in 1999 and published in English under the title 'The city we want – an overarching vision'.. This policy statement outlines the fundamental vision of the meaning of integration for the municipality. It also articulates the overall objectives of the integration effort by stating that Malmö shall be a place:

"(…)   where all human beings are ascribed equal value and where diversity
        is regarded as a resource"
"(...)   free from fear of strangers, discrimination, xenophobia and racism"
"(...)   with a common language, common legal norms and common meeting places"

These core values are at the heart of any municipal activities. Although the responsibility for overall political monitoring lies with the municipal committee on integration, the most important instrument for anti-discrimination work is the municipal budget, in which tax revenue is allocated in accordance with the basic objectives and policy background. Another important dimension of Malmö anti-discrimination work is that all local departments have to submit an integration plan and have to report on the practical measures they have taken to increase diversity within their sphere of competence.

## 7.  DEVELOPING A STRATEGIC RESPONSE TO DEALING WITH RACIST INCIDENTS: THE MULTI-AGENCY WORKING OF NEWCASTLE UPON TYNE

Since 1996, Newcastle has initiated multi-agency working, in the form of a multi-agency panel (MAP), to tackle racist incidents. As originally developed, the aim of MAP was to promote good practice in combating racist incidents through partnership working, the sharing of information and good practice, and the collection and monitoring of racist incident data in the City. Over the years MAP has allowed local agencies, organisations and groups

across the City to work together in combating racist incidents. Although MAP has provided robust networking opportunities, as well as a forum for information sharing, feedback and discussion, and has sustained the issue of racist violence on the local and regional political agenda, multi agency working in Newcastle did not initially achieve the outcomes it originally identified.

Since the beginning of 2001, MAP has begun to address key aspects of its structure, purpose and operation including its responsibility for the collection and collation of data and its role in the co-ordination of reporting and recording mechanisms across the City. This development is in recognition of the problems which MAP has experienced since its inception but it is also a response driven by the recommendations of the Macpherson Report,[10] various Home Office guidance as well as a result of engagement in the Eurocities programme of working. MAP members have contributed to drawing up an action plan on the strategic redevelopment of MAP and its role in combating racist incidents. Although the redevelopment of MAP is ongoing, evidence indicates that MAP will shortly begin to deliver a much more focused and co-ordinated role in combating racist incidents across the City. This will include providing a central data collection, collation and analysis function, as well as a forum for joint agency working in responding to racist incidents. As a result the future structure and operation of MAP in promoting 'added value' across the city looks promising.

## 8. REMOVING OBSTACLES TO EQUAL PARTICIPATION IN SOCIETY: THE EMANCIPATION POLICY OF THE HAGUE

Participation and emancipation are key words for the municipal anti-discrimination approach of the local authority of the Hague. The anti-discrimination work in The Hague aims to prevent and combat discrimination, but also to remove disadvantages and obstacles that stand in the way of fully fledged participation in society. There are different emphases according to the kind of discriminated group concerned. As part of the policy towards ethnic minorities, the primary goal of the city of The Hague is to achieve equal participation in all areas of society and at all levels, with special emphasis on the prevention and redressing of socio-economic and educational disadvantages and on the promotion of the idea of diversity in cultural life. As far as the policy towards senior citizens and disabled people is concerned, the centre of attention is on concepts such as maintaining people's independence, emancipation, freedom of choice, access to facilities, preventing and combating social isolation, promoting participation in all areas of society and increasing their influence on the policies developed by the various department of the local authority. Finally, the policy on disabled people is developed and implemented on the basis of a vision of urban society in which the physically disabled have equal opportunities for developing themselves and for participating, within the limits that are created by their specific disability.

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[10] The report of *The Stephen Lawrence Inquiry*, also known as the MacPherson Report, was published on 24 February 1999. The inquiry on which the report is based looked at how the London Metropolitan Police Service (MPS) had investigated the murder of the Black youngster Stephen Lawrence. The inquiry found that institutional racism played a part in the failure to recognise the murder as a racially motivated crime.

**SECTION FOUR**

# Good Practice Examples of Anti-discrimination Work by Areas of Discrimination

## 1.   AGE

### a. Bologna: Increasing The Participation and Autonomy of Senior Citizens

Bologna has developed a number of activities and programmes aimed at preventing discrimination on the grounds of age. It also developed specific projects for maximising senior citizens' autonomy. The day centres and protected apartments are part of this policy. A day centre is a service where the elderly person who starts having functional problems can spend the day and take part in relaxation, occupational or revalidation activities. A request for admission to a Day Centre is made to the District. If the elderly person is not self-sufficient, he is visited by the Geriatric Assessment Unit, which proposes the most suitable assistance programme. Elderly people in Day Centres are assisted by qualified personnel and, if they have nursing or medical needs, by the staff of the local health-care department (*Azienda Unità sanitaria locale* – AUSL). Protected apartments, still few in number in Bologna but being developed, are little units specifically equipped to allow elderly people with functional problems to live in a suitable way. People who have requested and obtained permission from the District to be accommodated in these apartments live there normally as they would in any apartment. In addition, however, they can rely on all the home-care assistance of which they have need. If they have no particular needs they are nonetheless equipped with technological instruments enabling them to call on an emergency service and are followed up by the staff of the social welfare service.

### b. The Hague: Towards a Society For All Ages!

Towards a society of all ages was the slogan chosen by The Hague for the international year of senior citizens. This translated the commitment of the city of The Hague to work for the promotion of the welfare of senior citizens. This is also evident in a number of projects such as the municipal advisory board for senior citizens (SOC). It was set up to promote the interests of senior citizens and to advise local politicians on municipal policies. The SOC is a committee by and for old people. It maintains relations with the municipality as well as with relevant social and welfare organisations. The board is formally consulted by the alderman of The Hague who is responsible for the policy on senior citizens at meetings held on a regular basis. Despite its efforts, the SOC found enormous difficulties reaching the elderly from ethnic minorities, among others because there are few spokespersons for this group. The Ethnic Senior Citizens Platform (PAL) was set up to respond to that need. PAL is composed of senior citizens from various ethnic groups with managerial skills and an extensive social network. The PAL advises the municipality on how to inform ethnic minority senior citizens about facilities and provisions and how to make those facilities and provisions more accessible for ethnic minority senior citizens and tailored to their specific wants and needs. It helps institutions to gain a deeper insight into the needs of ethnic elderly people on subjects like healthcare and welfare and it encourages the elderly to enter into

executive boards and consumer councils of healthcare and welfare institutions. It is a challenge to convince the institution's board members of the additional value the participation of ethnic senior citizens has for their organisation, which by far outweighs their supposed gaps of knowledge or lack of training. The local authority can and must play a stimulating part in this opinion making process.

## 2.  DISABILITY

### a. Antwerp: The Sheltered Workplace

With regard to the fight against discrimination based on disability, the city of Antwerp first concentrated its efforts on employment. In April 1964, the city of Antwerp took the initiative of setting up a "Sheltered Workplace". The intention was to offer meaningful and financially rewarding employment to the city's inhabitants who, due to their disability, find no opportunities in the normal labour market. The workplace is accessible for all categories of disabled people, both men and women. There is no specific age for admission. In addition, attention is devoted to independence and mobility by offering general allowances for disabled people and a specific one for home care. In parallel, disabled people have the right to apply for the taxi cheques issued by the municipality.

### b. Barcelona: The Institute of People with Disabilities

The Municipal Institute of People with Disabilities of Barcelona is a self-governing organisation created in 1989 and supported by Barcelona City Council. It aims to promote the interest of people with physical disabilities, sensorial disabilities, learning difficulties, and mental illnesses. The Institute promotes the social integration of disabled people on the premise of service normalization and recognition of their rights and differences. The general aims of the Institute are to conduct research and gather data about the social environment of disabled people, to deliver social services to its target group, to encourage individual and organisation participation in projects focused on disability. The Institute provides a range of services ranging from information to counselling and mobility assistance.

### c. Birmingham: The Coalition of Disabled People

It is estimated that there are over 100,000 disabled people in Birmingham (excluding mental health). In June 2000 Birmingham City Council supported a range of disability organisations and activists to establish the Coalition of Disabled People. The Coalition sees itself as established and run by disabled people providing information and services for disabled people. The role of the Coalition is to provide a platform for the voices of the disabled community in the provision of mainstream services, including areas of health, education, employment, housing etc. Policies and procedures are reviewed to see what additional work needs to be undertaken to meet the needs of disabled service users.

For many years, institutions have adopted the "Medical Model of Disability", which views the person's disability as being a problem. This model defines disability *as "any restriction or lack, resulting from an impairment, of ability to perform any activity in the manner or within the range considered normal for a human being"* - a definition which serves only to reinforce

and entrench discriminatory attitudes and unequal treatment. The Birmingham Coalition of Disabled People adopts the "Social Model of Disability", which views the person's environment as the main barrier and not their disability. The social model says that people with impairments are disabled by society. A person is disabled if she or he has a physical or mental impairment and if she or he is prevented from taking part in society by, for example, lack of access to the built environment, poor employment prospects, lack of access to information or the imposition of negative or patronising images.

### d. Madrid: Improving Access to the Built Environment

It is estimated that there are 139,500 physically disabled people in the Madrid metropolitan area. 67.78% (94,630 people) live in the inner city of Madrid. According to Spanish regulations, a person is considered physically disabled if he/she has lost at least 33% of his/her organic and/or functional capacity. The municipality of Madrid has adopted various measures for improving the welfare of disabled people and for reducing the risk of discrimination. Madrid has set up a job centre, signed an agreement with the Autonomous Community of Madrid's National Federation of Associations for the Physically Disabled (FAMMA), supports various social initiatives aimed at improving the autonomy and mobility of this group. Specific measures have also been adopted by the Municipality of Madrid to solve the problem of physical obstacles in the built environment. Entrances to all municipal facilities, particularly social, cultural and sports centres have been adapted to facilitate access for disabled.

### e. The Hague: The Accessibility Award

There are approximately 40,000 people with a disability in The Hague (about 10% of the total population). The local policy towards this group is part of a national framework aimed at offering disabled people optimal development chances and at avoiding social isolation. Another ongoing concern is to ensure that this group is genuinely involved in the decision-making process. Disabled people know better than anybody else where the needs are and what needs to be done to meet them. The Hague seeks to consult and involve the organisations and people who have specific knowledge and expertise. It has also supported the setting up of the "Disabled People Welfare Council" (RWG), which is a municipal advisory body with expertise in the policy area of disability. It is closely involved in the development, implementation and reviewing of policy. The RWG and other voluntary organisations for disabled people have been involved in various good practice initiatives including the accessibility award. The accessibility award is given to private or public organisations that have made a special effort to improve accessibility, physical or not, for disabled people. As part of this project, students in engineering from the university of The Hague are involved in assessing the buildings' accessibility, as part of the compulsory curriculum. The idea is to ensure that future urban planners and designers give more attention to issues of accessibility and take it more seriously in their professional activities.

## 3. RACE AND ETHNIC ORIGIN

### a. Antwerp: The Diversity Unit of the Antwerp Police

The Antwerp police have a long tradition of working on issues of equality and diversity. It has for instance participated in the European project NAPAP (Non-governmental Organisations and Police Against Prejudice). In 1995 the police started up the project "*Recruiting women and Belgians of foreign origin*", which aimed at preparing these target groups for recruitment and selection tests, promoting and keeping contacts with communities of foreign origin, teaching police staff to identify issues of racism and discrimination and supporting them in drafting reports concerning racism complaints. Through its cooperation with their colleagues of the police of Rotterdam-Rijnmond, the Diversity Unit of the Antwerp Police produced a handbook on discrimination for policemen and started a training course called 'Managing Diversity'.. The Antwerp police have also developed a collaboration with schools in the form of a 'School Adoption Plan'.. The Police adopt one or several classes within a given school and provide them give with information about harassment and racism. Every year, more than two thousand pupils are lectured by the Diversity Unit of the Antwerp Police.

### b. Barcelona: a Multi-Project Strategy for Coexistence and Intercultural Diversity

Barcelona supports a number of projects dealing with anti-discrimination, integration and intercultural coexistence. This multi-project strategy comprises:

**The Municipal Immigration Council** is an organisation aimed at involving immigrants and their organisation (See above in Section 2). It has contributed to make substantial progress in the implementation of policies that affect the immigrants living in Barcelona. Parallel to this participatory council, there are a number of experiences within the districts of Barcelona that seeks to encourage immigrants to become associated in the activities and projects carried out by local institutions.
**Intercultural mediation initiatives** have been supported by the city of Barcelona in order to encourage communication and dialogue between individuals from different cultures, to promote mutual respect and facilitate access to municipal services.
**Intercultural activities** are implemented from civic centres and institutions. They are highly interesting initiatives that promote a positive understanding of intercultural diversity. A number of schools are currently involved in intercultural activities and are seeking to raise awareness around this issue, among others, by organising workshops.
**Community development programmes** are developed in the different neighbourhoods of the city by the social services in order to promote coexistence between groups and social cohesion. It is worth mentioning in this respect the s*trategic plans* or *neighbourhood integral plans*, which deal with the development and regeneration of neighbourhoods in areas like (economics, social aspects, healthcare, the environment etc.).

### c. Birmingham: The Race Action Partnership

The Birmingham Race Action Partnership (BRAP) is a recent initiative aimed at challenging institutional racism and at tackling racial discrimination and disadvantage through joint working, community involvement and positive action. The partnership is seeking to plug the

gap left by the demise of Birmingham Race Equality Council in the early nineties. The work of BRAP is led by a board made up of the five founding organisations (Birmingham Health Authority, City Council, Birmingham & Solihull TEC, Birmingham Voluntary Services Council and Birmingham Trades Union Council). It strongly believes that institutional change can be more effectively promoted through a strategic partnership than a reliance on casework or campaigning.

BRAP concentrates its efforts on trying to change fundamentally the way in which institutions recruit, develop and treat their staff, as well as deliver their services. A central premise of the partnership is to bring the concept of joined-up working to the area of race. This is joined-up working between institutions and effective joint working between institutions and communities to tackle joined-up problems. The BRAP model seeks to move away from working on an ethnic basis to working around issues, e.g. housing, criminal justice, regeneration etc. It also seeks to move away from focusing on using community leaders to empower communities. BRAP is keen to open up involvement to people who may have been marginalized or overlooked by the concentration on community leaders, who tend to be male and middle aged. It is particularly anxious to involve more women and younger people in its structures and access the depth of talent and expertise, which exists within Black and minority ethnic communities. The BRAP model engages communities in setting the agenda as opposed to just commenting on the plans of institutions. It seeks to shift the thinking away from perceiving communities as a problem to the added value they bring to the city. The emphasis is on the need for institutions to innovate and examine more effective ways of working with communities.

### d. Bologna: The Interethnic Educational Forum

The Interethnic Educational Forum was set up to offer educational activities to Italian and foreign origin pupils under 16. Its objective is to promote encounters between young people from different cultures, to prevent school drop out and to facilitate the integration of children of foreign origin. The project, which has been running successfully for six years, is the fruit of a cooperation between the Municipality of Bologna, the Besta secondary school, the San Donato district, the diocesan Caritas branch and the municipal health care department (AUSL). Thanks to an agreement with the Provincial Education Office and other Districts, the Forum has progressively been developed throughout the city and now involves 5 districts and 10 schools.

The activities, which take place within schools but outside school hours, are led by consultants from the Municipality of Bologna, voluntary staff and university students doing practical work in close cooperation with the pupils' teachers. There are more than 250 voluntary workers involved who receive specific training courses The method adopted enables recognising the activities carried out by the Forum through 'educational credits'. All activities are free and involve mixed groups of Italian children and children of foreign origin.

The Interethnic Educational Forum carries out several kinds of activities:
* educational support and catch-up activities. The voluntary staff is coordinated by the experts of the Interethnic Forum to assist the children and young people with their homework;

- linguistic workshops, in which suitable learning strategies are prepared for children and young people with little knowledge of Italian in order to facilitate the acquisition of Italian as a second language;
- recreation-expression workshops where use is made of games, drama, painting, the making of toys, in order to promote common understanding between young people of different cultures and to enable them to express themselves by learning valid techniques;
- intercultural education activities, in which Italian and intercultural operators intervene within the schools to enhance the standing of the original cultures and languages, to facilitate dialogue and mutual familiarity between children and young people of different cultures and to prevent misunderstandings or conflicts;
- linguistic-cultural mediation to facilitate communication between foreign parents, teachers and the operators of the social welfare services, to raise the teachers' awareness of the culture of origin of foreign children and young people, to make useful learning tools available to families and education experts;
- educational and career guidance, which consists of a service provided to youngsters who have reached the end of compulsory education, to advise and support them in their academic and vocational orientation. This personalised project involves the cooperation of the young people and of their parents, together with the teachers, the operators of the services and the educational experts.

### e. Madrid: The Intercultural Mediation Service

One of the main activities of the municipality of Madrid aimed at removing discriminatory barriers facing people of immigrant origin on the grounds of their ethnic origin is the Intercultural Mediation Service (SEMSI). SEMSI is a public service aimed to foster closer relationships between the migrant population and public institutions, to identify the main problems faced by this group, to facilitate their access to municipal social services, to adapt municipal services to their needs and to encourage their participation in everyday life. Specific activities run by the Mediation Service include the organisation of intercultural activities within the community and the provision of external mediation assistance to schools. The SEMSI has 29 social mediators originating from the countries most represented among the immigrant communities in Madrid who are based in the districts. In 2000, the SEMSI provided assistance to 6,888 migrants, processed 6,419 requests for information, provided 465 translations and provided administrative guidance to 1,597 migrants.

### f. Malmö: The Validation Project

The Validation Project is an initiative that seeks to enhance the employability of people of foreign origin. The aim is to identify 'hidden skills' that can serve in working life and provide a basis for further studies. Such 'hidden skills' can have been acquired within or outside the formal educational system in Sweden or abroad. The project takes into consideration formal achievements and qualifications as well as professional experience and other types of 'hidden skills'. The Validation Project in Malmö is run in partnership with similar initiatives at the national level. There is a formal partnership with the national government and a number of partners are associated such as educational experts, professional associations, trade-union organisations and employers' organisations. The target groups are unemployed

people, people with foreign vocational training, employees and adult education students who can be Swedish citizens or not. A central feature of the project is the validation of vocational training. Rather than organising theoretical examinations, the project involves monitoring an individual in an actual work situation. Participants are given opportunities to demonstrate their skills during a period of 1 to 4 weeks. The result is a certificate based on actual professional abilities. It is expected that the skills of 250 people will be validated in 2001 in six professional areas such as health, transport, hotel and catering, industry, computing and construction.

### g. Newcastle: The Newcastle City Council Racial Harassment Support Groups (RHSG)

Newcastle City Council promotes effective work into racist incidents through its funding and management of various local organisations, projects and community groups. There is clear evidence of effective good practice being delivered by the two Newcastle City Council Racial Harassment Support Groups (RHSG). For example, *Challenging Media Myths About Refugees* is an RHSG report that includes the latest available statistics on asylum and immigration, widely circulated, the report has been recommended to the Home Office by Northumbria Police as an 'intelligently written, practical resource to challenge racist attitudes'. There are two RHSG's in Newcastle, one operational in the West End of the city and one operative in the East End of the city. These groups exist solely to work with victims of racially motivated crime and harassment. They provide a community based referral function and offer support and advice for victims of racist incidents. Between March 2000 and February 2001 RHSG West received 83 new referrals. Compared to the previous twelve months, this represents an increase of almost 40 per cent on casework. The increase is further compounded by a dramatic rise in racially aggravated offences against asylum seekers under dispersal. In addition to undertaking casework, RHSG's offer race equality and anti-harassment training, community advice and practical support. They also offer and promote efficient networking capabilities with other local organisations, groups and agencies in the area. Indeed, the RHSG's also work in close collaboration with other agencies and organisations such as Northumbria Police and Victim Support, as well as with community groups. Given the extent of racist incidents across all areas of the City, the work of the RHSG's should be commended, and an appropriate development may be the further extension of the work of RHSG's in the north of the City.

### h. The Hague: A World Tour Through Our Own City

The Hague has promoted and supported many good practices anti-discrimination initiatives. Sections 2, 3, and 4 have described initiatives such as The Hague's anti-discrimination office, codes of practice, emancipation and positive action policies, etc. The Hague has also supported good practice smaller scale projects such as the 'World Tour Through Our Own City'.. This initiative takes place every year in March to mark the international day against racial discrimination. Non-Dutch cultural, religious, social and recreational groups represented in The Hague hold on this occasion an 'open day' and offer information about their activities. Dutch and ethnic minority families also open up their homes to each other. The purpose of the "World Tour" is to bring about a genuine meeting of people, in a way allowing different people to know, understand and respect each other's cultures.

## 4.   RELIGION

### a. Antwerp: The Cooperation Protocol with Muslim Organisations

The diversity of Antwerp's population is also reflected in the different religions and faiths of its inhabitants. Catholics, Protestants, Muslims, Jews, Hindus, Buddhists, Jains, Assyrian Christians and many others live in Antwerp. Precise figures are unavailable, however, because religious affiliation is not officially registered anywhere. The majority of foreigners in Antwerp are Muslims. Islam is a religion with which Antwerp society is relatively unfamiliar. It is striking that, until recently, the city government made little use of religious networks and mosques for local consultation and integration-oriented activity. And yet the imam is generally an unusually well informed person with a strong moral authority in the community. These networks and institutions can play a positive role in integrating minorities. Thus, these relations must be optimised. The city has therefore signed, via the city integration service DIA, a cooperation protocol with the Union of the Mosques and Islamic Associations of Antwerp (UMIVA). The development of this umbrella organisation is financially supported by the city. UMIVA plays an important mediating role between the city and the Muslim population and serves as a channel to circulate relevant information both top down and bottom-up.

### b. Barcelona: The Inter-religious Council of Barcelona

Barcelona is supporting different initiatives to promote the interreligious dialogue.
One of these initiatives is the **Interreligious Council of Barcelona**. The Council was set up in March 2001 and aims to represent a permanent platform of participation, coordination and partnership between different religious groups (Catholics, Jews, Muslims, Buddhists, and other non Catholic Christians). The Council acts for the promotion of good relations between people and groups. It promotes dialogue as a method for achieving respect and peaceful coexistence. The interreligious Council is allowed to make recommendations and formulate demands to the municipal council of Barcelona for any issue that affect its work (e.g. issues related to places of worship, to specific funerary ceremonies, to religious celebrations). In addition, Barcelona is compiling data to monitor accurately the faith and religious life of the city.

### c. Birmingham: The Council of Faiths

Birmingham is home to a myriad of faiths. At present there is no data that identifies the proportions of people from particular faith groups in the City. Religion and identity are closely inter-twined, particularly for the City's South Asian communities where for many, religion more so than ethnicity, national origin or colour is seen as the defining factor of an individual or community identity. Birmingham views religious communities as important in creating social cohesion and important networks to exploit in accessing communities and for building social capital. This is why it has supported the Birmingham Council of Faiths (BCF), which is the only organisation in the City that brings together members of different faiths to work in partnership on social welfare issues, including anti-discrimination. The BCF is an inter-faith network that also seeks to promote understanding between ethnic and religious groups. Following the events in the USA on 11 September 2001, the UK experienced increased Islamophobia making the role of groups such as the BCF even more important. National legislation on religious discrimination is forthcoming but its likely effect can only be anticipated at this stage.

### d. Madrid: Welcoming Religious Diversity

Madrid, a cosmopolitan city with 3 million inhabitants, hosts all sorts of religions and places of worship. Yet, most of its temples and schools are Catholic. There are 148 registered non-Catholic entities: Evangelists, Baptists, Episcopalians, Anglicans, Presbyterians, Lutherans, Jehovah's Witness and Mormons. When dealing with religious diversity, it should be recalled that Spain has a long history of intolerance against all non-Catholic religions. This has given rise to all sorts of negative images associated with other religious congregations, which filters through into derogatory comments referring to Jews and North Africans. This goes some way to explain why there is difficulty in raising the issue of discrimination on religious grounds. In spite of this historical fact, the municipality of Madrid welcomes religious diversity. Provided that legal requirements are met, Madrid pursues a liberal policy, especially in relation to the issuing of construction and refurbishment permits for religious venues.

## 5.   SEXUAL ORIENTATION

### a. Antwerp: The Holebi 'Rose House'

A city like Antwerp is characterised by a wide diversity of lifestyles. Amidst this increasing diversity, more and more people are coming out for their sexual preference as gay, lesbian or bisexual or 'holebi'. There are no clear-cut figures on the percentage of holebi's in society: it is estimated to be approximately 10%. For Antwerp, this means a group of around 45,000 people. More than twenty organisations emanate from the holebi community. Their members include all age categories and all professional groups. However, migrants and other minority groups are clearly under-represented. The organisations are united in the "Antwerp Consultation".

Roughly speaking, the holebi policy has the same objective as the equal opportunities policy vis-à-vis men and women, foreigners and disabled people: the creation of equal opportunities through equal treatment, non-discrimination, the loosening of conventional social roles and awareness-raising. The policy must pay special attention to so-called "double discriminations": lesbians and bisexual women, disabled people and foreign holebi's. The city government purchased a house for the Antwerp organisations that work for or with holebi's. The *Roze Huis*" (Pink House) strives for an equal (male/female) composition of its governing bodies, which is an important signal for the other holebi organisations. In the meantime, an orientation memo with policy proposals has been drafted in a broad dialogue between the city emancipation service and representatives of the "Antwerp Consultation".

### b. Birmingham: The Lesbian, Gay and Bi-Sexual Forum

Birmingham has an evolving, growing and thriving lesbian, gay, bi-sexual and transgendered population. However, this is often an "invisible" community whose social, economic, cultural and political needs are rarely acknowledged or recognised. Gay people consist of more than just their sexuality. The community is as diverse as the City - with people who are disabled, Black, from different religions and of different ages, and in no way are the needs of all these people met in Birmingham. As with religion, it is very difficult to estimate at numbers of LGB

people in the City. Lesbian, gay and bisexual individuals and communities have been discriminated against in many ways. The types of discrimination include verbal abuse, physical assaults, barriers to employment, harassment in employment etc.

Until recently, there has been no one organisation providing support, information and guidance to this community. In 1999, the Lesbian, Gay and Bi-Sexual Forum (LGBF) was established to link up the different organisations in the city offering services to the gay community, and as part of their work undertook, for the first time, a comprehensive mapping exercise of the activities and services available to the gay community in Birmingham. Events, such as the annual Birmingham Pride Festival have also played a large role in raising the profile of the community. However, there is still very little infrastructure in order to develop and support individuals and groups in this growing community with its own needs and problems. Although some services, such as telephone support services, have been in place for a number of years, the community is still lacking a basic infrastructure that allows it to tackle discrimination.

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## Appendix 1 - List of partners in the local teams

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Ronny NILSSON, Project Manager, The Validation of Qualification and Vocational Skills Project, City Office, Expert on The Government Commission on Inquiry into the Validation of Adult Vocational Skills and Experience

Anders JÄRNEGREN, Senior lecturer, University of Lund

## NEWCASTLE UPON TYNE

Desmond K HILL, Racial Harassment Support Group (West), Newcastle City Council

John MILLS, National Probation Service

Dr Malik CHAUDHRY, Tyne & Wear Racial Equality Council

Robyn THOMAS, Newcastle City Council, Community & Housing Directorate, Newcastle City Council

Ranjana BELL, independent trainer

Simon PACKHAM, Northumbria Police, Project Office, West Area Command

Peter FRANCIS, Sociology & Criminology Subject Group, University of Northumbria at Newcastle

## THE HAGUE

Hans METZEMAKERS, municipal policy advisor, the Lord Mayor's Office, *project leader*

Randy MEIJER, secretary/advisor of the Local Working Group

Nel STATEMA, municipal policy advisor, integration and diversity

Gökmen DOGAN, municipal policy advisor, anti-discrimination and emancipation

Bob MEERSTADT, municipal policy advisor, senior citizens

Nicole MENKE, municipal policy advisor, senior citizens

Quirine HOEK, municipal policy advisor, disabled people

Else KONING, representative of the largest local organisation of people with a physical disability

Rudolf FEBER, member of the municipal advisory board for senior citizens

Moenin GOEDAN, assistant-secretary of the municipal advisory board "Multicultural City"

Jan BUIKEMA, member of The Hague Council for Religions and Philosophies

Gert Jan ANKONE, director of the independent Anti Discrimination Office