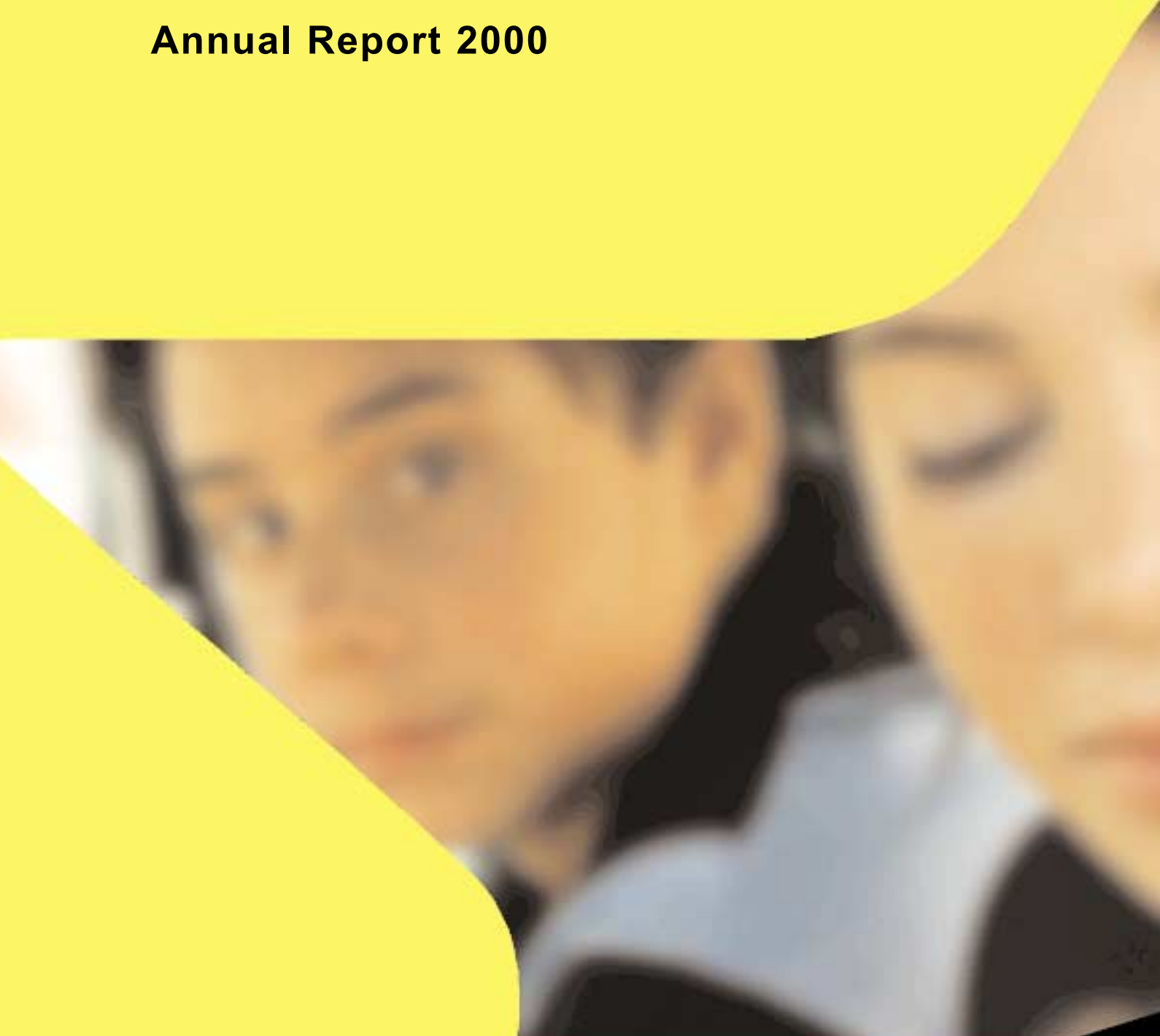


Diversity and equality for Europe

Annual Report 2000



EUMC

European Monitoring Centre on Racism and Xenophobia

Why do we exist

Europe's future is based on its cultural, ethnic and religious diversity. Racism, xenophobia and anti-Semitism are phenomena that are diametrically opposed to these principles.

They pose a threat which must be fought throughout Europe. The European Union considers that one of its tasks is to develop concrete measure to combat these trends by establishing a comprehensive strategy.

The European Monitoring Centre on Racism and Xenophobia is entrusted with this task.

Our agenda

We will critically review the extent and development of racist, xenophobic and anti-Semitic phenomena in the European Union and submit to the Community and its member states objective, reliable and comparable information including analyses of their causes, consequences and effects, examples of best practices and proposals for specific measures to be taken.

This ground work is designed to help the Community and its Member States to plan appropriate action in their respective fields of responsibility. accomplish this end efficiently we have developed an action plan that concentrates on the following priorities:

- European Information Network "Raxen"
- National and European Round Tables
- Documentation Resources
- Identification of key issues
- Research initiatives
- Networking of available knowledge
- Conclusions and expert opinions
- Annual report
- Public relations

Dedication

The EUMC Management Board dedicates the Annual Report 2000 to Jean Kahn, the founding President of the EUMC, for his unselfish and idealistic work in establishing the European Monitoring Centre on Racism and Xenophobia and for a Europe of ethnic, cultural and religious diversity and equality.

EUMC Annual Report 2000

November 2001



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FOREWORD

BY THE CHAIRMAN MR BOB PURKISS AND THE DIRECTOR MS BEATE WINKLER

In the first year of the new millennium, Europe has taken an important step forward to secure equality for all its citizens, irrespective of their race, ethnic origin or beliefs. The adoption of legislation under Article 13 of the EC Treaty introduces common standards of protection from discrimination throughout the European Union. For the first time, those of us who are black or minority ethnic citizens of Europe will be legally protected from discrimination anywhere we work, live or travel in the European Union.

This provides us with an initial legislative framework for ensuring that all its residents shape Europe's identity, whatever their racial, ethnic or religious backgrounds are. A person can be black, Muslim, French and European at the same time; and this diversity is an integral part of today's Europe, which must be reflected in our visions for the enlarged Europe of tomorrow.

In the past, Europe has often displayed a rather narrow understanding of itself, with a view of its history restricted to a particular core culture based on a limited view of the peoples of Europe. In turn, this has led to a perception of European citizenship tied to a specific race, colour or creed, which in practice has excluded many Europeans.

We often claim rights for one group by excluding another. Instead of dealing with tensions, we simply shift them elsewhere so that another vulnerable group finds itself at the centre of negative attention. When we speak of equality we often seem to mean equality for a specific group. Equality for 'black' citizens. Equality for women. Equality for Catholics or Protestants. These struggles for equality tend to exclude important groups. What about equality for non-citizens, third country nationals, refugees, undocumented migrants? What about equality for Roma? What about equality for black women, or women trafficked across the world for sexual exploitation? What about equality for Muslims in Europe? If we divide Europeans into separate communities, each struggling on their own, we will never attain equality for all. Intentionally or not, we will encourage 'scapegoating', that is shifting the blame for tensions caused by inequalities to those groups that are particularly vulnerable, such as asylum seekers, Roma, Jews or Islamic communities.

At the EUMC we aim to be inclusive. We want to foster the appreciation of diversity and contribute to expanding and deepening our human rights culture, which informs the basic principles of the European Union and provides the practical framework for diversity to flourish. We now have the tools to apply these rights inclusively, in line with our history of thousands of years of migration and mixing of different peoples. Europe cannot afford to leave some groups behind. Political and economic integration cannot be achieved on the backs of people who enrich the cultures of Europe but enjoy fewer rights than

their fellow citizens. The idea of a unified Europe is based on bringing together diverse groups of people and according them equal rights. We need to make sure that this includes all people.

We would like to thank our staff at the EUMC, the Management Board and especially our previous Chair, Jean Kahn, for their dedication in working towards this goal. It is this commitment which drives our fight against racism, xenophobia and anti-Semitism, and which will enable us, together with our many valued partners, to progress towards full equality for all.

Vienna, 20.11.2001

PART I

THE SITUATION IN THE MEMBER STATES

1 EXECUTIVE SUMMARY

THE SITUATION IN THE MEMBER STATES

1.1 Acts of Racism and Discrimination (Chapter 2)

1.1.1 Racial violence and crimes

Problems of racial violence and racist crimes have been observed via official crime statistics in the period 1995-2000, in the Member States where racially motivated crimes are recorded. In Belgium, Greece, Ireland and Portugal, racist crimes are not identified separately in the crime statistics.

For the year 2000, there have been increases in racial violence, anti-Semitic attacks and racist threats and intimidation reported in France, Germany, Spain, Sweden and the UK. One of the most serious events of racist violence this year was the riot in the village of El Ejido in Almeria (Spain), at the beginning of 2000, where hundreds of Spanish villagers attacked the Moroccan immigrant population.

Racist crimes committed by neo-Nazi organisations and supporting groups were reported to have increased in Finland, Germany, Spain and Sweden in 2000. The crimes are reported to have become more serious and violent in 2000 in Finland and Sweden, and new research shows that neo-Nazi organisations operate increasingly from local municipalities. From Spain, where the numbers of members of neo-Nazi organisations are rapidly growing, reports on the use of the Internet for organising and planning attacks show rapid increase. The number of racist web sites in Germany more than doubled from 1999 to 2000 and the music scene was reported as even more central for the activities of right-wing extremist groups in 2000.

Racist propaganda or 'Incitement to hatred towards ethnic minorities' is well documented by the police authorities in Germany and Sweden, and the recorded numbers of acts are very high. The trend with regard to propaganda crimes with a racist content is increasing in Sweden but decreasing in Germany.

1.1.2 Discrimination on Racial, Ethnic, Cultural and Religious Grounds

The reports on discrimination include every Member State, but the system for recording acts of discrimination varies. In Member States where acts of discrimination are recorded by specialised institutions, the general trend is

one of increasing numbers of complaints. Human rights organisations and academic researchers provided information about discrimination in the remaining Member States.

The labour market, employment and occupation are the main areas of complaints of discrimination common to practically all Member States. In addition to the number of complaints, the unemployment figures for immigrants and minorities can be indicators used to examine whether discrimination is occurring. The numbers of unemployed are in general much higher among immigrants and minorities than among nationals, a fact reported from the Netherlands and Finland in 2000. In addition to the number of complaints, the unemployment figures for immigrants and minorities could be indicators of discrimination.

Taking the various reports into consideration, there are some major ethnic minority and migrant groups encountering more direct and indirect racism and discrimination in the 15 EU Member States. One particular group in this respect is the Roma. Research on Roma, reveals the serious extent of racism and exclusion, by individual nationals, violent far-right groups, and authorities and States. In 2000, there were reports of racism in Finland, France, Germany, Greece, Italy, Ireland and Spain. Reports in Ireland concern discrimination towards travellers in several areas.

Ethnic minorities and migrants from countries where Islam is the major religion are also targets, especially ethnic minorities and migrants from North Africa and Albania. Racial violence and different forms of discrimination towards Muslims are reported from many Member States.

Anti-Semitic incidents continue to be reported in Europe. The Jewish community remain therefore a target group of acts of racial violence and crimes motivated by racism.

- The EUMC will continue the work with collecting and analysing data on racism, racial discrimination, xenophobia and anti-Semitism in the areas of racial violence, employment and education via the RAXEN National Focal Points and via EUMC research projects.

1.3 Racism and the Mass Media (Chapter 3)

Mass media research over the last five years on different aspects of racism and cultural diversity in the media, gives a widely varying picture of the situation in the Member States. One general observation regarding media content is that the racist discourse is increasingly becoming implicit rather than explicit. This means that expressions of crude and racist stereotypes are becoming more rare, but at the same time platforms other than 'race' are used, such as economic imperatives, cultural differences, security and medical threats defined against a putative culturally and homogenous 'host' population.

Another general observation regarding the portrayal of migrants' and ethnic minorities in the media is that there are not enough minority voices compared to those from public institutions. According to a report commissioned by the EUMC on Racism and Diversity in the Media (see PART III, Chapter 1.4.3), racial violence tends to be minimised by the media. In addition, in media reports, perpetrators of racial violence are demonised and distanced from the main body of society.

- The EUMC will follow up the recommendations from both the 1999 European Media Conference in Cologne and the media component of the European Conference against Racism in Strasbourg in 2000. The EUMC will continue its cooperation with media organisations and ethnic minority and migrant networks in the Member States and organise a Media workshop in 2002.

1.4 Combating Racism and Discrimination (Chapter 4)

In 2000, EU Governments and other actors in the Member States took a series of initiatives, to combat racism and discrimination through legislation and other measures.

1.4.1 Legislative and institutional anti-discrimination initiatives

The adoption by the Member States of the Council Directives related to the Article 13 EC Treaty provides a framework to enact legislation and designate institutional mechanisms to tackle discrimination. In 2000, the Parliament in Greece set up independent State Authorities to protect and promote human rights in general and the principle of non-discrimination in particular. In Ireland, the Equal Status Act, to promote and defend equality issues, came into force. The Special Permanent Commission against Racial Discrimination in Luxembourg was given changes to its mandates and a Consultative Commission on Human Rights was established. In the UK the Human Rights Act came into law, which introduces protection against discrimination on the grounds of religion. The amendments to the Race Relations Act, brings fully within the scope of the Act a wider range of functions of public authorities. A Commission to assess the necessity to incorporate several human rights convention into national law has been established by the Danish Government and in Sweden, legislative measurements have been taken to limit the activities of neo-Nazi organisations.

In the field of legislation the EUMC calls on the Member States to continue examining ways to make anti-discrimination legislation, criminal, civil and administrative laws, more effective, by examining and assessing their legislative impact on racism and racial discrimination within their fields of activity

- The EUMC will initiate a comparative research study on legislative initiatives taken in 2000 concerning racism in the Member States. In

addition, it will publish a report comparing Member States national legislation with the adopted Article 13 Council Directives and provide an overview of Member States' legislation against discrimination on grounds of race or ethnicity and religion or belief.

1.4.2 Policies for the integration of immigrants

Special policies for integration of immigrants are considered a necessary step for creating equality and preventing racial/ethnic discrimination. In Member States with long experience of immigration, integration policies do exist, but these might need to be updated. In 2000, in Belgium a reform of the Nationality Code became law, providing more flexible conditions for the acquisition of citizenship. A Commission of Migration ("Zuwanderungskommission") was established in Germany to co-ordinate migration and integration and the new right to citizenship came into force. Moreover, improvements in work permits for asylum seekers and refugees were introduced. In Spain, amendments to the existing legislation related to discrimination and social exclusion were introduced, focusing on social and civil rights for established immigrants.

With regard to the labour market, in Austria, a number of measures were introduced in order to facilitate and promote the integration of immigrants. The new Danish Act on Integration was amended by rules for family reunification. The parliament in the Netherlands adopted a law to encourage employers to diversify their recruitment. In Spain, the Municipal Immigration Council of Barcelona works to design appropriate policies for integration of immigrants.

- The EUMC will examine initiatives and institutional mechanisms/good practices, for the integration of migrants and ethnic minority groups in the Member States.

1.4.3 Mainstreaming Cultural Diversity at Work

Most acts of discrimination have been found to take place in the labour market and in workplaces. At the same time, there are a lot of initiatives taken by various actors to combat discrimination and promote cultural diversity in the workplaces. The EUMC study on good practice reveals initiatives directed towards employers, employees and minorities.

Most Member States can report on Government co-ordinated projects to combat discrimination and facilitate recruitment of immigrants in the private and public sectors. The Dutch Government has, for example, initiated an action plan with the 15 largest companies, offering training for managers. Grants or prizes for cultural diversity in the private sector are offered in Belgium and Sweden. In Portugal, a special cultural diversity project linked to the health sector has proven to be successful. Affirmative action in recruitment is practised in Sweden, and a special project on the recruitment of international engineers is given support

However, when facilitating recruitment for immigrants, employers also try to act in advance to prevent the majority population's protests. For this reason, special mediation agents are employed in France. In Sweden, the Ombudsman has produced a handbook on good practice in promoting cultural diversity. In the UK there are companies specialised in convincing companies about the positive outcomes of diversity.

In some Member States, employers associations meet regularly for the exchange of international experiences of diversity (Finland, Sweden). In addition, the trade unions have developed projects to make immigrants more attractive to employers, and in some cases arrange seminars for the exchange of experiences about difficulties and solutions related to discrimination and conflicts. Job data banks and telephone hotlines for immigrants are provided in Member States, like Spain, Sweden, and the UK. Training sessions enabling immigrants to be better prepared for the labour market are another type of initiative in practice. In addition, ministries and specialised bodies offer vocational training for immigrants. Awareness and intercultural training in various forms, and at all levels in private and public companies are provided in most Member States.

- Based on the RAXEN data the EUMC will carry out a comparative research study focussing on access to employment opportunities and discriminatory practices in the workplace. Another aspect relates to initiatives to prevent from racist and discriminatory phenomena.

1.4.4 Education and awareness raising

Education and awareness raising are considered necessary and basic steps to prevent prejudice, racist attitudes and discrimination. Efforts are made in all Member States, but the focus varies. In 2000, human right training for police officers (Denmark) as well as for other professionals (Belgium) was reported. Another focus was diversity management training for various professionals (Belgium).

Special awareness training aimed at understanding why people emigrate was provided in Austria, and a special day for democracy and tolerance was initiated in Germany. The Holocaust was given attention in different forms (Austria and Sweden). Another aspect of education in this field might be special training for immigrant children in the majority language (Greece, Netherlands), or support for minorities in developing their mother tongue (Finland).

- The EUMC will in its Work Programme carry out a comparative study on education based on the RAXEN data. The study will include aspects related to racial, ethnic, religious and cultural discrimination, and awareness training, vocational training in the field of integration, cultural and social diversity.

2 ACTS OF RACISM AND DISCRIMINATION

2.1 Introduction

The EUMC has the mandate to provide the Community and its Member States with objective, reliable and comparable data at the European level on the phenomena of racism, xenophobia and anti-Semitism.

In the year 2000, the EUMC initiated several research projects with the aim of comparing the situation with regard to racism, xenophobia and anti-Semitism in 15 EU Member States. Time and again, the projects reveal extensive differences between the Member States. There are differences in how racism is defined, recorded and prevented. The differences characterise the present situation in the Member States and also the annual report.

The difficulties in presenting objective, reliable and comparable data on racism, xenophobia and anti-Semitism, are a reality. And it is likely that it will take many years for the current 15 EU Member States to agree on a common approach to the concept of racism and to measuring these phenomena.

It is nevertheless very important to gather the existing information on racial discrimination, violence and threats, victims and perpetrators from the 15 Member States. This provides an annual comparison for each Member State and may highlight the impact of changes in definitions, reporting and recording techniques and any resulting legal action. The information also forms the basis for the analysis of trends in types of crimes committed.

European and international initiatives have also an impact on developing common definitions. The newly adopted Article 13 (EC Treaty) related Council Directives on anti-discrimination has opened the way for a focus on racial discrimination. The purpose of the article is to put into effect in the Member States the principle of equal treatment of all persons, irrespective of racial or ethnic origin, religion or belief, disability, age or sexual orientation in various fields of activity. The principle of equal treatment concerns direct and indirect discrimination. By direct discrimination is meant any treatment when one person is treated less favourably. By indirect discrimination is meant "an apparently neutral provision, criterion or practice liable to adversely affect a person...unless that provision, criterion or practice is objectively justified by a legitimate aim and the means of achieving it are appropriate and necessary."

The implementation of these Council Directives in the legislation of the 15 EU Member States, will have an impact not only on the way racial discrimination is considered, but as well on the way racism, xenophobia and anti-Semitism are fought.

Another document of decisive importance for the way racial discrimination is defined and considered is the International Convention on the Elimination of all forms of Racial Discrimination (ICERD) ratified by all EU Member States. It

claims that racial discrimination is: “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life”.

The information in this chapter is also based on different sources. Quantitative measurements of crime and offences are mainly recorded by police authorities, which are the major record-keeping authorities in the Member States. Results from the study “Racial crime and offences – definitions and statistics”, initiated and financed by the EUMC, covering the situation in the 15 EU Member States in the period 1995–2000, is presented as an introductory chapter. The study indicates the difficulties inherent in comparing statistics, both between and within the Member States.

When it comes to acts of discrimination on racial, ethnic, cultural or religious grounds, some Member States can provide quantitative measurements of complaints and court cases, thanks to special institutions or “specialised bodies”. Other sources for this chapter are ministries; national and international non-governmental organisations, research centres and other scientific institutions, trades unions and employees’ organisations. Exceptionally the mass media is also used as a source. As far as examples of racial violence and racial discrimination are mentioned, they are chosen to represent a general trend.

2.2 Recorded Racial Crimes: 1995-2000

Although it may be impossible to gauge the true quantity or type of racial crime in any country, various indices are available. The EUMC study, “Racial crime and offences – definitions and statistics”¹ first makes use of official crime statistics, based on police reports and court decisions.

The situation in the 15 Member States, and their data collection and statistic systems differ very much. However, the majority of the EU Member States record racial crimes and publish annual data, i.e. Austria, Denmark, Finland, France, Germany, Italy, the Netherlands, Spain, Sweden and the U.K. The remaining five countries as yet do not separate racial crimes from general crime statistics. The comparison of racial crime statistics should also take into account more racial violence and crimes may be recorded in the countries with a more developed recording system. In particular, Germany, the Netherlands, Sweden and the UK, the official data collecting systems is much more differentiated and broad in comparison with other Member States.

Other sources for the study on racial crime are statistics collected by non-governmental organisations, ethnic minorities and other community groups as well as information about experiences of racist violence among groups of immigrants. In many EU Member States, anti-racist watchdog groups and non-governmental organisations are active in data recording and provide alternative sources of data. The UN CERD country reports on the

¹ “Racial crime and offences – definitions and statistics” conducted on behalf of the EUMC by °Abo Akademi University / Institute of Human Rights, Finland.

implementation of ICERD is a further source, in particular for information relating to Articles 2 to 7 of the Convention, which concerns the criminalisation of racist conduct and racist propaganda. Furthermore, the European Commission against Racism and Intolerance (ECRI) regularly publishes country reports with information on legal measures to combat racism and intolerance, including acts of racial violence.

Racial crimes are mostly recorded in accordance with provisions of the penal codes in each Member State. However, some States have introduced specific crime categories to map the phenomenon of racial crime. The five most prevalent categories of racially motivated crimes in the EU Member States, according to the study, are: (i) lethal violence, (ii) violent assaults, (iii) threats, (iv) incitement to hatred and violence, and (v) damage to property.

From the report it may be concluded that no official statistics or records from other sources are available for Greece or Ireland. For Belgium, only in one year, 1998, did the NGO keep records. In the five year period, the Police authorities in Denmark, Ireland, Luxembourg, and Spain did not report any cases of lethal violence with racist motivation. In Austria, Finland, Portugal and Sweden, the police authorities recorded one racist murder over the five-year period.

In the Netherlands, the police, between 1995 and 2000, recorded seven racist murders. The French police authorities recorded a total of 10 cases of which eight were committed in 1995. In the UK, lethal violence with a racial element totalled 16 cases over the period. The Home Office's records correspond to those of the Institute of Race Relations.

In Germany and Italy, the discrepancy between the records of the police authorities and other sources is extensive. In Germany, the police recorded, 18 murders or acts of lethal violence with a right-wing extremist, xenophobic or anti-Semitic motive. According to reports by anti-racist watchdog organisations and the mass media, the number of racist acts leading to death in the same period, was more than five times as high: a total of 93. According to the Italian authorities no racist murder was committed in the period². At the same time, the mass media and other sources recorded as many as 259 racist murders.

It should be noted though that cases of lethal violence are investigated continuously, and may change while new evidence is found.

Official statistics on violent assaults, i.e. racist attacks by one person upon another for the purpose of inflicting bodily injury, are not available from Belgium, Greece, Ireland or Portugal. And for some other Member States, the records do not cover each of the five years in the study. In Germany, the police authorities recorded 5,228 cases of violent assault with right-wing extremist, xenophobic or anti-Semitic motives. The trend is of increasing numbers of violent assaults. This is also the situation in Sweden and the U.K. For Luxembourg, the police recorded no single case in the five-year period. The figures for France, Italy, the Netherlands and Spain are very low in relation to population size and to other racist crimes.

² Italy : State Party Report to the UN 2000

A comparison between the records from the police authorities and from other sources on racist attacks, again shows clear differences in Italy and Spain over the period. The Italian police recorded 51 cases of racist violent assaults between 1995 and 2000, while NGOs and other sources recorded 559 cases. The Spanish police recorded 148 racist assaults, whereas other sources totalled 777 of them.

For the official statistics on racist acts of threats against a person, including verbal abuse, non-physical harassment and intimidation, statistics are only available from police authorities. In comparison, the U.K. and Sweden have very high numbers of recorded acts; 15,738 cases in the U.K. and 3,380 in Sweden. The German police recorded 1,736 cases, the French 984 cases and the Austrians 1,185. Statistics are not available for Belgium, Denmark, Greece, Ireland or Portugal.

The International Covenant on Civil and Political Rights (ICCPR) and the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) encourages States to introduce legislation, which penalises incitement to hatred. The provisions of international law are also reflected in the penal codes of many Member States. In Sweden and in Germany, special legislation has been introduced regarding incitement to hatred, which might explain part of the very high figures for these two countries.

A comparison between the Member States shows very high figures for Germany: a total of 13,067 recorded acts and for Sweden a total of 1,745 acts in the period. The trends in those countries though run in opposite directions. While the figures in Sweden have tripled in five years, the figures have halved in Germany.

Official statistics on incitement to hatred and violence are, once again, not available for Belgium, Greece, Ireland or Portugal, and only occasionally for the UK.

The report will be published by the EUMC in early 2002.

2.3 Acts of Racial Violence, Crimes and Offences in the Year 2000

In Austria, data published by the Ministry of the Interior³, shows that the country experienced a decrease in racist, xenophobic and anti-Semitic incidents during 2000. In all, 450 charges were brought against alleged perpetrators of racism in 2000 (compared to 717 in 1999). The charges were brought as a result of 336 incidents with racial motives (against 378 in 1998). Similarly, the number of crimes related to the extreme right, xenophobia, and anti-Semitism reached a higher level in 1999, with an increase of 33% from the previous year, and decreased in 2000 (down 11%)⁴. The dissemination of

³ Rechtsextremismus in Österreich: Jahreslagebericht 2000, Wien: Bundesministerium für Inneres

⁴ *ibid.* pp. 31-34.

xenophobic propaganda was recorded at the same level as in 1999 (60 incidents).

Two other reports⁵ have dealt with examples of violent and racist behaviour by the Austrian Police towards immigrants, refugees and asylum seekers. According to observations by different NGOs, police officials' behaviour is often characterised by violence and derogatory racist remarks. Witnesses have been threatened with the counter charge of defamation. There is deep concern that this practice will keep the victims from reporting police assaults⁶

Regarding police violence towards immigrants and refugees⁷, ECRI notes that the Austrian authorities have adopted the majority of the recommendations given by the Advisory Board for Human Rights regarding deportation of asylum seekers and refugees⁸. In its first report, the Austrian Advisory Board for Human Rights⁹ investigated the field of problematic deportations, especially in regard to the death of Marcus Omofuma¹⁰. However, Amnesty International reported on new cases¹¹.

In Belgium, racial crimes are included in the general crime statistics, i.e. any such offences that are reported to the police are recorded according to the nature of the offence rather than according to the motive behind the attack. In 2000, a proposal to change the penal code and resolve the problem of the hidden extent of racial crimes was sent to Parliament, by the Centre for Equal Opportunities and Opposition to Racism, which also proposed that action be taken against racial crimes on the Internet¹².

In Denmark, the Police Commissioner (*Rigspolitichefen*) received a total of twenty-two reports of criminal behaviour with a racist background in 2000, including four bomb attacks or arson attacks, from police districts in Denmark. Between 1992 and 2001, the Police Commissioner received a total of 660 reports of criminal action with a suspected racist background. Most reports concerned malicious damage directed against refugees and immigrants. According to the police, most of the more serious offences, such as violence and arson, were individual acts and it was not possible to establish that right-wing extremists were behind them.

⁵ ECRI: Second Report on Austria, 2001, p.16,18, and Amnesty International: Annual report 2000, available at <http://www.web.amnesty.org/web/ar2000web.nsf>

⁶ *ibid.*

⁷ EUMC: Annual Report 1999, p x, available at <http://www.eumc.eu.int/publications/ar99/index.htm>

⁸ ECRI: Second Report on Austria, 2001, p. 18

⁹ established in 1999, see EUMC: Annual Report 1999 p. 66, available at <http://www.eumc.eu.int/publications/ar99/index.htm> and Bericht des Menschenrechtsbeirats zu den sogenannten "Problemabschiebungen" (1999), Wien: Bundesministerium für Inneres available at http://www.menschenrechtsbeirat.at/index_berichte.html

¹⁰ EUMC: Annual Report 1999, p. 27, available at <http://www.eumc.eu.int/publications/ar99/index.htm>

¹¹ Amnesty International: Annual report 2000, p. 38/39, available at <http://www.web.amnesty.org/web/ar2000web.nsf>

¹² Rapport annuel du Centre pour l'égalité des chances et la lutte contre le racisme, available on http://www.antiracisme.be/fr/cadre_fr.htm

In its report on Denmark, the UN Committee on the Elimination of Racial Discrimination (March 2000) expressed its concern about activities of organisations promoting racial hatred and discrimination, particularly in relation to the neo Nazi radio station "Radio Oasen" whose licence was renewed by the Ministry of Culture.¹³

In Finland, the Police racial crime statistics show a slightly increasing trend in racist crimes from 1997 to 2000. In 2000, the police recorded 289 reported cases while in 1999 the number was 281. The police recorded 325 racist incidents in 1999, but the real number of racist assaults could have been more than 700¹⁴ due to the classification system, which may have led to an underestimate. Police crime statistics reveal that an immigrant is on average 2.5 times more likely to be the victim of an assault, for example, than a Finnish national.

Police crime statistics reveal that, in several regions, there seems to be a trend away from physical violence towards the damaging of property. In 2000, of the total of 495 incidents of reported racist acts, 78 were categorised as material damage. In addition to damages, the most common types of racial crimes were assaults (173) and illegal threats (31).¹⁵ In some regions, e.g. in the city of Joensuu, there seems to be a trend away from *physical violence* towards the *damaging of property*. In Joensuu, of the total of 32 incidents of reported racist acts, 22 were categorised as material damage. Most of them remained unsolved.¹⁶

According to the security police, signs of growing racial tension were reported in 2000. This could be noted in particular; in the city of Vantaa, where skinheads and some young Somalians clashed, this incident triggered some other incidents in other parts of the country, particularly in Helsinki. The continuing arrival of Roma refugees from Slovakia and Poland caused further tension.

Most racist incidents took place in the streets, and the most frequent victims of racism were male, and immigrants from Somalia, followed by immigrants from Turkey, different Arabic countries and from former Yugoslavia. Research studies of the largest immigrant groups' experiences of racist harassment in public places, stress the same immigrant groups, but in a different order¹⁷.

In France, in its annual report for the year 2000, the *Commission nationale consultative des droits de l'homme* (CNCDDH) found that the most alarming trend was increasing levels of violence, with 146 serious incidents (cf. 40 in

¹³ <http://www.axt.org.uk/antidem/countries/denmark/denmark.htm> and <http://www.ihf-hr.org/appeals/001023.htm>

¹⁴ Makkonen, T. (2000): Racism in Finland 2000, Helsinki: Finnish League for Human Rights, p 23, available at <http://www.ihmisoikeusliitto.fi/engframe.html>

¹⁵ Annual Report of the Police Department of the Ministry of the Interior: "Poliisin tietoon tullut rasistinen rikollisuus Suomessa 2000", <http://www.poliisi.fi/index.htm>

¹⁶ Information from Police Office in Joensuu, 30.5.2001.

¹⁷ Jasinskaja-Lahti, I. & Liebkind, K (1997) Maahanmuuttajien sopeutuminen pääkaupunkiseudulla, Helsinki: Helsingin kaupungin tietokeskuksen tutkimuksia ; 9, p. 58

1999). This record level is thought to be the result of an upsurge in anti-Semitic attacks in the wake of the Israeli-Palestinian conflict: 111 incidents were anti-Semitic in character. Similarly, as threats and intimidation rose to 722 (cf. 149 in 1999), 603 were directed at Jews. Other than this, most attacks were on North Africans and their descendants. As in 1999, no deaths were recorded as having resulted from racist violence.

Examples of the type of incident that took place in France in 2000 ranged from the defacing of Muslim and Jewish places of worship and graveyards (Amiens: Muslim graves defaced; Alençon: war memorials to Muslim and Jewish soldiers broken; 43 synagogues and 3 Jewish cemeteries defaced over the year). There were also attacks on people, such as those related to demonstrations.

The incidents deriving from the response to the Palestinian situation ranged from attempted detonation of a bomb and arson to cutting the cable for a Jewish radio station the night before a religious festival in Marseille, and far-right students distributing anti-Semitic leaflets at the University of Paris II-Assas. It should be stressed that the far right was only found to be the source of a very small number of the anti-Semitic incidents in 2000. The perpetrators in most cases appeared to be youths from underprivileged areas where other violent confrontations had previously taken place.¹⁸

In Germany, where the system for collecting information is broader and more detailed than in many other EU Member States, the number of criminal offences with right-wing extremist motives, recorded by the police were 15,951 in 2000¹⁹. Of these offences, 2,368 were classified as "Propaganda Offences", (e.g.. incitement to racial violence, defamation, distribution of illegal racist propaganda material and insignia).

The number of violent crimes with right-wing extremist motives recorded by the police was 939, out of which 874 were assaults, 48 arson or bomb attacks, 2 were cases of murder and 15 attempted murders. The number of violent anti-Semitic crimes recorded was 29²⁰. One criminal act of this kind was committed on April 20 when a Jewish synagogue was set on fire in Erfurt (Thüringen) and 56 graves were desecrated in Jewish cemeteries²¹.

There has been an alarming increase of all kinds of crimes with right-wing extremist motives in the last year. Compared to 1999, the total crime rate increased by 59%, while the number of violent crimes with right-wing extremist motives increased by 34% and the propaganda offences increased 25%. People sympathetic to the ideas of right-wing extremist groups committed most of the racially motivated crimes recorded.

¹⁸ CNCDH: *Annual Report 2000*, p.36

¹⁹ Bundesverfassungsschutzbericht 2000, Köln: Bundesamt für Verfassungsschutz, available at <http://www.verfassungsschutz.de/publikationen/bericht/index.html>

* these acts include but are not limited to xenophobic/racist or anti-Semitic offences

²⁰ Bundesverfassungsschutzbericht 2000, Köln: Bundesamt für Verfassungsschutz, p. 26, available at <http://www.verfassungsschutz.de/publikationen/bericht/index.html>

²¹ *ibid.* p. 27.

In Germany the far-right extremists are composed of skinheads and neo-Nazis. According to the *Verfassungsschutzbericht*, the number of skinheads and other right-wing extremists with a propensity for violence increased from 9,000 in 1999 to 9,700 in 2000²². In August 2000, the neo-Nazi organisation, Hamburger Sturm, was banned and in September the Government also banned the skinhead organisation Blood and Honour.

The role of music bands with racist content in their music is considered to play a central role in the more violent behaviour over the last few years. The number of such active music bands has increased slightly in the last year, and stood at about 100 in 2000. The police strategy has been to stop the concerts from taking place. It was possible to reduce the number of incidents by specific police measures (from 109 concerts in 1999 to 82 including over 20 that were dispersed by the police²³)

The number of Internet homepages with calls for racist and xenophobic violence has risen from 330 in 1999 to 800.²⁴ The legal problem about using providers from abroad, e.g. the United States or Australia was referred to in the annual report of 1999.²⁵ In December the Federal Supreme Court (*Bundesgerichtshof*) had to deal with a case where an Australian national published the so-called "*Auschwitzluege*" on his homepage. The court stated that under certain circumstances, namely if internal peace could be definitely disturbed, German Criminal Law can be applicable.²⁶

The Freudenberg Stiftung reports that the police frequently stop non-white people for checks with undue and sometimes unwarranted harshness²⁷. It is reported that victims of ill treatment by the police were mostly foreign nationals, particularly members of ethnic minorities and asylum-seekers, as well as Turks and Africans²⁸. The incidents were at times connected with forced deportations. In some places of detention, asylum seekers were ill treated by officials²⁹. Minority groups and resident foreigners report alleged discrimination in employment³⁰.

The high increase in criminal offences with racist/ xenophobic motives could be partly the result of the media attention raised by the bomb attack in Düsseldorf. The extensive debate in the media over some weeks may have resulted in some awareness-raising of the people who thus reported more racial crimes to the police. On the other hand, the bomb attack may also have invited perpetrators to imitate racial crime.

²² *ibid.* p.34

²³ *ibid.* p. 40,41.

²⁴ *ibid.* p. 17-114

²⁵ EUMC: Annual Report 1999, p.46-49, available at <http://www.eumc.eu.int/publications/ar99/index.htm>

²⁶ BGH 1 StR 184/00, 12.12.2000

²⁷ Guerrero, T. J. (2000) *Easy Scapegoats: Sans Papiers – Immigrants in Europe*, Weinheim: Freudenberg Stiftung, p. 13, available at <http://www.freudenbergstiftung.de/html/publikationen.html>

²⁸ Amnesty International: Annual Report 2000, available at <http://www.web.amnesty.org/web/ar2000web.nsf> and Committee on the Elimination of Racial Discrimination: Report on Germany, June 2000, p.22

²⁹ Amnesty International: Annual Report 2000, <http://www.web.amnesty.org/web/ar2000web.nsf>

³⁰ U.S Department of State: Germany: Country Reports on Human Rights Practices 2000,, available at <http://www.state.gov/g/drl/rls/hrrpt/2000/eur/index.cfm?docid=765>

In Greece, there are no official statistical data on racial crimes. From the evidence collected by national and international organisations, Greece may be characterised as a country with a growing number of racist incidents against particular social groups. In its second report on Greece, ECRI³¹ stated that problems of exclusion and discrimination against Roma, immigrants, and Muslims persisted, and encouraged the Greek Government to raise public awareness of the "multicultural reality" of Greek society.

The Roma population and immigrants, mostly from Albania, are the principal victims of racism. The Roma were the target of a series of attacks during 2000 aiming mainly at their removal from sites that they have traditionally occupied to make room for developments linked particularly to the 2004 Olympic games. The Albanian population is subjected to mass arrests during police sweeps and is the target of frequent routine deportations.

When it comes to anti-Semitism in Greece, the Stephen Roth³² Institute for the Study of Contemporary Anti-Semitism and Racism highlighted that in April and May 2000 there was a spate of desecrations and vandalism. In Thessaloniki, the Holocaust memorial was desecrated in April 2000. On the same day, swastikas were drawn on the walls of the town's synagogue. One month later, 50 tombstones of the Athens Jewish cemetery, as well as the building used for burial services, were desecrated. At the same time, anti-Semitic slogans, such as "Juden Rauss" and SS symbols appeared on the Holocaust memorial in Athens. Representatives of the Jewish community condemned these manifestations of anti-Semitism and called on the authorities to take the necessary steps to counter them. The Government and the leader of the Orthodox Christian Church issued strong statements deploring the Athens desecrations³³.

In Ireland, as yet there is no official collection of data on racially motivated crimes. The *Garda Síochána* (police force), whose Community Relations division won a EU award for its plan on policing a multicultural nation in 2000, is currently developing methods of recording.

The African Refugee Network published a report in which 90% of respondents said they had been victims of verbal abuse, and 10% of physical attacks³⁴. These findings mirrored those of the lay Catholic Pilgrim Foundation³⁵, which recorded similar levels: 78% and 17% respectively among asylum-seekers in Dublin and Co Monaghan. The 'Residents against Racism' community group records incidents and posts them onto a website³⁶. However, the NCCRI's call for a system of national monitoring and reporting was only translated into action in 2001.

³¹ ECRI: Second Report on Greece, 2001 (

³² <http://www.tau.ac.il/Anti-Semitism>

³³ Press release of the Central Board of Jewish Communities in Greece, 25, 26 May 2000; Smearings and Swastikas, NGZ-ONLINE, 22 April 2000; "Greek Police Promise Security after Jewish Sites Vandalized," Jerusalem Post, 25 April 2000; "Greece Condemns Cemetery Vandalism," Yahoo News, 29 May 2000

³⁴ African Refugees': A Needs Analysis (1999), Dublin: African Refugee Network

³⁵ When I was a Stranger: racism and exclusion in Ireland (1999), Wexford: Pilgrim House

³⁶ <http://sites.netscape.net/rarireland/diary.html>

According to anecdotal evidence, and that collected in the past from ethnic minorities, the frequency of verbal and physical assaults is increasing throughout Ireland, but is a particular problem in the Dublin area, where most ethnic minority people live³⁷.

In Italy, international organisations reported on a number of acts of racial violence directed towards Roma and other immigrant groups in 2000. The UN criticised Italy in its CERD report³⁸ for the way Roma people are treated, and claimed that they are cut off politically, economically and culturally from mainstream society. Amnesty International³⁹ and the Italian Helsinki Committee reported on frequent allegations that law enforcement officers physically assaulted detainees. Although the allegations related to both Italian and foreign nationals, many of the victims were African immigrants and Roma. Amnesty International also reported numerous allegations that the police used excessive force against individuals, often Roma, refugees and women at the time of arrest and during the first hours of detention. Criminal investigations are under way into a number of complaints of ill treatment by police, and into several fatal shootings of unarmed suspects by police and *carabinieri* officers.

In Luxembourg, no racist incidents were reported.

In the Netherlands, the police recorded 177 acts of racist violence in 2000. This was an increase compared to 1999 (156 crimes) but a decrease compared to the years prior to 1999. The National Bureau against Racial Discrimination (LBR) notes that there is under-reporting due to the fact that recording these incidents is given inadequate priority in some police regions⁴⁰. Of the acts of violence in 2000, about 40% could be categorised as daubing slogans, a quarter of the cases involved threats, and a little under 20% of the cases involved abuse. In eight cases, arson was reported.

The most salient aspect of racist violence in 2000, according to LBR, was the turmoil around asylum centres and violence against refugees. In August, Molotov cocktails were thrown into an asylum centre in Roden, without causing much damage. The same day in Apeldoorn, five skinheads assaulted a 19 year-old asylum seeker from Niger. Five people were arrested in Apeldoorn and seven in Roden.

The escalating tension between Israelis and Palestinians in the Middle East engendered disturbances in the Netherlands as well. The number of anti-Semitic incidents rose. The Centre for Documentation Information on Israel (CIDI) reported that there was an increase of anti-Semitic incidents compared

³⁷ When I was a Stranger: Racism and Exclusion in Ireland (1999), Wexford: Pilgrim House: Wexford. African Refugees: A Needs Analysis (1999), Dublin: African Refugee Network

³⁸ CERD/C/406/Add.1

³⁹ Amnesty International: Annual Report 2001, at <http://web.amnesty.org/web/ar2001.nsf/>

⁴⁰ Landelijk Bureau ter bestrijding van Rassendiscriminatie, Jaar in bleed 2000, at http://www.lbr.nl/lbr/lbr_jib2000_a.html

to 1999. In 2000, there were thirty-two recorded brawls and six synagogues were the targets of violence.

Victims of racism are rarely studied in the Netherlands, but from the research done, it seems that many victims of racist violence are victimised repeatedly.⁴¹

Although the extreme right-wing political parties were swept out of the political arena during the last elections in 1998, propaganda has not followed this lead. The Internet in particular has become an important medium for racists and right-wing propaganda. An increase in complaints about racist and discriminatory web material, from 181 complaints in 1999 to 550 complaints in 2000, reported by the Complaints Bureau for Discrimination on the Internet, implies that there was an increase in the racist material on the Internet during the year 2000.⁴² A substantial proportion of the complaints reported concerned anti-Semitic comments (203 out of the total 550). Meldpunt Discriminatie Internet (MDI) removed 194 statements that were anti-Semitic, racist or discriminatory based on origin or skin colour.

In Portugal, no official statistics on racial violence and crimes exist, but international and national human rights organisations have reported a number of acts of racial violence directed at immigrants and Roma in 2000, and expressed criticism of the slow pace of police investigations in general, and internal investigations by the police in particular. The UN Committee on the Elimination of Racial Discrimination⁴³ noted for the year 2000 that incidents of racial discrimination and xenophobia did occur in Portugal and recommended that the authorities continue to monitor such incidents closely and take appropriate steps to deal with them. The Committee also noted the lack of detailed information in the periodic report of Portugal about the number of complaints of racial discrimination brought before the Portuguese courts as well as the corresponding decisions, and recommended that the next report include information in this respect. The Committee was concerned that there was discrimination against undocumented migrant workers in some industrial and services sectors.

In Spain, international and national organisations reported that the years 1999 and 2000 represented a major quantitative and, specially, qualitative change in the acts of violence in Spain. ECRI stressed a resurgence of sometimes violent nationalism, which manifested itself in intolerance towards Roma, Africans, and Arabs. During 1999 and 2000, serious social conflicts involving racist aggression against immigrants took place in different places in Spain.

The riot in El Ejido was the worst incident of mass racist violence in the southern European Member States, but far from the only one. At El Ejido, in

⁴¹ van Donselaar & Rodrigues (2001) Mapping exercise: Final Report, Amsterdam p. 24.

⁴² Meldpunt Discriminatie Internet: Annual Reports 1999 & 2000, Amsterdam, available at <http://www.meldpunt.nl/indexe.php3?link=downloade>; see also van Donselaar & Rodrigues 2001, pp. 21-28. pp. 28-32.

⁴³ CERD: Press Release, 58th session 21 March 2001

February, the murder of a Spanish woman and the arrest of a mentally disturbed North African resulted in a four day race riot and anti-Moroccan immigrant violence. The violence targeted not only the immigrant population, their property and possessions, but also premises of NGOs. The failure of the police to act effectively against the violence resulted in widespread criticism.

The Spanish and Moroccan media, NGOs and immigrant associations, the European Parliament⁴⁴ denounced the clashes and the racist violence. Immigrants accused the authorities of not doing enough to guarantee their safety and went on a strike that was ended after one week, with authorities promising to rebuild destroyed worker housing and to provide work permits to 5,000 undocumented workers.

The UN Committee on the Elimination of Racial Discrimination⁴⁵ expressed its concern about the incidents of violence against persons of Moroccan nationality in El Ejido. It also raised further concern about reports that the underlying socio-economic problems, which provoked these events, are also found in other regions of the country.

Amnesty International⁴⁶ reported on police brutality and a rise in allegations relating to ill treatment of immigrants by officers of the local, national and regional police forces. A number referred to ill treatment of minor immigrants. The NGO Gypsy Presence reported that a shooting incident in the village of Albaladejo in 1999 illustrates the problems Roma people currently face in Spain. Two men shot the victim; after their apprehension, the residents of Albaladejo turned out in force to protest and petition for their release. The mayor led the demonstration. In June 2000, a court freed the two accused after they posted bond.

Reports were given on the growing number of members in neo-Nazi organisations in Spain in 2000. The Movement Against Intolerance, in collaboration with the Ministry of Labour and Social Affairs, reported that the number of people involved in the 55 neo-Nazi or skinhead ultra rightist groups active in Spain has more than quadrupled since 1995, from 2,300 violent, extremist skinheads up to 10,400 known members. But the real number could be twice as many. These quasi-organised ultra rightist groups committed

⁴⁴ "Parliament strongly condemns the crimes perpetrated in El Ejido (Spain) and calls for the full weight of the law to be brought down upon the instigators thereof. It expresses its support and respect for the group of immigrants who have been the victims of aggression, and firmly rejects any racist or xenophobic attitude. Furthermore, it expresses support for the non-governmental organisations (NGOs) working in the area and acknowledges the work done by them to improve the living conditions of immigrants. It calls for implementation of the Tampere European Council conclusions on the need for a common immigration strategy, having regard also to the decision taken to guarantee fair treatment for third-country nationals who are legally resident within the EU Member States. Parliament also calls on the Member States, when drawing up their proposals for application of the Structural Funds, to take into account the fight against exclusion and action to support social integration, particularly in the case of immigrants." - European Parliament resolution on the outbreak of racism and xenophobia in El Ejido (Almeria). Bulletin EU 1/2-2000 - Human rights (4/14) 1.2.4. Parliament resolution on the outbreak of racism and xenophobia in El Ejido (Almeria).

Reference: Conclusions of the Tampere European Council: Bull. 10-1999, point 1.6 © European Communities, 1995- 2000 Done in Brussels by the European Commission on 15/05/2000 at 17:33 Adopted on 17 February. <http://europa.eu.int/abc/doc/off/bull/en/200001/p102004.htm>

⁴⁵CERD/C/304/Add.95.

⁴⁶ Amnesty International: Report 2001, available at <http://web.amnesty.org/web/ar2001.nsf/>

various violent acts throughout the year, by terrorising minorities. The Movement Against Intolerance reported in March on the presence of Spanish neo-Nazi groups on the Internet, aiming their attacks at Maghreb immigrants. Through their web pages, these groups urged others to take violent action against all immigrants of North African descent. The Movement Against Intolerance also reported that the International Third Position (ITP), one of the more active neo-Nazi groups in the UK, purchased in 1999 an abandoned village in Valencia, Los Pedriches, to use as a training centre. The group seems to have abandoned its project in 2000 due to widespread negative publicity.

Amnesty International reported on one serious racist incident⁴⁷. Starting as a quarrel between an immigrant from the Maghreb and his neighbour in the town of Terrassa, near Barcelona, the incident rapidly erupted into attacks and demonstrations against immigrants, which spread throughout Catalonia. Many of the participants were skinheads. When recent anti-immigrant violence in the area of Premià de Mar in the northeastern part of Spain, was followed by demonstrators chanting anti-immigration sentiments, they were met by neo-Nazis carrying Nazi symbols and Spanish flags.

In Sweden, the Police reported on the increasing trend of crimes with racist motives directed towards ethnic population groups from 1997 to 2000. In 2000, the number of racist crimes towards migrants totalled 2,572 (in 1997 the number was 1,752)⁴⁸. The three most common types of racial crimes aimed at ethnic minorities were illegal threats (518 cases), assaults (462 cases) and molestation (368 cases). In comparison with the two previous years, the number of reported crimes in all categories has increased. Evident cases of severe racist crimes (mainly assaults) totalled 389, a figure which has remained almost unchanged for the last three years.

The number of crimes with anti-Semitic motives has increased every year since 1997. In 2000, the number reported to the police was 131, of which 116 crimes were considered having evidently anti-Semitic motives. The most frequent category was, as in previous years, incitement to hatred crimes; 50 cases in total.

The number of cases of 'Incitement to hatred against an ethnic group' recorded by the police has witnessed a major increase since 1995⁴⁹. In 2000, the number of recorded incitements was 825 (in 1992-1995, the number of reported offences of this kind stood at approximately 100 per year)⁵⁰. From 1997 to 2000, the number of cases has more than doubled. The most frequent crime in this category is verbal abuse. Sixty five percent of the reported crimes in 2000 were considered linked to the White Power World organisation.

⁴⁷ *ibid.*

⁴⁸ <http://www.police.se>

⁴⁹ The provision on incitement towards national and ethnic minorities in the Penal code, forbids all expressions with racist and similar content, regardless of whether they are verbal or printed or if they are public or in a limited circle of people, Ds 1998:35, p. 202.

⁵⁰ Agitation against national or ethnic group (2001), Stockholm: National Council of Crime Prevention, Report 2001:7

According to a recent study of all sentences related to the provision on incitement against a group in the 1990s, those convicted of incitement are mainly young men⁵¹. Ninety-eight percent of the convicted were men, and half of them were under 20 years of age at the time. Approximately one quarter of the offences were committed in the framework of an organised context, i.e. in connection with demonstrations, concerts or meetings. The most common action (50%) leading to a conviction for incitement against a population group involved chants of "sieg heil" or the Nazi salute. At the same time, among the persons convicted, there is a large group with a history of serious criminal conduct.

The substantial increase in the offences recorded as incitement against a group is considered to be the result of an increase in the amount of racist and anti-Semitic material produced and the level of activity of groups propounding racist ideologies. It is also considered to be the consequence of a hardening of attitudes on the part of society, including increases in police resources. Still, the supporters of White Power World have become more active in the public in propaganda dissemination. A similar tendency is also observed in xenophobic (*främlingsfientliga*) and every-day-racist activities. Today, the leading violent racist groups with national ambitions are Nationalsocialistisk Front and Nationell Ungdom.⁵²

In the United Kingdom, figures for all police authorities areas show a considerable rise in recorded racial incidents over the 1993-2000 period. The figure for 1 April 1999 - 31 March 2000 was 47,814 in England and Wales, with a further 2,242 in Scotland and 246 in Northern Ireland: a total of 53,312 for the UK as a whole⁵³. This has risen from around 11,878 (England and Wales) in 1994-95, and has doubled since 1998-99 (23,049 in England and Wales).

These rapid increases over the recent period are thought by researchers to denote improved monitoring systems, and (from 1999 onwards) the use of the new definition provided by the Stephen Lawrence Inquiry, rather than a corresponding rise in this type of incident. However, the figures are also widely considered to under-reflect the true level of racist crimes, as most are not reported for a variety of reasons.

Indeed, the British Crime Survey (BCS) suggests that only a very small percentage of those crimes that the victims feel are racially-motivated end up in the police statistics - Pakistanis are the least likely to report them and those classified in the data as 'white' the most likely to do so⁵⁴. Only 45% of the crimes related to the BCS were reported, and of the overall 2% of crimes deemed racially motivated, only 3% ended up in police figures in 1996, for example.

⁵¹ *ibid.*

⁵² Written Communication from Swedish Government 2000/01:59, pp. 6-10.

⁵³ Statistics on Race and the Criminal Justice System: A Home Office publication under Section 95 of the Criminal Justice Act 1991(2000), London: Home Office, available at

<http://www.homeoffice.gov.uk/rds/pdfs/s95race00.pdf>

⁵⁴ *ibid.*

Anti-racist organisations serving local communities have recorded rapidly increasing numbers of reports of racial harassment and attacks over the year 2000⁵⁵. While this is to some extent reflected in the official crime statistics, it is also clear that much racially motivated crime is not reported to the police at all because the degree of confidence in its ability and/or willingness to deal successfully with such crimes is still perceived to be very low.

2.4 Acts of Discrimination

In 2000, the EU Member States adopted, on the basis of Article 13 of the EC Treaty, the Council Directive 2000/43 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. The anti-discrimination legislation must be implemented in the national laws of the Member States by mid-2003.

The recording of acts of discrimination on racial, ethnic and religious grounds varies in the EU Member States. In some of the Member States there are specialised bodies within the institutional framework, such as offices of the Ombudsman, or statutory bodies such as a Commission for Racial Equality or Equality Authority, which keep records of different acts of discrimination and monitors the application of the law on anti-discrimination. In some Member States the remit of the bodies is much wider. In many this is yet to be developed. The information below aims at giving an overview of the situation in 2000, regarding discrimination on racial, ethnic and religious grounds.

In Austria, discriminatory practices were reported with regard to access to social services, the housing and labour market and related to alleged incidents with public officials. From NGOs, reports have been made about a series of cases that illustrate the every-day racism and discrimination taking place in Austria. The ZARA annual report⁵⁶ describes 130 cases of discrimination and racism in daily life.

International Organisations and various NGOs, as well as the report on Austria by the committee of the "three wise men" requested by 14 EU Member States through the President of the European Court of Human Rights (in the following referred to as 'the Report') are very concerned about the racist discourse in the political public debate. Singled out for particular criticism is the ambiguous language and the xenophobic propaganda of the FPÖ, where the existence of non-Austrian citizens is shown as a threat for internal security and the Austrian identity⁵⁷. The European Commission against Racism and Intolerance (ECRI) expressed its serious concern about the fact that the FPÖ, as a participant of the current government coalition, has been involved in the dissemination of explicitly xenophobic and intolerant propaganda⁵⁸. The Report criticises the FPÖ for not taking any measures against its members

⁵⁵ Newham Monitoring Project, available at <http://www.nmp.org.uk>

⁵⁶ ZARA Rassismus Report 2000, at http://www.zara-vienna.t0.or.at/rass-rep_2000.pdf

⁵⁷ ECRI, Second Report on Austria, 2001, p. 15; Sühnezeichen Journal des asf <http://www.asf-ev.de/zeichen/00-4-18.shtml>; and the Report by Ahtisaari, Frowein, Marcelino, p.26, <http://www.virtual-institute.de/de/Bericht-EU/report.pdf>

⁵⁸ ECRI, Second Report on Austria, 2001, p. 16

who used such speech in public. It is stated that a coalition party of the government has to be "under much heavier scrutiny as far as its language and statements are concerned."⁵⁹ The Report expresses particular concern that opponents of the party who criticise these statements are faced with libel procedures (*Beleidigungsprozessen*). There is concern that this practice may have a silencing effect on those who criticise the government⁶⁰. In a public speech given in March 2000, the *Bundespräsident* (Federal President) asked for a "disarmament of language", and underlined that words cannot only "injure" but can ultimately "kill"⁶¹

Human Rights organisations reported incidents of discrimination with regard to the recruitment policies concerning foreigners and Austrians of immigrant background. Existing provisions, while improved, do not appear to provide adequate protection from discriminatory practices.⁶²

In Belgium, the *Centre pour l'égalité des chances et la lutte contre le racisme* (CECLR, Centre for Equal Opportunities and Opposition to Racism) recorded 967 complaints in 2000 (up on 919 from the previous year). These were more or less equally split among Francophones (474) and Flemish-speakers (459), with 'Others' accounting for 34. Complaints from French-speakers were up 32%, while those from Flemish-speakers were down 12%. Most complaints around 22%, were, as in 1999, related to public services, followed by employment (10.75%) and propaganda (10.55%). The latter was particularly salient in 2000 because of the new legislation ('the Anti-Racist Law'), the municipal elections and the role of the far-right political party *Vlaams Blok* (VB). The largest number of complaints in Antwerp (where the *Vlaams Blok* have major electoral support) related to propaganda. Other areas, such as the police force, social life, private services and teaching, showed falls in numbers. Complaints about the acquisition of citizenship also rose, again in response to changes in the law on this issue.

In October 2000, Provincial and Municipal elections were held. The propaganda produced by the far-right wing political parties, in particular the *Vlaams Blok* and the *Front National* (both before and after the elections) provoked a number of complaints. Although the votes for the far-right political parties in Francophone Belgium fell overall, it remained significant in certain areas, particularly around Brussels. Moreover, the VB recorded a high vote in Antwerp, Flanders and the Brussels area. The propaganda is more coded and less openly racist than before in an attempt to sidestep the 1999 legislation on incitement to racial hatred, and initiatives have been taken by the extreme right to form coalitions to overcome the Belgian political establishment's '*cordon sanitaire*' aimed at blocking its progress.

In Denmark, handling of racial discrimination in turn has been criticised by the Documentation and Advisory Centre on Racial Discrimination, which

⁵⁹ Report by Ahtisaari, Frowein, Oreja, p.27, www.virtual-insitute.de/de/Bericht-EU/report.pdf

⁶⁰ *ibid.* p.28 f

⁶¹ *ibid.*, p.26,

⁶² US Department of State: Austria: Country Report on Human Rights Practices, February 1999, referred in ECRI, Second Report on Austria, June 2001, p. 12/13

stated that in Denmark there is a failure to respond to cases of racial discrimination due to insufficiency and/or neglect in the investigation process by the police. Furthermore, according to the Centre, there has been a failure to respond to discrimination cases due to a narrow interpretation of racial discrimination.

Denmark has been criticised by the UN Human Rights Committee. While the Committee praises the general high standing of the country regarding citizen's rights and political rights, it raises concerns about "the continuous racial discrimination" against ethnic minorities in the labour market, as well as their admittance to restaurants and discos. The Committee also reminded Denmark that people have a right to live where they want. This is with reference to the Danish Integration Law, which allocates residences to refugees instead of letting them decide where they want to live.

Even educated and integrated ethnic minorities are subject to discrimination more often than other groups. Muslims are particularly vulnerable to racism and discrimination. Leaders of public opinion, including political elites from across the political spectrum, intellectuals and journalists, have promoted negative stereotypes and prejudices about Muslims, as well as over-generalisations and misperceptions about Islam. In particular, right-wing populist parties have focussed their public discussion on them. Typically, they are portrayed as a threat to Danish identity, and blamed for various problems.⁶³

The anti-Muslim climate leads to intolerance and discrimination directed towards members of this group in various spheres of life, especially as regards access to the labour market, housing and public places.⁶⁴ Somalis are in a particularly vulnerable position, suffering from the racism and discrimination against Muslims combined with additional discrimination related to their culture. Sections of the media and other leaders of public opinion have promoted a negative perception of this community, which has contributed to the stereotyping of Somalis as being difficult, if not impossible, to integrate into Danish society.⁶⁵

Though the past five years of economic prosperity have had a positive impact on the overall employment rate in Denmark, the unemployment rate amongst immigrants and their descendants is disproportionately high. According to the Eurostat survey, the total unemployment rate is 4.1%, non EU-nationals unemployment rate is 13.4% and EU-nationals 2%. Even highly qualified immigrants and refugees in sectors where Denmark is in need of employees have difficulties finding employment. There is limited scientific documentation available in this field, but a recent survey⁶⁶ implies that although immigrants and ethnic minorities have improved their quantitative participation in the labour market, their high unemployment rate has predominantly led to jobs in the unskilled service sectors. This applies both to them and their

⁶³ <http://www.axt.org.uk/antisem/countries/Denmark/denmark.htm>

⁶⁴ ECRI: Annual Report 2001, pp. 13-14.

⁶⁵ *ibid.* p. 14

⁶⁶ Ethnic Division of Labour in the Hotel and Restaurant Sector, Sultan 2000. in: Documentation and Advisory Centre on Racial Discrimination: Report 2000, Copenhagen

descendants, even though the latter are generally better educated and trained.⁶⁷

In Finland, there is a tradition of measuring discrimination by research on immigrants. A government financed nationwide research project was initiated. Research on immigrant's experiences of discrimination, stipulates that almost half of all immigrants had experienced discrimination on ethnic grounds when searching for employment⁶⁸. Over a quarter of the immigrants investigated had experienced discrimination in restaurants. For black immigrants the percentage was higher than for others. Research focused on black immigrants from Africa stresses that 60% have experienced discrimination in the labour market.⁶⁹

The reports indicate the difficulty for immigrants to get employment on the basis of their professional skills and resources without any prior work experience in Finland. According to research, the work experience gained abroad is not very highly valued in Finland.⁷⁰ A recent study by Timo Jaakkola, revealed that 75% of immigrants felt that work experience gained outside Finland was not valued in Finland⁷¹, and 63% of employment officers mentioned prejudice as the most important reason for why ethnic minorities are not recruited.

Although the unemployment figure among the immigrants has come down considerably, from 49 % in 1995 to estimated 33.5% in 2000, the gap between the majority and the ethnic minorities still remains rather wide. As the general unemployment figure in Finland was 12.6% in 2000, one can infer that an immigrant is almost 2.5 times as likely to face unemployment than a person belonging to the majority.⁷²

The Government's handling of Roma asylum seekers, was criticised in 2000 by the Finnish League for Human Rights⁷³. The Finnish League characterises the Government's policy towards Roma asylum seekers as "a threat to the legal security of all asylum seekers". The Government officials were considered harsher than the mass media in their actions. As the media were more interested in whether there were 10 or 20 arrivals, than in human rights violations, the Government officials handled "the Romani problem" by first imposing a visa and then hastily drawing up a change in immigration law that allowed for the speedy deportation of Romani and other asylum seekers to 'safe countries'.

⁶⁷ Documentation and Advisory Centre on Racial Discrimination: Report 2000, Copenhagen, p 1.

⁶⁸ Jasinskaja-Lahti, I. & Liebkind, K (1997) *Maahanmuuttajien sopeutuminen pääkaupunkiseudulla*, Helsinki: Helsingin kaupungin tietokeskuksen tutkimuksia ; 9, p 33.

⁶⁹ Ylänkö, M. (1997) *Afrikkalaisten integraationäkymät*, in: Schulman, H. & Kanninen, V. (1997) *Sovussa vai syrjässä?* Helsinki: Helsingin kaupungin tietokeskuksen tutkimuksia ; 12, p.54.

⁷⁰ Forsander & Alitolppa-Niitamo (2000) *Maahanmuuttajien työllistyminen ja työhallinto – keita, miten ja minne?*, Helsinki: Työministeriö, pp. 25-34.

⁷¹ Jaakkola (2000) *Asenneilmasto Suomessa vuosina 1987-1999*, in: Liebkind, K. (2000) *Monikulttuurinen Suomi*, Helsinki: Gaudeamus, p. 28-55.

⁷² Statistics available in the Internet pages of the Ministry of Labour: <http://www.mol.fi>

⁷³ Makkonen, T. (2000): *Racism in Finland 2000*, Helsinki:Finnish League for Human Rights, p. 42, available at <http://www.ihmisoikeusliitto.fi/engframe.html>

In France, two organisations, CODAC (*Commissions départementales d'accès à la citoyenneté*) and GELD (*le Groupement d'études sur la lutte contre la discrimination*), were set up under an initiative by the Prime Minister in 1999. The objective of these bodies was the co-ordination and implementation of anti-discriminatory activities. CODAC would be an instrument for action to promote equal access to citizenship, by inter alia opening up genuine possibilities for integration, promotion and development for those who feel unfairly excluded and GELD to provide research into specific areas of discrimination leading to recommendations and the promotion of awareness and information. By 2000, they were in a position to begin their work, involving the production of short reports in the case of the latter, and the implementation of a national network of centres in the former.

A "freephone line" (114) was opened in June to enable people to report discrimination to CODAC, and a Bill dealing with discrimination in employment passed at its first reading in Parliament in October. It also gave a statutory basis to the freephone line. In the period May-October, the freephone line received almost 14,000 calls, and over 4,300 reports were passed to the CODAC Permanent Secretariat. This figure stabilised at around 30 reports a day. The area generating the highest proportion of calls was employment/training (38%).

GELD published a working paper in which it claimed that around 7.5 million jobs in France were closed either to all or to some foreigners due to discrimination of a direct (on the basis of nationality) or indirect (due to lack of certain French qualifications) nature. The Minister acknowledged this point for Employment and Solidarity, and an amendment to the relevant articles of law was tabled by a group of deputies in the National Assembly in May.

Discrimination has been reported regarding segregation in housing and access to restaurants and clubs. According to the 'testing' exercise carried out by SOS-Racisme in 88 nightclubs in March: 45 of them refused entry to non-whites. This affected especially young people at the entrance of nightclubs. However, most of the resultant cases were dropped through lack of evidence.

Discrimination towards travellers was reported in 2000. The antiracist organisation MRAP (Mouvement Contre le Racisme et pour l'Amitié des Peuples) reported the persistence of anti-Traveller prejudices expressed in the parliamentary debates around a bill on halting sites in July. Moreover, there are discrepancies between the voting rights and freedom of movement of settled and Travelling people. The organisation supported 30 cases of racial discrimination in the courts.

In Germany, the number of acts of ethnic and religious discrimination for 2000 is not recorded comprehensively at the national level (as the Police and Intelligence Statistics for right-wing criminal offences are). A number of NGOs and the offices of the Federal and Local Commissioners for Foreigner's Affairs (Government Administration) collect, analyse and record cases of ethnic and

religious discrimination. However, trends and key-areas where discrimination occurs, may be identified. One of the vulnerable groups is Muslims⁷⁴.

Islam is the religion with the third largest number of members, with about 3 million adherents. They make up 4% of the population⁷⁵. Some examples of various parts of their religious lives illustrate the conflicts with German authorities. There have been disputes about the building of mosques in neighbourhoods and resistance about loudspeakers used to call the faithful to prayer⁷⁶. In regard to religious holidays the practice regarding pupils in public schools varies in the different *Bundesländer*⁷⁷. In some *Bundesländer* the pupils have the right to take one or two days off, in others they have not the possibility to do so. Muslim teachers who insisted on wearing their headscarf in school were not hired by the state because of this. Islamic education in schools is attracting more and more attention. The *Ausländerbeauftragte des Bundes* (Commissioner on Foreigners Affairs) published a report about this topic in September 2000.

In its Second Report on Germany, covering the year 2000, published in June 2001, the ECRI highlighted possible discrimination in the procedures for the deportation of asylum-seekers who may be at risk of human rights violations in their countries of origin, especially Roma and other minorities from Kosovo who are deported against their will. The ECRI noted that a special service point has been established at the Federal Agency for the Recognition of Foreign Refugees to assist authorities in clarifying uncertain cases.⁷⁸

ECRI also reports on instances of discrimination of foreigners and members of minority groups in the housing market.⁷⁹ Some local initiatives have been undertaken (e.g. in Berlin) where administrative provisions were introduced and effectively implemented against this form of discrimination.

ECRI further reports on discriminatory tendencies in the area of employment because disproportionately high levels of unemployment amongst individuals of foreign origin (especially youth) persist. It is further noted that some reports mention discriminatory practices with respect to rates of pay for migrant workers in certain sectors, particularly the construction industry.⁸⁰

While the German authorities have undertaken a variety of measures aimed at assisting the foreign population in into integrating the labour market and remedying existing practices by way of mediation and intervention, either at

⁷⁴ The EUMC stresses the fact that there is not a homogenous group of the Muslims but that there is a great variety within this group. Nevertheless we will use the terms "Muslims" for sprachliche Vereinfachung

⁷⁵ Islamischer Religionsunterricht an staatlichen Schulen in Deutschland (2000), Berlin: Beauftragte der Bundesregierung für Ausländerfragen, S.7, available at <http://www.bundesauslaenderbeauftragte.de/publikationen/index.stm>

⁷⁶ Deutscher Bundestag: Drucksache 14/4530 (Antwort der Bundesregierung auf die Große Anfrage ... (Drucksache 14/2301) Islam in Deutschland, 08.11.2001, p. 15, 16; available at <http://dip.bundestag.de/btd/14/045/1404530.pdf> and U.S. Department of State: Germany: Country Reports on Human Rights Practices 2000

⁷⁷ The Bundesländer have the competence for cultural issues including schools

⁷⁸ ECRI: Second Report on Germany, December 2000

⁷⁹ *ibid.*

⁸⁰ *ibid.*

the NGO level or through the above-mentioned Commissioners' offices, more comprehensive legislative action appears of importance.

In Greece, Roma, immigrants, refugees and asylum-seekers are experiencing discrimination and social exclusion. Despite efforts by the authorities to take measures against discrimination, the situation is not satisfactory.

Registered aliens residing in Greece enjoy the full protection of the law and have the same rights as Greek citizens in employment, housing, education, health and access to public services. However, undocumented immigrants experience serious discrimination in employment, particularly with respect to payment of wages and social security contributions⁸¹.

Most immigrants and particularly undocumented immigrant workers are engaged in low-skilled, low-paid, dirty, unhealthy and dangerous jobs. Male immigrants are employed in construction, agriculture, and street vending while female immigrants are employed in domestic work, in personal services and entertainment industry. The duration of employment usually varies from few days to one year. The combination of employers' threats to report migrants and the reality of the frequent police sweeps deter migrants from effectively exercising their rights to adequate pay, the payment of social security insurance and freedom from discriminatory police operations.⁸²

Most immigrants live in low quality housing. Owners are frequently reluctant to rent their properties to immigrants, while others exploit them by demanding very high rents for substandard accommodation. Undocumented immigrants in particular are housed in precarious ways, sometimes in building sites, since the law prohibits the renting of accommodation to them.⁸³

Recent studies⁸⁴ of the social characteristics and living conditions of Greek Roma reveal high levels of illiteracy and discrimination in the labour market: almost 60% have no formal education, and 24% have not completed primary education. It is not only the older generation who are illiterate, but also the younger age group. Roma are also largely excluded from the primary labour market, a fact that has multiple effects on their social life, particularly social marginalisation.

Roma representatives (the NGO DROM) reported that some local authorities refused to register Roma as residents in their municipalities. Until registered with a municipality they cannot vote or exercise various other civic rights such as obtaining an official marriage licence, a driver's licence or claim any social security benefits.

⁸¹ CERD/C/363/Add.4

⁸² *ibid.*

⁸³ Centre for European Migration and Ethnic Studies. 'Living on the margins. Migrants and ethnic minorities in Western Europe.' (forthcoming publication by the EUMC)

⁸⁴ "Panhellenic Census Study Investigating Social Habitation Conditions and Needs of Greek Roma Citizens", Panhellenic Inter-Municipal Network for the Support of Greek Roma Citizens - ROM Network, Athens 2000
"Study of a Draft Program for Addressing the Immediate Housing Problems of the Greek Roma", Research Department, Public Corporation of Urban Planning, Housing and Shelter (DEPOS), Athens 1999

Albanian⁸⁵ immigrants constitute the largest group amongst all immigrants in Greece and are largely undocumented. Albanian criminality is a highly controversial issue and largely responsible for the social construction of negative stereotypes through prejudicial representations of Albanians by the Greek media. In contrast to the commonly held belief that Greek society is neither xenophobic nor racist, studies⁸⁶ have shown that in the case of Albanian immigrants both of these phenomena are present and manifested in multiple ways.

In Ireland, comprehensive anti discrimination legislation has recent been enacted by the Government under the Employment Equality Act, 1998 and the Equal Status Act 2000. 2000 was the first full year of operation of the Equality Authority and the Office of the Director of Equality Investigations. Of 202 cases prepared by the Equality Authority in 2000 under legislation referring to discrimination in employment, there were 15 cases on the 'race' ground and four on the 'membership of the Traveller community' ground. Nine of the cases on the 'race' ground were closed and two were lodged with the Office of the Director for Equality Investigations (the body charged with adjudicating on cases and determining settlements). Fourteen further cases are under examination. Under the Equal Status Act, which covers the provision of good and services, in the first three months of the Act's operation there were 1,487 inquiries of which 115 were in the Traveller community category and 5 were in the 'race' category.

Ethnic equality monitoring is at an early stage in Ireland, and despite representations from a range of statutory and non-statutory bodies the Government will not be including a comprehensive 'ethnic identity' question in the next census, These bodies have emphasised the contribution of ethnic monitoring in the fight against discriminatory practices. Only information on membership of the Traveller community and nationality will be collected when the next Census takes place in April 2002.

Recent surveys commissioned by Amnesty International and the 'Citizen Traveller' reveal that Travellers experience the highest levels of racism. 'Citizen Traveller', a Governmental-funded information and public awareness campaign organised by Traveller NGOs, commissioned a major research project on the attitudes and feelings of the majority population towards the Travelling community. This research revealed that: 42% of Irish people hold negative views towards Travellers; 44% would not accept Travellers as members of their communities; 93% would not accept a Traveller as part of his/her family; 73% would not accept a Traveller as a friend; 40% of people would be annoyed at the possibility of an official halting site being established in their neighbourhood. Yet 65% of Irish people have no contact with Travellers. According to a survey among Travellers, the Travellers reported the main sources of discrimination to be pub, hotel and disco owners, the

⁸⁵ The term "Albanian" is used in the text to refer also the Greek Christian minority in Albania that has also largely emigrated to Greece, commonly referred to as "Voreio-Ipiotes", since southern Albania is popularly referred to in Greece as northern Epirus. Although the treatment of this minority by Greek authorities and attitudes towards it by the public have distinguished them from the mainly Muslim Albanian population there exists at present no research data concerning this differential treatment.

⁸⁶ Droukas, Eugenia (2000) Southern European immigration: Albanians in Greece in: *Journal of Ethnic and Migration Studies*, Vol. 24 No. 2

gardai (police), shop owners, county councils and housing authorities. Half of those polled had some experience of being forcibly moved on, and 44% stated that this fear of forcible movement remains a serious cause of concern.

In Italy, the Commission for Integration of Immigrants, reports on discrimination of ethnic minorities and migrants in sectors such as housing, banking and insurance services and access to sports activities⁸⁷. According to the Commission, unequal treatment has been found both in the public and private sectors of the housing market. Estate Agencies often receive explicit requests by landlords to turn away foreigners, especially from non-European countries. In the public sector, cases have occurred where the criteria for foreigners to be put on the waiting list were substantially different than those for Italians. Access of foreigners to banking services is, according to the Commission for Integration of Immigrants, often hindered by unjustifiable requests and treatment of foreigners is marked by a basic mistrust. In sport, foreign athletes' membership is restricted by norms, which severely limit numbers and often require numerous documents attesting the applicant's reason for being in Italy.

Survey research results regarding immigrants' experiences of racial violence and discrimination suggest that more than half of the immigrants reported having been threatened and subjected to checks⁸⁸. Women, especially from Africa or Latin America, reported frequently having been victims of harassment by Italians. Most immigrants have experiences of discrimination in work and housing, and having experienced subordination, exploitation and violation of their rights. About one fifth of the immigrants studied, had experiences of being refused a job because they were immigrants. Men from Africa are generally more discriminated against, followed by immigrants from Eastern Europe.

According to a recent study⁸⁹ an extensive number of immigrants in Italy are undocumented and are thus excluded from the primary labour market. However, even registered immigrants prefer to work "unofficially" in agriculture, building, domestic work, street trading, small manufacturing firms and within urban services. Most immigrants are employed in occupations, which are at risk of being priced out of the market because of their high labour intensity and low growth in productivity. The only means of reducing labour costs is to employ workers on very low wages and on an irregular basis. Migratory chains continue to transmit an image of Italy as a country where undocumented immigrants can easily stay and work; the presence of a significant "informal economy" seems to exert a particular 'pull' effect on immigrants.

Female immigration is significant in Italy, with women making up 45% of total immigration. Work and family reunification are the main reasons for female

⁸⁷ Secondo Rapporto sull'integrazione degli immigranti in Italia, Commissione per le politiche di integrazione degli immigrati, Dipartimento per gli Affari Sociali, Roma, 2000, pp.31-32.

⁸⁸ "La paura degli altri. Sicurezza e incicurezza urbana nell'esperienza migratoria", survey referred in: Secondo Rapporto sull'integrazione degli immigranti in Italia. , p.35.

⁸⁹ Reyneri, Emilio (2000) The role of the underground economy in irregular migration to Italy: cause or effect?" in: Journal of Ethnic and Migration Studies Vol. 24 No. 2

immigration. The majority of the women immigrants work in the domestic sector, but a growing proportion of women are trafficked to work in the sex industry. Women who are forcibly trafficked suffer from racism, extreme exploitation and violence.⁹⁰ Another seriously disadvantaged group are Muslim women, who, as Campani claims, "...suffer many difficulties, due the their condition as women, as migrants and being Muslim."

The Roma population suffers from discrimination, poor housing, limited employment prospects and inadequate educational facilities⁹¹ and are more liable to marginalisation.⁹²

In Luxembourg, the police recorded 12 complaints of racial discrimination in 2000.⁹³

In the Netherlands, there are 40 "Anti Discrimination Bureaux" where people can take their claims of discrimination. According to the reports of these bureaux, there was an increase in complaints concerning discrimination in 2000. The majority (64%) of the recorded complaints were based on race and ethnicity. Nevertheless, the proportion of cases on these grounds decreased from 75 in 1999 to 64 in 2000.⁹⁴

On the basis of the recorded complaints, it can be said that discrimination occurs in a number of social domains: the labour market, public institutions, and local communities.

The labour market is one of the main arenas in which discrimination occurs. The number of complaints in the catering industry has doubled during the last few years. The media attention that has been given to this subject may have increased the number of people filing complaints in this field.⁹⁵ During the last few years, the Dutch economy has developed favourably and the scarcity on the labour market has contributed to a strengthened position on the labour market for foreigners. The unemployment rate among the whole population is low (2.7 %). Though the unemployment rate among immigrants has followed the downward trend of the national rate, unemployment is still four times as common among the new immigrants. Thus, long-term unemployment among ethnic minorities remains a problem. Moreover, discrimination in this field takes place during the recruitment of new employees, promotions and demotions, and redundancy. Employees have also reported verbal harassment in the workplace.⁹⁶

⁹⁰G. Campani (2000) Immigrant women in Southern Europe: Social exclusion, domestic work and prostitution in Italy. In: R. King, G. Lazaridis and C. Tsardanidis (eds) 'Eldorado or Fortress? Migration in Southern Europe' Basingstoke: MacMillan pp. 145-169

⁹¹ U.S. Department of State: Italy: Country Report on Human Rights Practices 2000,

⁹² Centre for European Migration and Ethnic Studies. 'Living on the margins. Migrants and ethnic minorities in Western Europe.' p.25 (forthcoming publication by the EUMC)

⁹³ Annual Police Report 2000, Luxembourg

⁹⁴ National Federation of Antidiscrimination Bureaus and Hotlines: Key notes discrimination 2000, pp. 1-5, 10. available at <http://www.lvadb.nl/Keynotes.html>

⁹⁵ *ibid.* pp. 6-10.

⁹⁶ *ibid.* pp. 6-9.

It is not only the labour market that the newcomers encounter problems. The second largest category is complaints that have occurred in the local communities. These complaints include quarrels between neighbours in which discriminatory remarks are made and local protests. Other common complaints are denial of entry to pubs and clubs. The complaints come from youngsters of ethnic minority backgrounds.

Moreover, the issue of discrimination in the educational system persists in schools in the Netherlands. The existence of 'black and white' schools and the negative image of 'black schools' are a long-standing issue. There is a concern in the Netherlands that ethnic minorities are under-represented in most areas of education, particularly in higher education.

Another NGO, LBR, provides support to the anti-discrimination bureaux and complaint centres. In 2000, about 150 requests for advice concerning complaints were received by LBR⁹⁷. Examples of such legal questions include the following examples:

A school recommends that a child transfer to a school for children with learning difficulties. The parents have the impression that the child has not been adequately evaluated and refuse to follow the recommendation. At their own expense, they have the child tested. The results: the child just has a language deficit. Has the school done enough to rectify that deficit? A complaint is filed with the school administration and the arbitration commission.

An employer wants to know if it is reasonable that an employee wants to have a prayer room and take every Friday off to go to the mosque. The guiding principle is that an employer should be a good employer. Employers' and employees' interests are weighed against each other on a case-by-case basis. If it is at all possible, the employee's request should be granted.

In Portugal, the main groups suffering from varying degrees of discrimination are immigrants from the former colonies in Africa. Documented and undocumented immigrants come mainly from Angola, Cape Verde, Guinea-Bissau, Mozambique, East Timor, Sao Tomé and Príncipe. Another vulnerable group is women prostitutes. These women are mainly immigrants who are trafficked from Brazil, Africa and Eastern Europe.⁹⁸ Russian Mafia organisations are allegedly heavily involved in the trafficking of women from Eastern Europe to Portugal and Spain. Roma is a further group encountering racial discrimination in Portugal.

The majority of immigrants⁹⁹ are employed in hazardous and health risk jobs in the construction, domestic and personal services sectors. They are highly concentrated in the poorer areas of the Lisbon and they live in shantytowns or substandard dwellings. Furthermore, these minority groups suffer from very

⁹⁷ Landelijk Bureau ter bestrijding van Rassendiscriminatie, Jaar in bleed 2000 at http://www.lbr.nl/lbr/lbr_jib2000_a.html

⁹⁸ U.S. Department of State: Portugal: Country Report on Human Rights Practices 2000.

⁹⁹ Centre for European Migration and Ethnic Studies. 'Living on the margins. Migrants and ethnic minorities in Western Europe.' (forthcoming publication by the EUMC)

low achievement rates in education that may not be related to language skills, but their socio-economic situation.

Undocumented migrants, even though they are allowed to stay and work in Portugal¹⁰⁰, as a result of their status, will continue to face limited access to social services, which are dependent on a regular status. This impacts on their ability to integrate and develop other skills and expertise, which may be of longer term benefit to the society in which they live. It impacts inevitably on the perception of them by other members of society and may lead to discrimination in areas where they do have rights.

Project ACCESS¹⁰¹ provides useful information concerning the situation of minorities in Portugal. The report suggests that the term "cultural and ethnic minority" most frequently refers to migrants coming from the PALOPS (Portuguese-speaking nations) and the Roma and Indian populations. Apart from the Roma, who are characterised by their own strong cultural and religious traditions, these minorities are groups who mainly came to Portugal after 1974, in search of better living conditions. Analyses of the socio-professional level of these groups show the existence of symptoms of discrimination, which is particularly true amongst the occupational groups that include lesser-qualified migrants. In the latter group, workers from the Portuguese-speaking overseas countries are over-represented. This polarisation is particularly strong in areas like the construction industry, where there is a clear tendency towards the use of an ethnic minority workforce.

Ethnic minorities in Portugal are generally composed of young people with low educational qualifications. Immigrants from Cape Verde and Roma have the lowest level of education, whilst immigrants from Guinea and Timor have the highest. Minorities show in general high levels of academic failure. The data that refers to working conditions confirms the poverty and socially marginalised living conditions of the ethnic minorities in Portugal. These problems are worse in certain surrounding neighbourhoods that are open examples of the ghetto life experienced by the most vulnerable fringes of these groups. These problems may be more acute for the second-generation immigrants who were born in Portugal, since they have partly lost the cultural ties to their country of origin and feel more isolated.

In Spain, Roma, immigrants, refugees and asylum-seekers are experiencing discrimination and social exclusion. Undocumented immigrants are especially vulnerable since they are often victims of ill treatment and brutality by the police and are often liable to deportation¹⁰². Furthermore, illegal immigrants' rights concerning payment and working conditions are often violated. Most undocumented immigrants work in agriculture in irregular situations and under particularly bad conditions, and all experience difficulty in obtaining residence and labour permits.

¹⁰⁰ The Parliament recently rejected legislation that was intended to bring them into the social services system. U.S. Department of State: Portugal: Report on Human Rights Practices 2000, p.7

¹⁰¹ Project ACCESS (VS/1999/0565) Coordinamento Nazionale Comunità di Accoglienza - C.N.C.A.)

¹⁰² Solé, Carlota et al. (2000) Irregular employment amongst migrants in Spanish cities, in: *Journal of Ethnic and Migration Studies* Vol. 24 No. 2

The situation is better for registered immigrants, however, they are still subject to “settlement concentration, occupational over-specialisation (agriculture, construction, domestic service and catering industry), a high level of labour market discrimination and unequal access to the property market in terms of rent-levels, landlords’ attitudes and conditions.”¹⁰³

Women transported by traffickers and forced into prostitution constitute another vulnerable group. The *Médecins du Monde* (Doctors of the World)¹⁰⁴ estimated that 60% of the 45,000 female prostitutes in Spain are immigrants. A 1999 Civil Guard study estimated that of the 10,000 women working in sex clubs, 90% are immigrants.

The Roma in Spain live in particularly bad conditions. Their housing consists mostly of shacks or run-down buildings in and around cities, while a small number maintains a nomadic existence. Those who find employment either work in markets or hire themselves out as fruit and vegetable pickers. There is considerable de facto discrimination in the areas of housing, school and jobs. Roma also suffer from disproportionate unemployment and illiteracy. They are among those worst affected by poor health, with average life expectancy of 55 compared to the national average of 70. Teachers and parents have protested repeatedly in past years against the enrolment of Roma children in local schools. The Spanish Government is committed to securing equal rights and treatment for the Roma and legal means for redress of discrimination are available, while a Roma representative serves as a special advisor to the Minister of the Interior.

In a recent important study¹⁰⁵ of Roma women in Spanish prisons, it was found they constitute almost 25% of the total female prison population. The study also found that Roma tend to be given long sentences - an average of 6.7 years - and 87% of them are mothers, usually of at least three children. According to the study, the reasons for the disproportionate representation of Roma women in Spain's prisons lie in the social discrimination, racism and marginalisation suffered by the Roma and their limited access to legal recourse. A report by the NGO, Gypsy Presence¹⁰⁶ on education mentions that 1/5 of the teachers describe themselves as anti-Roma and 1/4 of students would like Roma expelled from their school. In Spain, about 60% of Romani children are functionally illiterate and Romani parents often themselves reject education. Also according to a survey¹⁰⁷ cited by the “Barañí” study, 42% of Spanish respondents said they would not like to have Roma as neighbours, compared to 17.5% and 11.5% who would not want Moroccan or black African neighbours, respectively.

¹⁰³ Centre for European Migration and Ethnic Studies. ‘Living on the margins. Migrants and ethnic minorities in Western Europe.’ (forthcoming publication by the EUMC)

¹⁰⁴ U.S. Department of State: Spain: Report on Human Rights Practices 2000.

¹⁰⁵ Graciela Hernández, Elixabete Imaz, Maite Martín, María Naredo, Begoña Pernas, Aysel Tandogan, Daniel Wagman: “Barañí Project” available at: <http://personales.jet.es/gea21/indice.htm> or through Daniel Wagman, C/Libertad 11- 2º, 28004 Madrid, Spain, Dwagman@gea21.com

¹⁰⁶ Asociación Nacional Presencia Gitana Valderodrigo 76-78 Bajos AE-28039 Madrid, SPAIN

¹⁰⁷ Alicia Fraerman, “Barañí Project” available at: <http://personales.jet.es/gea21/indice.htm>

In Sweden, there are two recording authorities of ethnic discrimination, the police and the National Ombudsman against Discrimination. The police recorded 255 cases of unlawful discrimination in 2000, an alarming increase from 1999 (179 cases).¹⁰⁸ The Ombudsman received in total 441 complaints in 2000, which is a slight decrease since 1999 (464 cases). Mainly the complaints concern discrimination in the labour market and in working life. One quarter of the cases concerned access to work.¹⁰⁹ In 2000, the number of complaints related to working life was 164. There are also reports of widespread everyday discrimination in the Swedish society.

According to studies over the last five years on immigrants' experiences of racism and discrimination, findings show that it is especially people born in different countries of Africa; in Iran or in Arabic countries who have these experiences. According to the Ombudsman against Ethnic Discrimination, it is especially frequently reported from the Labour market,.

In March, the Government withdrew a proposal for changes to its temporary protection regulations in a situation of mass immigration. The proposal was withdrawn following massive criticism by the political opposition, the UNHCR, NGOs, and the Parliamentary Committee on Social Insurance.¹¹⁰

In the United Kingdom, the latest available statistics on acts of racial discrimination from 1999, show that 1,624 people made formal requests for assistance by the Commission for Racial Equality (CRE). Three hundred and four cases received legal representation from the CRE, Trade Unions, the Race Equality Councils or others. The CRE reports that in the period April 1999-March 2000, the proportion of settled and successful cases against discrimination (both employment and non-employment related) is around eighty four percent.

The CRE commissioned a report on OFSTED (national school inspection body) and found that OFSTED was failing in its duties to inspect and report on the prevention of racism in schools.

In terms of policing, the latest Home Offices figures (for 1998-99) showed that within an overall increase of 2% for the numbers stopped and searched, black people were six times as likely to be stopped than white people, and that the most common pretext for doing so was given as 'suspicion of theft'. According to a recent report from the Home Office, for every 1,000 people, 81 black people were stopped and searched by officers, compared with 26 Asian people and just 16 white people. It also showed that 113 black people were arrested per 1,000 residents, down fractionally on last year, compared with 26 white people and 37 Asian people.

¹⁰⁸ Information om rasism och främlingsfientlighet under 2000. Regeringskansliet 28.5.2001; EUMC - Annual report 1999, pp. 28-30, available at <http://www.eumc.eu.int/publications/ar99/index.htm>

¹⁰⁹ Statistics Ombudsman 5.6.2001, available at <http://www.do.se>

¹¹⁰ *ibid.*

2.5 Summary and follow up

2.5.1 Summary

Racial violence and crimes

The recording of racially motivated crimes in police statistics varies between the Member States. For the year 2000, the reports on racial violence and crimes confirm the tendency of increasing racial violence, with the exception of Austria. Extensive increases in racial violence, anti-Semitic attacks and racist threats and intimidation are reported in France, Germany, Spain, Sweden and the UK. In Belgium, Greece, Ireland and Portugal, racist crimes are included in the general crime statistics but not identified separately.

The riot in the village of El Ejido in Almeria (Spain), at the beginning of 2000, where hundreds of Spanish villagers attacked the Moroccan immigrant population, was one of the most serious events of racist violence this year. The disturbance lasted four days and the police were criticised for their failure to act effectively enough.

The official statistics on racial crimes are challenged by human rights organisations in some Member States. In Italy, Spain and Germany, the records kept by police authorities are minimal in comparison with statistics collected by NGOs. Italian NGOs recorded 259 racist murders between 1995 and 2000, whereas the Italian police authorities recorded not a single case. For statistics on racist attacks, the Italian NGO records show more than ten times as many crimes as the official figures. In Germany the NGOs recorded five times as many racist murders as the police. In Spain the NGO recorded about four times as many racist attacks as the police authorities.

Racist propaganda or 'Incitement to hatred towards ethnic minorities' is well documented by the police authorities in some of the Member States. In Germany and Sweden, the recorded numbers of propaganda crimes are very high. The trend with regard to propaganda crimes with a racist content is increasing in Sweden but decreasing in Germany.

Crimes perpetrated by Neo-Nazi and Far-Right extremists

Racist crimes committed by neo-Nazi organisations and supporting groups were reported to have increased in Finland, Germany, Spain and Sweden in 2000. The crimes are reported to have become more serious and violent in 2000 in Finland and Sweden, and new research show that neo-Nazi organisations operate increasingly from local municipalities. From Spain, where the number of members of neo-Nazi organisations is rapidly growing, reports on the use of the internet for organising and planning attacks show rapid increase. The number of racist websites in Germany more than doubled from 1999 to 2000 and the music scene was reported as even more central for the activities of right-wing extremist groups in 2000.

There was still concern expressed by anti-racist organisations in Denmark, where the Danish neo-Nazi movement radio station, continued to be the vehicle of propaganda and agitation for international neo-Nazi organisations.

Discrimination on Racial, Ethnic, Cultural and Religious Grounds

The reports on discrimination include every Member State, but the system for recording acts of discrimination varies. In Member States where acts of discrimination are recorded by specialised institutions, the general trend is one of increasing numbers of complaints. Human rights organisations and academic researchers provided information about discrimination in the remaining Member States.

The labour market, employment and occupation are the main areas of complaints of discrimination common to all Member States. In addition to the number of complaints, the unemployment figures for immigrants and minorities can be indicators used to examine whether discrimination is occurring. The numbers of unemployed are in general much higher among immigrants and minorities than among nationals, a fact reported from the Netherlands and Finland in 2000. There is some attention given to discrimination towards highly educated immigrants.

In 2000, particular attention has been given to the situation of undocumented immigrants and Roma. The conditions and treatment of immigrants and Roma in the labour market and housing are considered inhumane by human rights organisations, reporting on Greece, Italy, Portugal and Spain. Similar critical reports, regarding immigrants (documented and undocumented) from the former colonies in Africa have been given on Portugal. From Ireland was reported on discrimination towards travellers in several areas.

From the education sector have come reports on children and young people from certain minority groups, in particular Roma, not receiving education at all, or with a high drop-out rate, in several Member States. In 2000, reports came from Denmark and Spain. A now classic example of discrimination towards Muslims is that women (teachers as well as schoolgirls) wearing headscarves are still a matter of concern in Germany.

Immigrants' denial of entrance to restaurants and clubs is a form of discrimination that has been given a lot of attention in Member States in 2000, including France, Finland and the Netherlands.

Discriminatory handling of immigrants and prostitutes from former colonies has been reported from Portugal, but is also a matter of concern in other Member States.

Discrimination towards undocumented immigrants takes place in all sectors of societies. As they formally do not exist, they are not entitled to benefit from the social welfare system. In particular exclusion from healthcare has been a concern for human rights organisations in the EU. Reports in 2000 came from Italy, Greece and Spain.

Victims of Racial Violence and Discrimination

Taking the various reports into consideration, there are some major social groups encountering more direct and indirect racism and discrimination in the 15 EU Member States. One group in this respect is the Roma. Research on Roma, reveals the serious extent of racism and exclusion, by individual nationals, violent far-right groups, and authorities and States. In 2000, reports came from Finland, France, Germany, Greece, Italy, Ireland and Spain.

Other increasing target population groups for racist violence are migrants from North Africa, Bosnia and Albania. Immigrants from countries where Islam is the major religion are particularly likely to become targets. Racial violence and different forms of discrimination towards Muslims are reported from many Member States.

Anti-Semitic incidents continue to be reported in Europe. The Jewish community remain therefore a vulnerable group to acts of racial violence and crimes motivated by racism.

2.5.2 Follow up initiatives by the EUMC

As part of its work programme for 2002 the EUMC will

- collect and analyse qualitative and quantitative data on racism, racial discrimination, xenophobia and anti-Semitism in the areas of racial violence, employment and education, via the RAXEN National Focal Points and via EUMC research projects.
- examine the effectiveness of definitions of racism employed by the Member States, with particular attention to new initiatives such as in the United Kingdom as a consequence of the Stephen Lawrence case follow and engage in the initiatives taken at the European level to harmonise crime statistics.

3 RACISM AND THE MASS MEDIA

3.1 Introduction

The Mass media is considered to have a crucial role in the areas of racism and xenophobia. The Mass media has the capacity both to assist in combating as well as to contribute to a racist discourse. Research focusing on the way the Mass media report on racism, deal with immigrants and multiculturalism has been conducted in parallel in universities and research centres in the EU.

The EUMC initiated and financed a research project entitled 'Racism and Cultural Diversity in the Mass media', conducted by Dr Jessika ter Wal, ERCOMER, Utrecht University, the Netherlands. The aim was to bring together research in the field of racism over the last five years in the EU, to study the findings and develop recommendations, a task that has never been done before.

The projects consists of a series of country by country studies of racism in the media between 1995 and 2000, plus an overview. It revealed several crucial developments in reporting, combined with a very uneven and sometimes contradictory record of coverage. Alongside the progress made in the Netherlands and Sweden, for example, was a return to the practice of identifying those suspected of crimes by their ethnic origin. In the UK, another country that has made several positive steps towards balanced coverage, hostile reporting of asylum-seekers and immigrants stood in stark contrast to that in relation to long-term resident minorities there.

In this chapter, findings from research in the Member States regarding Racism and Mass media is presented. The full report will be published by the EUMC in 2001.

3.2 Research

The report highlighted widely varying levels of interest in, and approaches to the study of racism in the media in the various countries. The quantities of research, its sponsors, and its methodology all vary to the point where only general and tentative comments can be based on their results. This indicates that there is a need for international projects using common methodologies in order to produce comparable data.

The most in-depth work on this issue is being carried out in Belgium, Germany, the Netherlands, the UK, with Spain catching up with support from public authorities and trade unions, especially in areas where most immigrants have settled. Studies done in the UK appear the most methodical and wide-ranging in terms of quantitative content analysis across the range of media. The situation in Finland, Greece, Ireland and Luxembourg on the other hand is one of relative scarcity, with initiatives pursued by interested individuals. In France, a continuing problem is the refusal to collect data in a

form comparable to that elsewhere, i.e. based on membership of ethnic groups¹¹¹

Interesting and pertinent findings include a German survey, which concludes that certain types of anti-racist campaign have a minimal effect on attitudes (which are closely linked with political views). Those that produce defensive reactions are the least effective, while those focusing on concrete examples and information to raise awareness appear more successful¹¹². The UK research shows that most tabloid newspapers, while focussing in slightly different areas, afford similar proportions of space to anti-racist arguments and ethnic minority voices. This runs contrary to previous assumptions¹¹³. While further research is required to give a more detailed picture of the media's role in racism and anti-racism, current research indicates that one fruitful avenue to pursue would be the relationship between political and media agenda-setting, rather than focussing solely on the media as an autonomous generator of agenda.

A general point is that most news is usually prioritised according to criteria of conflict and emergency, and this is reflected in coverage of the 'Other' in EU media. This means that racism is often reduced to right-wing violence, anti-racism to counter-demonstration¹¹⁴, and that minorities make the headlines only when in abnormal situations, particularly involving illegality of some kind, or victim hood. The framing of news items on ethnic minorities within the context of crime, a threat to territory or to culture is striking by its ubiquity across the EU. Muslims and Roma-Travellers generally emerge from this process with the most hostile coverage, perhaps because of the perception that they are the cultures furthest from the traditional Judeo-Christian norm, and are easily linked to political extremism (Fundamentalist Islam)¹¹⁵, or to concepts of property and settlement that diverge from those of the free market (in the case of Roma-Travellers).

¹¹¹ Although the organisation responsible for monitoring television and radio, the Conseil National de l'Audiovisuel, did commission a report using ethnic criteria, which was later withdrawn under pressure. Hargreaves, A. 'France' in ter Wal (2000) (ed.)

¹¹² Baringhorst, S. (2000) Kampagnen gegen Rassismus: Strategien der symbolischen Inklusion von Fremden in Deutschland und Grossbritannien ('Anti-Racist Campaigns: strategies for the symbolic inclusion of foreigners in Germany and Great Britain) in Schatz, H., Holtz-Bacha, C. and Niedland, J-U (eds.) *Migrated and Medien (Migrants and the Media)* pp.147-163, Opladen, Westdeutscher Verlag

¹¹³ Statham, P & Morrison, D. (1999) 'Final Report to the Economic and Social Research Council for Project "Racists Sentiments, Movements and the Mass Media: a mediated xenophobia" <http://www.leeds.ac.uk/ics/racist-m.htm>

¹¹⁴ A point made forcefully by Brune, Y. 'Sweden' in ter Wal (2000) (ed.)

¹¹⁵ An exception is shown to be the UK, where positive coverage of Islam was found to be three times as prevalent as anti-Islam; Law, I et al. (1997) *Privilege and Silence: 'Race' in the British News during the General Election campaign, 1997*. Research report for CRE, Leeds, University of Leeds Press

3.3 'Subtle' racist discourse

Indeed, racist discourse in the media is increasingly implicit or 'subtle' to use the technical term, rather than explicit. In other words, in most EU countries, this discourse is no longer crudely stereotypical but functions through omission (e.g. the lack of minority news sources referred to) and the use of platforms other than 'race' on which to construct arguments: such as economic imperatives, cultural difference, security and medical threats defined against a putative culturally homogenous 'host' population.

The absence or scarcity of minority voices, compared to those from public institutions (politics, civil service, police, etc.) contributes to the creation of an impression that the minority populations are essentially passive and acted upon by key actors in the host societies. Moreover, when racist violence is dealt with, there is sometimes a tendency for it to be minimised or denied, as exemplified by a case in Sweden in 1995¹¹⁶. Cases where far-right groups are absent, such as this one, are construed as being due to something other than racism. At the same time, the perpetrators are demonised and distanced from the main body of society, which is where institutional and everyday forms of subtle racism are actually generated.

A further form that racism takes in the media is the presentation of opinion as if it were fact, coupled with a failure to question or challenge racist ideas. Often racist contentions are published with no counter-argument being presented alongside, lending authority to the former source by default. The report identifies Greece, Ireland and Italy as countries where this trend is particularly noticeable. In the latter, media coverage is characterised by unchallenged racism and excessive attention to perceived threat to national purity from foreigners¹¹⁷. One of Italy's main problems stems from excessive reliance on police, local authority and other official sources, helping to establish a connection between crime, violence and ethnicity, an especially strong trait in some of the regional newspapers, e.g. a study on Rimini¹¹⁸, although similar findings emerge from national studies. Ireland has elements of both these practices, with an over-dependence on official sources¹¹⁹.

A further feature is the reporting of events from the perspective of how they may impact negatively on the host population, such as is found in Finland¹²⁰ and the Netherlands¹²¹, which contributes to the perception of ethnic minorities as the source of problems. In other countries the press is often silent on minorities altogether, or relies exclusively on people to speak on their behalf¹²², rather than interviewing individuals from those communities.

¹¹⁶ Brune, Y. 'Sweden' in ter Wal (2000)

¹¹⁷ Triandafyllidou, A. 'Greece' in ter Wal (2000) (ed.),

¹¹⁸ Riccio, B. (1997) 'La calda estate' riminese: abusivismo e immigrazione nella stampa locale' ('The 'hot summer' of Rimini: illegal practices and immigration in the local press) *Africa e Mediterraneo* 1 (9), pp.14-19

¹¹⁹ Quinn, G and O Maoláin, C. 'Ireland' in ter Wal (2000) (ed.)

¹²⁰ Horsti, K. 'Finland' in ter Wal (2000) (ed.)

¹²¹ van der Valk, I 'The Netherlands' in ter Wal (2000) (ed.),

¹²² Pietikäinen, S (1995) 'Racism in the mass media: ethnic representation in the Finnish news' (paper given at 'North against Xenophobia' journalism conference, Espoo, 27-29.10.95)

In some countries, such as Denmark, denial and strong entrenched 'monocultural' attitudes among political elites¹²³ underscore exclusionary tendencies. This scenario might well be more negative since political leaders are afforded greater coverage than other sources, and others take their lead from or seek endorsement in the views expressed by their governing groups.

3.4 Socio-political context

One finding emerging from the study was that the political and social context affects perceptions of minorities and the tone of their coverage. A group welcomed at one point may be the target of hostility at another. The case of Romanians in Austria pre- and post-1990 demonstrates this trend. When perceived as fleeing from persecution by the Ceausescu regime they were treated with sympathy in the press, but after the fall of that regime, and numbers increased, the coverage assumed a far more hostile form, and the links between crime and Roma and 'bogus' asylum-seeking became the basis for dealing with them¹²⁴. A similar example is that of the Albanians in Italy¹²⁵. It thus appears that factors external to the media contribute to placing certain groups within 'desirable' and 'undesirable' categories' at particular moments. This raises the question of the relationship between political and media agendas.

The political controversy over asylum-seeking in the UK in 2000-2001 provides a striking contrast with the 1997 General Election period studied by Law et al¹²⁶, in which the themes of discourse containing positive references to minorities outweighed the negative ones by around 7:1. From 2000 onwards, politicians from all parts of the spectrum (some of them very high profile), made public statements about the desirability or otherwise of asylum-seekers and refugees. In covering this story, the media coverage fed back into the debates and created a circle of negativity around the issue¹²⁷. A similar story is that of Portugal in the mid-90s, where a racist incident and/or political initiative framed coverage in each of the three years covered by the survey¹²⁸.

The question of the link between coverage and political activity is difficult to resolve. In Sweden, a survey found that the more minorities were dealt with, the more hostility it created, which then had political ramifications in that the public were more willing to support more restrictive measures¹²⁹. In France, a debate took place over the 80s and 90s regarding the coverage of the Front National: some said they should be ignored to prevent their ideas circulating

¹²³ Even the PM, as indicated by Hussain, M. 'Denmark' in ter Wal (2000) (ed.)

¹²⁴ Matouschek, B., Wodak, R., and Januschek, F. (1995) *Notwendige Massnahmen gegen Fremde?: Genese und Formen von rassistischen Diskursen der Differenz* ('Necessary Measures Against Foreigners? Genesis and forms of racist discourses of difference') Wien: Passagen Verlag

¹²⁵ ter Wal, J. 'Attitudes towards Albanian Refugees in Political News Discourse, in: Melossi, D (ed.) *Migration, interaction and conflict in the construction of a democratic Europe* Milano, Giuffrè

¹²⁶ *ibid.* p.27

¹²⁷ Statham, P. 'Britain' in ter Wal (2000) (ed.)

¹²⁸ Cunha, I.F (1996) 'Os Africanos na Imprensa em Portugal: 1993-95' ('Africans in the Portuguese Press: 1993-95) Lisboa, Centro de Documentacao Amilcar Cabral – CIDAC

¹²⁹ Asp. K. (1998) *Flyktingrapporteringen I Rapport and Varfor sa negativt?*

too widely, and others felt that they should be reported and exposed. Hargreaves' study¹³⁰ found that there is no clear evidence one way or another, and that other themes (immigration, the 'Headscarf Affair', etc.) were just as crucial. He concludes that support for the FN surged when the media "focused on anxieties aroused among the majority ethnic population by the presence of Arab and other Third World immigrants, without the Front National necessarily being at the forefront of these stories"¹³¹.

German studies also indicate the complexity of the issue, with arguments linking heightened media coverage to specific targets for violence (asylum-seekers)¹³²; the failure to report on political activity giving the potential right-wing voters impression that the issue of foreigners was not being dealt with¹³³; and the observation that once background information was introduced into reporting, reactions in support of victimised foreigners began to occur¹³⁴.

These diverse case studies thus reveal a relationship of some kind between politics and media in terms of the agendas and form of coverage granted to specific subjects. More research into this is required because if politics were proven to play an important part in the generation of racist discourse in the media, it would have vital policy consequences.

3.5 Summary and follow up

3.5.1 Summary

Mass media research over the last five years on different aspects of racism and cultural diversity in the media, gives a widely varying picture of the situation in the Member States. One general observation regarding media content is that the racist discourse is increasingly becoming implicit rather than explicit. This means that expressions of crude and racist stereotypes are becoming more rare, but at the same time platforms other than 'race' are used; such as economic imperatives, cultural differences, security and medical threats defined against a putative culturally and homogenous 'host' population.

Another general observation regarding the portrayal of migrants' and ethnic minorities in the media, is that there are not enough minority voices compared to those from public institutions. According to a report

¹³⁰Hargreaves, A. (2001) *Media Effects and Ethnic Relations in Britain and France*, in: King, R. and Wood, N (eds.) *Media and Migration*, London/New York, Routledge, pp.23-37

¹³¹Hargreaves, A. 'France' in ter Wal (2000) (ed.) p.154

¹³²Koopmans (1996) *Explaining the rise of racist and extreme right violence in Western Europe: grievances or opportunities?*, in: *European Journal of Political Research*, 30(3): 1885-216

¹³³Friedrichsen et al. (1995) 'Die Republikaner als Medienereignis: Eine Analyse zum Zusammenhang zwischen Medienaufmerksamkeit und Rechtsextremismus am Beispiel des Wahlkampfes zur Abgeordnetenhauswahl in Berlin, 1989' (-

¹³⁴Brossius and Esser (1995) 'Escalation durch Berichterstattung? Massenmedien und fremdenfeindliche Gewalt' (*Escalation through news coverage? Mass media and racist violence*) Opladen: Westdeutscher Verlag

commissioned by the EUMC on Racism and Diversity in the Media racial violence tends to be minimised by the media. In addition, in media reports, perpetrators of racial violence are demonised and distanced from the main body of society.

3.3.2 Follow up initiatives by the EUMC

The EUMC will

- follow up the recommendations from both the 1999 European Media Conference in Cologne and the media component of the European Conference against Racism in Strasbourg in 2000
- continue its co-operation with media organisations and ethnic minority and migrant networks in the Member States with a view to exchange and monitor the implementation of good practices
- organise a Media workshop in 2002

4 COMBATING RACISM AND DISCRIMINATION

4.1 Introduction

Governments, public authorities and private bodies take positive action to combat discrimination or apply sanctions against the perpetrators of racist acts. The Governments' measures are built on constitutional and legal protection. These constitutional and legal guarantees on their own cannot eradicate all the various ways in which discrimination is applied in society, they require supplementary and complementary action through the development of policy and practice, education and awareness-raising, information and communication campaigns and the publicity surrounding successful initiatives. In many cases these measures can be regarded as "good practice" put into operation in a town, a region or a country. They can be used as examples, which may inspire other experiments, by adapting them to different contexts.

The EUMC undertook a study to examine Member States' national legislation in relation to the Commission proposals for article 13 related Council Directives, the study will be updated in light of the adoption of the Council Directives and comparisons between Member States' anti-discrimination legislation and the adopted Council Directives where they relate to discrimination on the grounds of race or ethnicity, religion or belief will be produced in late 2001.

Two other studies were undertaken by the EUMC in 2000 to provide examples of good practice. The study "Mainstreaming Cultural Diversity", provides examples of good practice at work places. The inventory study "Intercultural Education" gives an overview of good practice in the field of education. The results of both studies are incorporated. The full reports will be published in 2001.

The adoption by the Member States of the Council Directives related to the Article 13 EC Treaty provides a framework to enact legislation and designate institutional mechanisms to tackle discrimination. It also sets the context for much of the work undertaken by the Member states to amend, review and enact legislation and examine institutional mechanisms in the year 2000. The information below provides an overview of legislative initiatives in 2000, including provisions and amendments to existing anti-discrimination laws and Penal codes, followed by new initiatives with regard to integration policies. For some Member States, the year 2000 meant initiatives aimed at providing a basis for the implementation of Article 13 of the EC Treaty Council Directives. In other Member States, improvements in the integration of immigrants became a priority.

4.2 Legislative developments and initiatives on integration

Legislation to combat racism and xenophobia forms the bedrock upon which policy and action can be developed. Some countries are endowed with extensive and comprehensive legal machinery, while others have no more than superficial legislation. It was therefore essential that European-wide legislation be introduced, providing minimum standards for all member states, but nevertheless introducing important structures, and building on the effectiveness of current national legislation in the Member States with the most effective anti-discrimination laws.

On 29 June, the Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin was adopted by the Council. This was followed six months later by the adoption on 27 November of the Council directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation. Both Council Directives will have immediate and long-term impact on the way that discrimination is viewed and treated by the relevant mechanisms of the Member States.

On 4 November Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe was open for signature. Nine Member States of the European Union signed (see below). Protocol No.12 introduces a general prohibition of discrimination to the European Human Rights Convention covering the grounds, among others, of race, colour, language, religion, national or social origin, and association with a national minority, birth or other status. It targets discrimination by any public authority.

Integration policy, as a means to prevent ethnic and racial discrimination, has been practised in most countries with experience of immigration. For nations that have only recently become countries of immigration, these legislative initiatives are gradually being taken and policies and practices adjusted to ensure equality and end discriminatory activities in the new context of a diverse society.

In Austria, the Government began the process of addressing implementation of the Council Directives by launching inter-ministerial talks. The results of the discussions were submitted to all relevant public institutions and provincial governments to give their initial opinions and make statements on the issue. The European Charter for Regional or Minority Languages), was sent to Parliament for ratification in 2000. It is expected that ratification will take place in 2001.¹³⁵ The Austrian Government also signed Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms on 4 November.

¹³⁵ Austria ratified the European Charter for Regional or Minority Languages on 28 June 2001. The Charter enters into force on 1 October 2001.

A key mechanism for the integration of immigrants in 2000 was the establishment of the *"Immigrants' Fund"*. The fund assists new immigrants by providing free advice in their respective native language on all questions regarding their integration within Austrian society. Another example is the activities of the "Vienna Integration Funds". This NGO organisation took on the co-ordination of all initiatives and other NGOs working to end discrimination against foreign residents.¹³⁶

In Belgium, the Government signed protocol No.12 on 4 November. Following a proposal by the Prime Minister and the Deputy Prime Minister with responsibility for equal opportunities policy, the Council of Ministers, in its session of 17 March, adopted the *Programme to Combat Racism and Other Forms of Discrimination*. This programme makes provision for the adoption of a general law, as distinct to the specific antiracism legislation, pertaining to combating discrimination based on grounds other than those relating to race or ethnic origin, i.e. sex, sexual orientation, birth, civil status, illness, disability and age¹³⁷, as well as extending the competence of CEOOR in mediation and its potential right to institute legal proceedings in any discrimination case which might be resolved by this means.

A draft bill (*avant-projet de loi*) on strengthening anti-racism legislation was proposed that amends the Law of 30 July 1981 on the prevention of certain acts inspired by racism or xenophobia and amends the Law of 15 February 1993 creating *Le Centre pour L'Egalité des Chances et la lutte contre le Racisme*. In addition, the Mahoux Bill (*proposition de loi*) was proposed it aims to combat discrimination and as well as amending the Law of 15 February 1993 as above. The Mahoux Bill is a general bill on combating discrimination on various grounds including race, colour, descent or national or ethnic origin as well as religion. The Government made amendments to it to ensure that it complies with the EU Council Directives.

A few court cases demonstrate the types of anti-discrimination action successfully taken. Cases against nightclubs refusing entry to minorities were won in the courts of Hasselt in May, while the appeal of Vlaams Blok activist prosecuted for posting 'race-hate' emails on a discussion forum in December 1999 was overturned in Brussels in June 2000. A bookshop owner was prosecuted for selling Holocaust denial material, also in Brussels, in a ruling delivered in November 2000.

A Government operation in 2000, initiated to regularise undocumented people received over 32,000 applications (involving 50,000 people). It is not yet clear how successful this process was, since by February 2001 only 4,500 decisions had been made. While criticisms about the practical effectiveness of these measures might be made, they represent clear advances on previous policy.

¹³⁶ Report on Measures Against Racism, Xenophobia and anti-Semitism by the Federal Office of the Chancellery, June 2001 pp.31-32

¹³⁷ As regards this Programme to Combat Racism and Other Forms of Discrimination the religious or philosophical conviction was not included in the prohibited grounds for discrimination. It was only later (December 2000) that the government proposed amendments to the Mahoux bill in order to ensure that it complied with the European Directive establishing a general framework for equal treatment in employment and occupation. These amendments make provision for the inclusion of religious and philosophical discrimination in the list of grounds for discrimination.

A radical reform of the Nationality Code became law in May 2000. This made the conditions for acquisition of citizenship more flexible (e.g. 'proof of willingness to integrate', previously assessed in what had become known as the 'integration test', is no longer required), as well as simplifying procedures. Foreigners who have lived in Belgium for seven years and have relevant papers can now apply for citizenship (by a *déclaration de nationalité*), having previously been at a disadvantage relative to those who had at least one Belgian parent (but did not have to prove residence). The threshold for naturalisation has been lowered from 5 to 3 years' residence, and the whole application procedure is now free of charge, and administrative impediments have been removed or limited to make it quicker.

In Denmark, the Ministry of Justice set up a commission to assess the necessity of incorporating several human rights conventions, including the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD), into national legislation. The Commission is expected to finalise its work in May 2001.

The new Act on the Integration of Aliens (01.01.1999), which completely reformed Danish integration policies, was amended. The Act provides for a comprehensive set of rules and measures applying to all aliens lawfully resident in Denmark, including immigrants through family unification

The Integration Act shifted responsibility for the integration measures for the newly arrived from the State/Danish Refugee Council to the municipalities, which are implementing a comprehensive and co-ordinated set of integration measures in areas such as housing, community information, education and introduction to the labour market. The main elements of the Integration Act is an introduction programme, which requires municipalities to develop an individual plan of action for each immigrant or refugee, organise training in basic understanding of Danish society, organise Danish language training and provide measures aimed at the education system and the labour market.

Increasing criticism that it institutionalised discrimination (by introducing a distinction between refugees and others in terms of social welfare) made the Government review the law. Thus an amendment to the Act was enacted on 31 May 2000. The allowance for immigrants was raised to the same level as for Danish citizens. The amendment also abolished the legal claim for family reunion with aliens' spouses for Danish residents under the age of 25 years.¹³⁸ Also this amendment has been criticised because it contains restrictive elements (e.g. the right of ethnic minorities to marry, with parents' help, commonly known as 'arranged marriage', is abolished, and so is their right to bring their spouses to Denmark if they are under 25).

In Finland, the Government signed protocol No. 12. A committee was established to improve Finnish anti-discrimination legislation. The existing law will require some amendments in order to comply fully with the Article 13 related Council Directives.

¹³⁸ U.S. Department of State: Denmark: Country Reports on Human Rights Practices 2000 and Fourth Periodic Report of the Danish Centre for Human Rights 2000, p. 2.

The most important new legislative initiative was the new Constitution, which came into force in March 2000. The substantive articles relating to fundamental rights, including the prohibition of all kinds of discrimination, were not changed however, but followed the lines of the 1995 fundamental rights reform. Article 6 of the new Constitution thus provides equality before the law and prohibits differential treatment on the basis of origin and religion amongst others.

The amendment to the Act on the Ombudsman for Aliens was in progress in the Ministry of Labour. According to that proposal, the office would be reshaped, and the objectives and the mandate of the Ombudsman would be somewhat expanded, e.g. to cover the traditional minorities in addition to foreigners, but would still be of a supervisory and conciliatory nature. The Ombudsman would have the task of supervising action against racial and ethnic discrimination. It was suggested that the name of the Ombudsman become the "Anti-Discrimination Ombudsman"¹³⁹. The bill was introduced to parliament in April 2000 and the new office is scheduled to open in 2001.

The Act on the Integration of immigrants and reception of asylum seekers came into force in 2000. According to this Act the local authorities on municipal level are responsible to make tailored plans and provide services to individual immigrants and their families to facilitate their integration.

Municipal officials have been arranging several projects to promote the employment of immigrants, integration in general and tolerance in the Metropolitan Helsinki Area, especially in Eastern Helsinki. In 2000, the City of Helsinki had two bigger projects; "Sisu-Integra (Strategic Initiatives for Solutions to Unemployment)" and "*Avain (Key)*". The former had begun in 1998 and ended in 2000, while the latter began in 2000.

In 2000, regional "Employment & Economic Centres" (*T & E -keskukset*) arranged different courses to promote employment of immigrants and also financed some other organisations. Most of the activities took place in Helsinki, Turku region and Tampere - cities where most immigrants live. In Oulu, an international activity centre called Toppelius, funded by the city of Oulu, was opened in 2000.

In France, moves towards transposing Article 13 into French legislation are under way. The law project 'Social modernization' which has been lodged by the Parliament is being discussed. The Act amending the relevant articles of the law passed its first reading in October 2000. A great deal of campaigning around discrimination and single issues such as obtaining status for undocumented residents (*les sans-papiers*) took place under the aegis of the NGOs such as MRAP and SOS-Racisme.

The establishment and opening of the CODAC (public centres in each *département* dealing with complaints of discrimination), and the GELD (an expert research group on discrimination) indicated a recognition of the need

¹³⁹ An Act on a Minority Ombudsman was recently passed in Parliament. The law entered into force on 1 september 2001. During the parliamentary debates the title was changed from Ombudsman on Discrimination to Minority Ombudsman.

to seek ways to deal with racial discrimination and provide mechanisms to improve equal treatment and grant citizens an opportunity to register complaints. Taken together with the National Consultative Commission on Human Rights these mechanisms also form a relationship between the national and departmental levels of administration. The justice system is beginning to take anti-racism seriously in prioritising this dimension of its work. The Marseille court administration followed in the footsteps of its Parisian counterpart by appointing a specialist officer to handle racist crimes in 2000.

In Germany, the Government signed protocol No.12 on 4 November. The Minister of the Interior established an Independent Commission of Migration (*Unabhängige Kommission „Zuwanderung“*), which held its first session 2000. In addition to other tasks, it will study how to co-ordinate Migration and Integration¹⁴⁰. The Commission's proposals will be used by the Government to serve as a basis for a new statutory regulation.

A new ordinance was released in the year 2000, adopted on 1.1.2001, concerning the work permits of asylum seekers and refugees. Complete exclusion from the labour market will be diminished. The new law allows asylum seekers and foreigners with "toleration"¹⁴¹ to start working after a waiting period of one year. Foreigners with a residence permit will be permitted to work right away.

The new right to citizenship (Staatsbürgerschaftsrecht) mentioned in the 1999 EUMC Annual Report came into force on 1.1.2000¹⁴². About 50,000 children of foreign parents became Germans by birth in 2000¹⁴³. Regional differences can be observed in the naturalisation of adult foreigners. In some big cities such as Hamburg, Cologne, Munich and Frankfurt, there was an increase in naturalisation while in Berlin, Duisburg and Stuttgart, the numbers decreased. Reasons for this might be that a lot of foreigners did not want to lose their nationality of origin, and the German language test might have seemed like a serious hurdle to overcome. The possibility of naturalisation of children up to 10 years of age was only taken up by 10% of them¹⁴⁴. The biggest hindrance might have been the fee of 500 DM (250 Euro) per application.

The so-called 'Green Card' is a 5-year *Aufenthaltsgenehmigung* offered to information technology specialists. It was introduced in August 2000. This measure particularly targets people from Eastern Europe and India. By the end of 2000, 4,200 Green Cards had been distributed¹⁴⁵. This can be seen as a first step towards a new immigration law, but cannot replace the existing one. The Commissioner for Foreigners' Affairs has called for the enforcement of Immigration Law¹⁴⁶.

¹⁴¹ For the different status in the right of residence see § 5 ff Ausländergesetz (Foreigners' Act)

¹⁴² BRD/ BGBl I / 38 1999 from 23.07.1999, available at <http://217.160.60.235/BGBl/bgbl1f/b199038f.pdf>

¹⁴³ EFMS Report, December 2000 available at <http://www.uni-bamberg.de>

¹⁴⁴ *ibid.*

¹⁴⁵ *ibid.*

In Greece, the Government signed protocol No.12 on 4 November. The Government also decided in May to remove the bearer's religion from identity cards, a labelling that could lead to discriminatory treatment of religious minorities.

Parliament has set up independent State Authorities, whose aim is to protect and promote human rights in general, and the principle of non-discrimination in particular¹⁴⁷:

- The National Radio and Television Council (overseeing the implementation of legislative and other provisions against racism, xenophobia and incitement to hatred in the field of the electronic media).
- The Authority for the Protection of Personal Data (responsible for regulating the collection and processing of "sensitive" personal data, such as that concerning 'race', ethnic origin, political opinions and religious beliefs which might lead to a violation of the principle of non-discrimination).
- The Greek Ombudsman's Office (dealing with human rights issues, relations between the Administration and the public, quality of life and social protection).

In 2000, the National Committee on Human Rights, established in 1998, met for the first time and elected its President. The main aims of the Committee are research and the promotion of human rights.

In Ireland, at the national level the most important new piece of legislation is the Equal Status Act (2000). Together with the Employment Equality Act (1998), they outlaw discrimination in employment, vocational training, advertising, collective agreements, education and accommodation, and the provision of goods and services to which the public generally have access. The Equality Authority (an independent statutory body established in 1999), was set up to promote and defend the rights established in the equality legislation and provide "leadership in building a commitment to addressing equality issues in practice; creating a wider awareness of equality issues; celebrating the diversity in Irish society and mainstreaming equality considerations across all sectors"¹⁴⁸.

The Government committed itself to the development of a major "three year anti racism awareness programme" and commissioned the National Consultative Committee on Racism and Interculturalism to undertake the evaluation.

Human Rights Commission Act 2000 establishes a Human Rights Commission. The Commission will, when fully operational, have the right, in relation to matters of human rights to: (a) conduct an enquiry, (b) provide legal assistance to an individual and (c) institute legal proceedings.

¹⁴⁷ CERD/C/363/add.4

¹⁴⁸ Mission Statement, Equality Authority, Dublin, available at : <http://www.equality.ie/mission.shtml>

It should be noted that in regard to (a) and (b) – “human rights” is defined as (i) rights, liberties and freedoms guaranteed by the Constitution and (ii) rights, liberties or freedoms conferred by any agreement, treaty or convention to which the State is party. However in regard to (c) – “human rights” is defined as in (i) above but concerning (ii) the agreement, treaty or convention must have the force of law in the State.

In 2000, Ireland finally ratified ICERD. Moreover, the 1996 Refugee Act was finally implemented in full in November 2000, thus finally incorporating the 1951 Geneva Convention into Irish law. However, elements of this legislation allow for the fingerprinting and detention of asylum-seekers who have not been charged with any crime, which was criticised by the Irish Refugee Council. The Government also signed Protocol No. 12 on 4 November.

In Italy, a series of legalisation programmes have been adopted recently with the intention of granting undocumented immigrants residence and work permits. The country has taken the approach to develop bilateral migration agreements with Tunisia and Morocco, and recently concluded one with Albania in order to promote regular annual migration from these countries. In effort to regularise the flow of migration, Italy has agreed to grant Tunisia 90 million dollars in aid if it reduces the flow of undocumented immigrants. The agreement will run for a three-year term, with loans aimed especially at job creation projects in Tunisia. One of the clauses of the agreement will oblige Tunisia to accept the return of the undocumented immigrants Italy expels from its territory.

In 2000, an Office was set up in the Ministry of Social Affairs under the 1998 immigration law in order to protect the rights of unaccompanied immigrant minors. Italy also signed Protocol No. 12 on 4 November.

In Luxembourg, signed Protocol No. 12 on 4 November. At the political level, all the parties in the Chamber of Deputies, signed the Political Parties' Anti-Racist Charter, and no racist or xenophobic speeches have so far been recorded as a result.

Since 28 June 1996, the Luxembourg Government's Special Permanent Commission Against Racial Discrimination (*Commission spéciale permanente contre la discrimination raciale*, CSP-RAC), set up a month previously under the terms of the law of 27.7.93 on the integration of foreigners, has had statutory responsibility for dealing with, and adjudicating on, petitions brought by individuals or groups covered by Luxembourg law, and who claim to have been the victims of any violation of the rights specified in ICERD.

- Since October 2000, the CSP-RAC has been granted the following mandate to deal with claims brought by individuals or groups within Luxembourg's jurisdiction who claim to have been the victims of an infringement of their rights by the Luxembourg State, or of a violation of any the rights specified in the ICERD. The claims are adjudicated on, and/or, depending on the wishes of the plaintiffs, sent to the ICERD;

- to deal with and adjudicate on petitions brought by individuals or groups covered by Luxembourg law, and who claim to have been the victims of any violation of the rights specified in the ICERD; and
- when it handles correspondence or petitions, to provide recommendations for the relevant authorities, and the plaintiffs to guide their search for a solution, whether this is through mediation or the pursuit of the claim in the appropriate courts.

In addition, and following the French model, Luxembourg established a Consultative Commission on Human Rights, which will be the “correspondent national” of the European Monitoring Centre on Racism and Xenophobia. The Consultative Commission will be a consultative body of the Government charged with providing opinions and studies on all general questions concerning human rights in Luxembourg. The Commission can propose measures and programmes of action to the Government, which aim to promote and protect human rights. It has a special brief in the educational and professional fields.

In the Netherlands, no major changes were implemented, but at least some changes were proposed during 2000. A Parliamentary bill was proposed, which will increase sentences for structural types of discrimination. The bill proposes doubling the maximum sentences for violation in form of insults based on race, incitement to hate or discrimination on the basis of race, or making public statements or distributing objects that have the same effect. Someone who regularly commits such acts could receive a jail sentence of two years instead of one, if the bill passes Parliament. The Netherlands signed protocol No.12 in November.

To ease foreigners’ entry into the labour market, politicians have come up with different initiatives. In 1998, parliament adopted the SAMEN law. The aim of 'SAMEN' (the Dutch word for 'together') is to encourage employers to employ more people from ethnic minorities. Every year, employers must report on the number of employees from ethnic minorities and the measures the company will take to ensure their representation. However, as there are no sanctions provided for under the law, employers have only slowly started to write their reports. Thus, although the SAMEN law was warmly welcomed at the racism reporting office, its implementation needs to be better monitored and improved.¹⁴⁹

In Portugal, a new law punishes all those who, with the purpose of profit, procure or attempt to procure for the labour market foreign citizens who are not bearers of either a residence permit, an ‘authorisation of permanence’ or a work permit/visao Act No. 134/99 and corresponding Decree-Law 111/2000 were enacted, prohibiting discrimination in the exercise of rights on grounds of race, colour, nationality or ethnic origin, which contains a non-exhaustive list of discriminatory practices and provides for administrative sanctions for conduct falling under that list. Law 111/2000 improves on the powers of the High Commissioner for Integration and Ethnic Minorities to impose fines due because of violations of the Anti-Discrimination Law, in accordance with the

¹⁴⁹ National Federation of Antidiscrimination Bureaus and Hotlines: Key notes discrimination 2000, ,

opinion of the Committee for Equality and Against Racial Discrimination. The Commissioner now has the power to enforce the ancillary sanctions.

In addition, Law 30-E/2000, 20 December, acknowledges the right to legal protection (legal information and judicial support) for aliens and stateless persons who are habitually resident in Portugal. For non-residents this right is only acknowledged provided there are reciprocal arrangements.

At a general level, the Resolution of the Council of Ministers (175/96, 19 October) established a Working Group on the Equality and Integration of Roma/gypsies, because of the specific difficulties faced by these communities in relation to integration. The Working Group's life was extended in 2000.

The Municipal Committee of Immigrant Communities and Ethnic Minorities in Lisbon was created in 1993 to guarantee the participation of immigrant communities and ethnic minorities in the formulation of local policies. Several associations of migrants and ethnic minorities from the city participate in the Committee that intervenes through proposals, projects and awareness-raising activities. The President of the Committee is the Deputy Mayor for Social Affairs and there are seven members nominated from different migrants' associations in the city.

In Spain, there were important changes in anti-discrimination legislation in 2000. The amendment of the Immigration Law and some orders, resolutions, and decrees, related to discrimination, social exclusion, and education at the Autonomous Regions, are steps towards eliminating discrimination. However, the new law denies the rights of association, reunion, trade union membership, or strike to undocumented immigrants. On the basis of these restrictions, some critics question whether this new Law is compatible with the Spanish Constitution.

Spain endorsed several International Treaties in 2000: the Additional Protocol (Strasbourg, 1988) to the European Social Charter (endorsed by Spain the 7th January 2000).¹⁵⁰

The new Law on the rights and freedoms of foreigners and their integration in Spain ("*Ley Orgánica 4/2000 sobre derechos y libertades de los extranjeros en España y su integración social*"), enacted in 2000, focuses on the social-civil rights enjoyed when living in Spain. This new Law was approved by consensus of political parties, civil associations and NGOs, Trade Unions, and pro-migrant platforms. Among the changes it represents, the following stand out:

- basic rights, acknowledged in the Universal Declaration of Human Rights (health, education, housing and social security benefits) are ensured, immigrants are allowed to regularise their situation after a period of two years;

¹⁵⁰ 1900-2000 One hundred years social security, Ministerio de Trabajo y Asuntos Sociales, Secretaria General de Asuntos Sociales, Instituto de Migraciones y Servicios Sociales, Subdireccion General de Promocion Social de la Migracion y de Programas para Refugiados

- the administration has to justify the reasons for the refusal of visas, while restrictions and entry controls continue.

Recently, criticism from inside the Government, and an alarmist discourse about the potentially undesirable effects of the law promoting the flow of illegal immigration led to the amendment of this legislation by Law 8/2000, which came into force in January 2001. These changes deny the rights of association, reunion, trade union membership, or strike to undocumented (i.e. 'illegal') immigrants.

At the municipal level an example of immigrant inclusion is provided by the work of the Municipal Immigration Council of Barcelona, created in 1997. It seeks among other things to "...facilitate the participation of all citizens in political, economic, cultural and social life" in a city where registered immigrants make up 3.5% of the city's population. The Municipal Immigration Council works with immigrant associations to identify better their problems and define appropriate policies for their integration in the city of Barcelona. The Council has only existed for three years, but it is clear that it has promoted and made possible a greater degree of participation of the immigrant communities in the life of the city.

In Sweden, no major changes in legislation on anti-discrimination were effected in 2000, but legislative work is under way. In December 2000, a commissioner was appointed to co-ordinate Swedish legislation with the EU directives on discrimination, while the Government is currently working on a national action plan, identifying various key areas and problems which need to be remedied in the continuing work against racism, xenophobia, homophobia and discrimination¹⁵¹.

In addition the Swedish Government is working in different fields and Ministries to promote human rights, ethnic solidarity and tolerance as well as preventing racism, xenophobia and discrimination. Swedish legislation still contains numerous regulations affording protection against racist and xenophobic utterances and discrimination. In the Constitution, there are prohibitions against ethnic and racial discrimination. The Constitution also contains a provision guaranteeing freedom of religion. In October, the Committee on liability of organised crime presented its report on agitation against ethnic groups.

The problem with growing neo-Nazi violence is a serious concern for the Government. The Ministry of Justice presented a memorandum on secrecy of passport photos. This became necessary, as racist organisations have been able to order copies of passport photos of people they want to threaten or persecute. The Ministry of Justice has tabled a new law on the handling of confidential information in the criminal justice system, to prevent societies of the criminal networks and neo-Nazi organisations being formed in prisons.

On 9 February, the Government ratified the Council of Europe's Framework Convention for the Protection of National Minorities and the European Charter

¹⁵¹ Written Government Communication: A national action plan to combat racism, xenophobia, homophobia and discrimination, skr.2000/2001:59

for Regional or Minority Languages. This decision implies that the Sami people, Swedish Finns, Tornedal-Finns, Roma, and Jews are recognised as national minorities. It means that the Government should support and protect minority languages such as Sami, Finnish, and Yiddish. A new law that gave effect to the conventions entered into force on April 1.¹⁵²

Finally, the Ministry of Education presented a memorandum on measures against discrimination in universities.

In the United Kingdom, two major amendments and acts were implemented in 2000. First, the Race Relations Act 2000 (Amendment to the Race Relation Act 1976), received Royal Assent in November 2000 and came into force in April 2001. The Act makes it unlawful to discriminate against anyone on grounds of race, colour, nationality (including citizenship), or ethnic or national origin. The amended Act also imposes positive duties on public authorities to promote racial equality. It applies to: jobs, training, housing, education, and the provision of goods, facilities and services.

Second, the Human Rights Act from 1998, was implemented in October 2000, giving further effect in UK law to the rights and freedoms set out in the European Convention on Human Rights. It means that the basic fundamental rights in the Convention, which introduces protection against discrimination on grounds of religion or belief, are more accessible to everyone in the UK. It sets out the basic rights that everyone can sign up to and which safeguard the dignity and value of individuals, and promotes acceptance and tolerance in a modern multi-cultural democracy.

The Stephen Lawrence Inquiry Report published in February 1999 has been a key document, spurring a host of activities aimed at tightening up legislation and working practices. Institutions including police forces and local authorities began to assess their own performance.

In February 2000, on the 1st anniversary of Lawrence Inquiry report, the CRE claimed that the reporting and recording of racist incidents has improved; there has been a greater sensitivity in police activities and a wider recognition of the problems of racism by public authorities over the year. One indicator is the Met Police and Association for London Government conference on "fair policing and interagency co-operation", that was held in March 2000.

¹⁵² U.S. Department of State: Sweden: Country Reports on Human Rights Practices 2001.

4.3 Mainstreaming Cultural Diversity at work places

To investigate further existing good practices in the Member States related to promotion of cultural diversity in the workplace, the EUMC initiated and funded a study on "Mainstreaming Cultural Diversity". The study was conducted by The Berlin Institute for Comparative Research in Germany. Initial results are available.

4.3.1 General findings

The study has proven that the discussion on cultural diversity in firms and administrations is widely ongoing in the Member States. Contributing to the current interest is the political debate on new immigration policies to attract qualified Labour from outside Europe. It is also suggested that the interest is a result of previous attention following the European Year Against Racism in 1997 and the Joint Declaration on the Prevention of Racial Discrimination and Xenophobia and the Promotion of Equal Treatment at the Workplace adopted by the Social Partners in 1995.

The study reveals four major observations regarding cultural diversity at workplaces. First, there is support for the idea of cultural diversity and the recruitment of migrants and cultural minorities. Second, conditions for improving working relations along ethnic lines –promoting social cohesion and preventing from social conflicts – are under way. Third, the fight against discriminatory and racist behaviour and practices are the aim of many measures debated. Fourth, the implementation of cultural diversity policies and the support of such activities by new material and symbolic institutions are developed, i.e. financial resources are provided on the national, regional and local level; legal reforms are voted for including the implementation of more specialised anti-discrimination laws; educational programs focussing on racism, anti-discrimination and intercultural relations are promoted, and agencies responsible for overseeing and implementing these activities are established.

The ongoing discussion has, according to the study, included most levels in society: NGOs as well as Government-agencies, Ombudsmen offices, anti-discrimination bureaux and international business consultancies. Furthermore, immigrants' organisations have contributed. Women's' movements have had an impact, as offices for the equality of women have converted into diversity agencies and measures implemented to promote gender equality have been transferred into cultural diversity issues.

For illustrating the variety of good practices in the Member States, the following examples are selected:

In Austria, the Austrian Trade Union Federation (ÖGB) organises information events concerning employees' rights in the company. The basic training of all the works council members in the construction branch includes a half-day seminar on migrants and integration

The public housing market is strongly regulated. Public housing is offered to people with low incomes, but mainly open to Austrians and other EU nationals. An exception can be found in Schwechat, near Vienna, where the Austrian petroleum company (ÖMV) agreed a convention with the City of Vienna to open public housing to migrants, in order to facilitate recruitment.

In Belgium, under the Territorial Employment Pact, which was set up in 1998 by industry, the private sector, trade unions, the education sector, the State employment agency and the Ministry of Employment in Brussels, a special campaign on "Combating discrimination in recruitment" was started. Seminars were held on the theme of "Managing diversity: a challenge for tomorrow's companies". These seminars mainly focussed on exchanging experiences the different employers had had with personnel from ethnic minority backgrounds, and finding solutions to problems related to discrimination and conflict.

In 1998, the Flemish Government, in co-operation with the social partners signed an agreement to fight racism, combat discrimination and improve the qualifications of immigrants and ethnic minorities. The overall aim was to increase the participation of immigrants in the labour market (both in the private and public sectors) through the implementation of Positive Action Plans. In co-ordination with the social partners, members of the team, so called 'Positive Action managers', approach firms asking them if they are interested in promoting cultural diversity by writing up a Positive Action Plan. If the employers are interested in this programme they can obtain a grant of up to a maximum of 500,000 Belgian Francs (12,750€) for implementing the Plan. The process of implementation usually has four phases:

- Problem analysis: What are my problems regarding the promotion of cultural diversity (e.g. no migrant workers, racism at the workplace etc.)
- Cause analysis: What are the reasons for these problems?
- Remedies and drawing up of a Positive Action Plan: What can be done?
- Implementation

Remedies, for example, include new recruitment strategies such as co-operating more closely with immigrant organisations and NGOs active in this area; the setting up of special integration programmes during a new worker's first weeks of employment, and training measures in the workplace directed at all elements of the staff. In some bigger firms, special 'train the trainer' programmes have been set up in order to ensure a top-down approach. In 1999, 43 firms drew up a Positive Action Plan.

In 2000, the seven public prosecutors' departments recorded approximately 130 new cases relating to the application of the Act of 30 July 1981, intended to crack down on certain acts inspired by racism and xenophobia¹⁵³.

¹⁵³ Information from Ministère de la Justice, Direction Generale de la Legislation Penale et des Droits de L'homme, September 2001.

In Denmark, the Danish Labour Union (LO) has developed a pilot project, based on the idea of godfather-godson-relationship and uses employers as volunteers. It covers 600 young immigrants from backgrounds in which employment is problematic. The shop steward has to look after the youngsters, as an intermediary in terms of employment and Danish society as a whole. Furthermore, the 'godfather' should have very close relations with the family of the protagonist. The main idea is that this 'Godfather' will communicate with the youngster and enables him or her to join political, social and economic networks and most of all, integrate into the labour market. The channels are the union network, the Refugee Council network and the school system.

In 2000, the Danish Ministry of Finance, in co-operation with other Ministries, started a campaign focussing first of all on the recruitment of ethnic minorities. In this context it has become a common policy to include a line on ethnicity and anti-discrimination in each advertisement. Secondly, there is a budget of 10 million Danish kroner (€ 1,34 million), which is set aside for language skills. Up to 10,000 Danish kroner (€ 1,331) might be spent on employees who have problems with the language because of their ethnic origin. Secondly, there is a budget of 300,000 Danish kroner (€ 39,950) to establish cultural diversity consultants. This is considered as training and further education.

In Finland, during 1998-1999, the Ministry of Labour ran a project promoting the establishment of multi-cultural workplaces in Finland. This pilot project included business visits to the five participating firms organised in order to observe their activities in the area. The project also focussed on the development and implementation of new measures to promote cultural diversity, study visits to different European countries, and participation in a European-wide conference. At the end of the programme, the various companies received prizes for cultural diversity. In 2000, the Ministry ran an advertising campaign focussing on small and medium-sized companies which had recruited immigrants and were satisfied with their work. The campaign was published in newspapers disseminated to firms all over Finland.

The CAISA Cultural Centre, a part of the local city administration in Helsinki, managed to organise an apprenticeship programme for 20 immigrants to be trained for the duration of 2 1/2 years in the public administration of the City. Through this programme, immigrants and ethnic minorities are recruited for the public sector, where the number of ethnic minorities is still very low and the work force lacks cultural diversity.

In France, the ASPECT project in the region Rhône-Alpes is one example of a sustainable anti-discrimination approach to the labour market. ASPECT stands for "*Action spécifique pour l'égalité des chances au travail*" (Special Actions for Equal Opportunities at Work). It has attempted to build a regional network of actors (Regional authorities, companies, unions, and academics) fighting discrimination. ASPECT is explicitly based on the application of the principle of equality rather than that of positive discrimination. The main objective of ASPECT is to create attention among the various actors and to develop tools that will enable equal treatment at work to be achieved..

The promotion of cultural diversity in the workplace is closely linked to social and employment measures in the context of urban development areas. In general, these areas have high unemployment rates and a higher share of immigrant population than the average. The measures taken try to solve several problems at once: By recruiting from these areas, especially young people with a migrant background, through special programmes, the firms also try to prevent the local population from contesting or even violently protesting against the firm opening a workplace. Similar strategies are used by the local transport service or housing services in Paris which had already experienced problems of vandalism or other forms of violence and employed second and third generation migrants to reduce potential conflict. Quite often they are directly employed as mediation agents. Other programmes and initiatives aim at increasing the proportion of immigrants in a firm where this population group was under-represented, by professional or language training.

In Germany, the *Post* and *Telekom* company has set up a new professional training scheme which includes intercultural education, not only in the training of young professionals but also in "train the trainers" programmes. The company also initiated a working group, which focuses on giving assistance to trainers. In the working group, representatives of the young workers are also included.

In 1998, the employment agency of the City of Göttingen established a project called "Intercultural Opening of the Public Service" as part of an Integra project. This covers the whole process of intercultural opening-up in the public sector (at management and staff level, including vocational training, an orientation system in several languages, and a translation service). The other part is intercultural community work in one district of Göttingen.

The Trade Union Federation (DGB) established a model industrial relations scheme for equal treatment in which members of the Works Council and the directors of the company agree on the promotion of equal treatment and protection against and prevention of discrimination. These objectives concern the employer and the employees as well as the clients of the company. In the model scheme, the establishment of an adequate complaints structure inside the company is recommended. Concerning equal opportunities, trade-related language courses, for example, should be offered within the company, and qualifications for migrants should be promoted. Companies which signed equal treatment agreements and have examples of good practice are *Ford* in Cologne and *VW* in Wolfsburg, which developed a self-learning system for trade-specific language courses, or the *Thyssen Krupp Stahl* company in Duisburg, which offers German courses to foreigners and Turkish language courses to Germans. Other companies such as *Opel* in Rüsselsheim will soon be signing comparable agreements.

The "Bi-national Vocational Training" project was designed by the German Economy Institute (*Institut der deutschen Wirtschaft, Köln*) and funded by the Federal Ministry of Labour and Social Affairs. It is operated in association with Greece, Italy, Portugal, Spain and Turkey. The aim of the project is to maximise the intercultural competencies that young immigrants and ethnic minority representatives can offer to the German labour market. Within the

project, participants take part in trade-related language tuition in the trainee's native language and carry out a five-week practical training course in their respective country of origin. Results show that most of the participants find a good job, start studying for higher qualifications, and by using their intercultural skills can contribute to a culturally diverse working environment.

In Ireland, the Irish National Consultative Committee on Racism and Interculturalism (NCCRI) carries out anti-racism/intercultural awareness raising training in the workplace, in relation to the issues arising out of the employment of non-EU nationals. This focuses particularly on the health sector. The NCCRI has undertaken such training with hospitals seeking to employ nurses, particularly from the Philippines, under the work visa/authorisation programme and more recently the NCCRI has provided awareness-raising programmes to the three regional health authorities.

The 'Anti-Racist Workplace' was a joint initiative between the Equality Authority, the Irish Congress of Trade Unions (ICTU), the Irish Business and Employers' Confederation (IBEC) and the Construction Industry Federation (CIF). The key focus of the initiative was an Anti-Racist Workplace Week, which took place in November 2000. Over 50 events were organised around the country during the week. The key national events were the launch of the week and two seminars with Gurbux Singh, the Chair of the UK Commission for Racial Equality. A number of resources were produced for the week including a resource pack: "Supporting an Anti-Racist Workplace", poster and leaflet. The ICTU has set up a special training module "Promoting diversity in the workplace" for its members.

In Italy, the new Law on Immigration (Law 40/1998) provides for the financial subsidy of intercultural projects¹⁵⁴. Several billions Italian Lira are distributed to the various regions, which then distribute the funds to NGOs for various projects in this field. Further subsidy for intercultural projects can also be obtained from the City Councils. Law no. 40 also provides for the funding of intercultural training courses for staff members of public authorities (town and village councils) as well as health authorities (hospitals).

An Italian company, which produces household goods in Treviso, Porto Nourre has established a commission on integration in the company by collective agreement. Various specialists and people from the company sit on this commission, which deals with the needs of immigrants. Those immigrants who join the factory workforce can take a language course in Italian paid for by the company. Furthermore there are seminars for instructing managers in the language and culture of the countries the immigrant workers come from. The main aim of the contract seemed to be that immigrants may obtain 45 days' holiday, which they can accumulate from working time elsewhere in order to stay in their country of origin for this period. Zanussi deals with immigrants as a strategic workforce to develop a good multicultural climate. They also agreed to label the food in the cafeteria and canteen to take into account the religious and cultural background of the workforce.

¹⁵⁴ Secondo Rapporto sull'integrazione degli immigranti in Italia, Commissione per le politiche di integrazione degli immigrati, Dicembre 2000.

In Luxembourg, a council of immigrants was set up by the Government in 1993. Its members are drawn from NGOs, immigrant organisations, church organisations, trade unions, various state ministries involved in immigration and political parties. The immigrant council only has advisory functions, but can offer recommendations on new legislation, etc. It has three sub-committees. One of them focuses particularly on fighting racism and discrimination. In September 2000, this sub-committee set up a special office, which will act as a claims office, where people who have been discriminated against on the grounds of race and ethnicity can lodge their complaints.

In the Netherlands, the Ministry of Social Affairs has signed Action Plans promoting cultural diversity with more than 15 large firms. These individual plans include multicultural management issues, training for managers and human resource staff, and training for Works Councils, etc. The Ministry of Social Affairs and Employment performs the monitoring of these agreements and Action Plans. Furthermore, the Ministry has attempted to obtain positive publicity about these employers in order to make more of them participate in this programme. Publicity is crucial in the framework of this programme.

Regarding smaller firms the National Employment Office in the Netherlands, in co-operation with the Board of Small and Medium-sized enterprises started a separate initiative in Spring 2000. They are aiming to find employment for around 20,000 people of ethnic minority background in these firms. This will be done in co-operation with immigrant organisations, special job fairs and specific training programmes. One main goal is to provide potential employers with better information .

The legal section of *Landelijk Bureau Racismebestrijding* (LBR) has worked on a series of codes of conducts for the public and private sector. These codes of conduct can be used in different sectors such as local Government, the Ministry of Social Affairs and Employment, banks and insurance companies. These regulate how one should treat others at the workplace, how to deal with complaints and how to ensure fair recruitment. Codes of conduct are usually voluntary, and there are no sanctions if they are not followed. The LBR tries to lobby actively for the implementation of these codes of conducts.

The Anne Frank House in Amsterdam is involved in a project called "*Meeting de Meer*". In this project, the Mayor invites local businesses for a meeting to discuss cultural diversity with them. Most Mayors in the Netherlands have agreed to participate in this programme. So far, 25 local communities have held these special information campaigns promoting cultural diversity. At the discussion with the Mayor, experts from the Anne Frank House are present, giving advice on intercultural training and diversity issues.

In Portugal, the General Federation of Portuguese Workers (CGTP) organised a special seminar on intercultural relations at the workplace. One of the conclusions of this seminar was that intercultural issues should be dealt with in mainstream training courses.

In the Portuguese Health Sector, a pilot programme on the work of cultural mediators in hospitals and other health institutions is currently under way. Seven cultural mediators have been employed by the Ministry of Health (see

documentation), and are working in the Lisbon area. These mediators provide information to the patients and are a link between the clinical staff and the clientele.

In the collective agreements in the construction and cleaning industries, general holiday regulations are integrated. This regulation gives all workers the possibility to accumulate up to two months' holiday, allowing immigrant workers to return to their country of origin more easily.

In Spain, the Catholic Commission for Migration in Spain (ACCEM) has set up a specific programme to promote cultural diversity at the workplace. It looks at the specific qualifications of the immigrant or refugee and tries to match them with the demand for workers. For this, a special database has been set up, in which the individual profiles of the immigrants and refugees can be compared with the demands of the employers. If, in the analysis of the profile, problems become visible and workers cannot be matched with the demand, appropriate measures such as language courses, vocational training courses, etc. are taken. Special labour market integration centres have been set up in Gijon (near Madrid), Leon and Sigüenza. These centres are not only open to immigrants and refugees, but also for Spanish people facing specific problems in finding a job. This approach was chosen in order to avoid conflicts with the Spanish population and contradict the prejudices that only immigrants and refugees should be supported. Furthermore it again enables contact between migrants and Spanish people.

The Regional Office for Immigrants of the Community of Madrid (OFRIM) is a focal point working as a bridge between the regional and local administration in Madrid (capital and region) and immigrant organisations as well as individual immigrants. They try to raise awareness in the public administration concerning special needs and assets of immigrants. To this end the OFRIM has specialists focusing on different areas such as health, the labour market and racism. In 2000, among other things, the OFRIM set up a telephone support hotline for immigrants and people working for the public service in Madrid regarding all kinds of legal questions and cases of discrimination, including themes concerning the labour market. Two lawyers working for the OFRIM ran this telephone hotline. In addition, the OFRIM organises intercultural training courses for members of the public service, especially those working in the area of social welfare provision.

Since 1997, the Department for Families of the regional administration of Madrid has been running a special programme with intercultural mediators who work in schools, hospitals and areas with a high percentage of immigrants. There are general mediators and specialised mediators only working in specific areas such as in schools or with children. Similar programmes have been set up in the autonomous provinces of Andalusia and Catalonia.

In Sweden, the trade unions and the employers' organisations have established a FORUM where diversity issues are discussed regularly. They meet once a month in order to discuss what is happening in different areas and to exchange experiences. This creates some kind of group pressure between the parties involved in the FORUM. The network organises study trips

in Sweden and abroad to visit companies that have implemented measures to promote cultural diversity. Furthermore they have arranged for a diversity prize, which is awarded annually. Moreover, it is in the process of setting up an Internet database providing information on training in diversity issues. They also produce information leaflets and publications on this topic.

With the coming into force of the new anti-discrimination law in 1999, affirmative action and positive measures are now possible in the area of recruitment and improving working conditions for ethnic minorities in Sweden. The workplace must be open to all ethnic groups, and employers are asked to translate all security rules, etc. into the different languages of the workforce. Measures can be implemented in the areas of recruitment, working conditions and the prevention of racial harassment. The new law has also brought about the possibility of some sanctions and of bringing employers to court. The Swedish Ombudsman for Anti-discrimination, who also has the right to approach the firms directly and to check what they are doing to promote diversity, monitors these activities. The Ombudsman has produced a handbook on best practice to promote cultural diversity, which is disseminated throughout the country.

The "International Engineers" project, run since 1994 by the Stockholm employment office is based on the idea that there is a shortage of qualified engineers in Sweden, but on the other hand there are qualified foreign engineers who cannot find work or are in inappropriate jobs. The project concentrates on the integration and training of the engineers, including language training and corporate culture, but also on awareness raising among Swedish employers. Internships for unemployed engineers are organised, as well as visit programmes to their countries of origin in order to establish business contacts with local firms there. Furthermore fairs and conferences, which enabled firms to meet directly with foreign engineers, were arranged.

In the United Kingdom, the trade unions are campaigning to improve induction programmes and train workers in understanding and resisting racism. The Trade Union Congress, TUC, presented a video at the Congress 2000, produced by the TUC's Stephen Lawrence Task Group, called 'Rooting out Racism'. The video includes footage of the powerful performance of extracts from calls received on the 'Root Out Racism' hotline, which highlighted some of the worst examples of racist abuse at work.

According to the TUC report¹⁵⁵ from the Stephen Lawrence Task Group Black and Asian workers face appalling levels of verbal, and sometimes physical, racist abuse in Britain's workplaces leading many to take time off sick with stress, depression and anxiety. The TUC report calls on employers to challenge racism and carry out voluntary ethnic monitoring to identify blockages in recruitment and promotion procedures; and to log complaints and outcomes in order to identify patterns of discrimination. The report also calls on the Government to introduce mandatory ethnic monitoring and targets in the private sector.

¹⁵⁵ "Exposing racism at work", report of the TUC's "Root Out Racism" hotline, published by the Trade Union Congress's Campaigns and Communications department, 2000.

The Confederation of British Industry (CBI) has prepared special material and 'hands on' guidance including examples of good practice, monitoring schemes, etc. concerning diversity issues for small firms. The CBI Equality Department has set up a special telephone hotline, sponsored by the Government, focusing on legal advice for small firms. In 1999/2000 the CBI organised a workshop for small businesses focusing on racial equality and diversity. Furthermore, the CBI has developed a personal management tool, a kind of benchmarking booklet, focusing on the culture of the organisation and recruitment practices.

In the UK, since the early 90s, many bigger companies have been publishing annual reviews of Fair Employment initiatives. Their aim has been to reinforce the company's commitment to equal opportunities and provide commercial benefits through a well-educated and flexible work force. Many of these firms have signed up to the Commission for Racial Equality "Leadership Challenge" campaign, which focuses especially on recruiting more ethnic minorities and giving them a higher profile in the company.

A major British bank has implemented a comprehensive strategy on race equality. The bank is a founder member of 'Race for Opportunity', which campaigned to develop business relationships with black communities. The aim of the joint strategy has been to avoid discrimination in recruitment and promotion procedures. This led to an increase in the proportion of graduates recruited from ethnic minorities from 4% in 1996, to 20% in 1999. The bank's staff now reflects the ethnic mix of its customer base, which has led to improvements in customer services and sales volumes. The company has also introduced an action plan including support for all senior black managers and residential career development programmes for managers who showed potential for further promotion.

At the BBC the Director-General has pledged his commitment to increase substantially the number of ethnic minority staff at the BBC¹⁵⁶. By 2000 the BBC has met its target of 8 per cent of staff from ethnic minority background, but still only 2 per cent of management were from ethnic minorities. The BBC Executive has now outlined targets of increasing minority staff to 10 per cent by 2003 and doubling the amount of ethnic minority managers.

4.4 Education, training and awareness-raising

Besides overall anti-discrimination legislation, there are two areas considered of crucial importance for combating racism and discrimination in society, as they both have a mission to protect the public from prejudice and xenophobia and provide the public with solid information and knowledge. The areas are education and the mass media. In the following, initiatives to combat racism and discrimination in society by education, training and awareness raising is the subject.

¹⁵⁶ Speech by BBC Director-General, Greg Dyke, at the Race in the Media Awards organized by the Commission for Racial Equality – www.bbc.co.uk/info/news/news233.htm

Findings from a study¹⁵⁷ on intercultural education, conducted by Jan van Kooten, at the Anne Frank House in the Netherlands, are presented. In addition examples of good practices in several Member States in the education sector collected by other sources are introduced.

4.4.1 Findings

Experts have been approached in Austria, Belgium, Denmark, Finland, Germany, Ireland, the Netherlands and the United Kingdom, to gather insights into the manner in which students and teachers in vocational education in Europe gain intercultural competence as a professional quality. In general, the inventory shows that there are few or no programmes, specifically geared towards vocational education, that train students and teachers, in obtaining intercultural competence as it is defined here. The inventory informs that:

In Belgium, the accent is placed precisely on those activities that are geared towards halting the growth of right-wing extremism; in Austria, there is some movement in the teacher training courses, but there is still hardly any general support. In the United Kingdom, the role of non-formal education is extremely important when dealing with combating discrimination and working on such a thing as intercultural competence. A number of interesting projects have been developed in Germany, but continuity is lacking. In Ireland, there is no material for vocational education that could be regarded as intercultural, but an integration policy has been formulated. . In the Netherlands, it appears that there is some structural work being done on the "interculturalisation" of vocational education: the vocational sector participated in the project Intercultural Learning in the Class that was given a follow-up in the appointment of a network and a national co-ordinator. Moreover, at the moment an attempt is being made to connect with the project leaders to internationalise the projects. In Denmark, internationalisation is seen as important. In Finland, finally, intercultural modules have been developed that are geared, in particular, towards the teacher training courses, but it is considered regrettable that there is no policy to see that "interculturalisation" remains a permanent point of attention in education. A conference took place in November 2000 that was specifically for vocational education.

Lack of clarity regarding the content of intercultural education is an obstacle at the policy level. This has, remarkably often, lead to miscommunication. Even when there are interesting intercultural programmes, the great disadvantage of them is that they do not become structural, but are incorporated into projects which, by definition, have a limited life span, whereby expertise is easily lost. Most of the initiatives are the work of enthusiastic individuals or organisations. There are no frame-works in which teachers can exchange experiences and knowledge in this area. In short, there is still an entire terrain lying fallow and what is needed now is a broad base, supported by a structural policy.

¹⁵⁷ "Looking for the Needle... Intercultural Competence in Vocational Education, report from the Anne Frank House, Amsterdam, 2000.

A number of intercultural programmes and the experience with a number of interactive sites - such as those developed in the US by the Anti-Defamation League and the Multicultural Pavilion - were inspiring. Within Europe, the most relevant projects were those that came about in the campaign All Different All Equal. Alongside of these, there are a few more intercultural projects in which the curricula could certainly be used as an illustration of "good practice."

6.4.2 Further good practice

In Austria, the Ministry of Education co-funded a programme called 'School without Racism' (*Schule ohne Rassismus*). The programme contains a number of modules whose goal is to make schoolchildren sensitive to the problem of racism and discrimination. In one module *„Rechtsweg Asyl“* (legal procedures for asylum), the pupils participate in a role-play that involves asylum seekers, police officers and NGOs. Under the heading Mobility, a basic quality of *man* (*Mobilität, eine Grundeigenschaft des Menschen*), the same programme shows the historic as well as contemporary reasons that lead people to leave their country.

In 2000, the transnational 'Diversity' training programme of the Anti-Defamation League (ADL) was launched in Austria. It is designed to train teachers, other educators, students and peer groups to facilitate increased awareness and tolerance.

Within the Austrian Public Service System, several initiatives were continued in 2000. In particular the further training of officials in the legislative departments and of police officers was extended. Special seminars were laid on for key officials in the Department of the Interior and Justice to familiarise personnel with different cultures and become sensitised to intercultural contexts.¹⁵⁸

Intercultural training courses for trainees of the police have regularly been provided by the NGO, Volkshilfe Österreich, and the European Training and Research Centre for Human Rights and Democracy¹⁵⁹. The EU, the Volkshilfe and the police force have financed these seminars. With the support of the City Council for Integration in Vienna, intercultural seminars and awareness-raising courses on racism and discrimination for officials from the departments of social work, youth, health, and refuse disposal were organised. A seminar called "The City as a service provider of a multiethnic society" forms part of the training for management within the City authority.

In Belgium, training schemes provided by the CEOOR were implemented in a variety of state agencies, notably the police force and the army (basic training in diversity management) but also the state airline, SABENA, social workers in a regional institute, and union activists, *inter alia*.

¹⁵⁸ Information on Measures against Racism, Xenophobia and anti-Semitism in Austria, by Office of the Federal Chancellery, June 2001

¹⁵⁹ see <http://www.volkshilfe.at/> and <http://www.etc-graz.at/>

The National Lottery has funded awareness-raising and anti-racist projects at national and local level for ten years through the *Fonds d'impulsion à la politique des immigrés*. In 2000, over 400 projects were funded with 299.5 million Belgian Francs. Belgium co-hosted the Euro 2000 soccer championship, and a television campaign featuring one of the national team, Emile M'Penza, a Black ethnic minority player, ran on national and local channels in June and July.

In Denmark, the Government has taken a series of initiatives to strengthen and develop integration measures in primary schools. These have included a number of publications, which give parents and teachers examples of good practice and guidance on how lessons and the school day can be organised so as to take account of the special cultural and religious background of different groups.

A new training programme for Danish police personnel comprises tuition in human rights and knowledge of the role of the police in a society with many ethnic minorities as well as knowledge of the influence of culturally conditioned behaviour on the interaction between foreigners and the police.

In Finland, an example of the perpetrator-orientated approach to awareness raising and education on anti-racism is the EXIT project in Joensuu. The project tries to stimulate young skinheads to get themselves out of the skinhead groups. The stimulation is also directed towards their parents (by means of meetings and courses, etc.).¹⁶⁰

A Romani Education Unit (established in 1994) within the Finnish National Board of Education has been working actively to produce and publish learning material on Romani culture for secondary and high school pupils, as well as for adult education (both in Finnish and in the Romani language). The Unit publishes a quarterly information bulletin on Roma issues, and co-ordinates an international Comenius Programme 'Rom-sf' project (also covering Sweden and Portugal) that focuses on gathering, recording and publishing information on Romani traditions.¹⁶¹

In Germany, the transnational Diversity Training programme "A World of Difference/Workplace" was conceptualised by the Anti-Defamation League and adapted to suit the German vocational school curricula with the assistance of various teachers' training institutes, the Centre for Applied Policy Research of Munich University and Bertelsmann Publications. This method is designed to facilitate intercultural competence and to promote tolerance both for employees dealing with international markets and clients as well as a tool for promoting tolerance of apprentices and trainees at the workplace and for vocational school teachers, professional trainers, facilitators and corporate consultants. The training manual was revised in 2000 and has proven successful in its implementation.

¹⁶⁰ Harinen, Keski-salo & Perho (2001), in Makkonen, T. Racism in Finland 2000, Helsinki: Finnish League for Human Rights, pp. 209-230, available at <http://www.ihmisoikeusliitto.fi/engframe.html>

¹⁶¹ National Board of Education; Save the Children 2001.

Also the "Alliance for Democracy and Tolerance" ("*Bündnis für Demokratie und Toleranz*") was founded. Its task is to link all organisations working against xenophobic, racist or anti-Semitic initiatives. The Alliance collects lists of activities and documents examples of civil involvement. The central day of presentation of the Alliance's work will be May 23rd, when it will present workshops, music debates and the honouring of special initiatives.¹⁶² The Alliance introduced the "XENOS" education programme, which employs training methods and intercultural education projects for teaching young adults and students how to live and work in cultural diversity.

In the Netherlands, in 2000, increasing efforts were made to compensate those children with Dutch as their second language. This was undertaken in the context of the National Policy framework, directed at giving children the best possible start to school, e.g. Dutch language skills, reducing drop-out rates, bringing children from the disadvantaged groups into the school system and making the educational system and the local needs more compatible.

In Portugal, the Ombudsman against Ethnic Discrimination was established in 1999. In the area of education, the Ombudsman co-operates with the Institute of Employment and Vocational Training (IEFP). Together they organise vocational training fostering the inclusion of immigrants and ethnic minorities into the labour market. In co-operation with the Ministry of Education, they carry out various intercultural projects in schools. To this end they have published various handbooks and other materials for students on anti-racism, anti-discrimination and multiculturalism. Furthermore, the Ministry of Education sponsors intercultural seminars directed at teachers, and supports schools, which want to work with cultural mediators. There have been specific mediators focusing on Roma and the African population.

In Sweden, the 'Living History' project (initiated in 1997) concluded with a conference on the Holocaust in January 2000. The purpose of the project was to inform people about the Holocaust, and included political demonstrations, information booklets aimed at schoolchildren, and activities at all levels of the education system and museums. In the 'Living History' project, the Government provided educational material on the Holocaust to schoolchildren and families throughout the country.

In November, the Union of Municipal Authorities jointly organised a conference on racism and neo-Nazi criminality with the Board of Integration, the 'Forum for Living History' within the Government, and CEIFO (Stockholm University).

In the United Kingdom, several projects are ongoing in the field of Education and Awareness training. A project¹⁶³ to tackle racist bullying in Schools, aims to tackle bullying and prejudice in young children (aged 8-12 years) through the establishment of story circles in schools, libraries and

¹⁶² For more information see www.buendnis-toleranz.de

¹⁶³ <http://www.heartstone.co.uk>

community centres and using a pack, *The Heartstone Odyssey*, which encourages children to discuss the issues raised in the story.

The Heartstone Odyssey has been successfully used by infant and primary schools in every part of Britain, in all-white areas, in areas where 90 per cent of the population is Asian and in those where communities of different ethnic origin live alongside each other. It has also been used by the School of Education at the University of Exeter to help raise awareness of issues related to multicultural education in initial teacher training for undergraduates.

Another successful project is Training for the Judiciary, which aims to meet two basic training needs: the need for information (demography, cultural characteristics of the principal ethnic minority communities); and the need for personal awareness of how ignorance, misunderstanding or use of inappropriate language might - often unwittingly - give offence or cause injustice to occur. The underlying philosophy was to change perceptions, which might lead to discriminatory sentencing, and to develop ways of dealing sensitively and effectively with offences involving a racial motivation.

The Runnymede Trust¹⁶⁴ is currently undertaking research concerned with good practice in School-Business Mentoring for ethnic minority pupils. The Runnymede Trust also published the report of its 'Commission on the Future of Multi-Ethnic Britain'. The report described Britain as a 'Community of Communities', with a population that is not polarised into majority and minority populations, but is made up of many different religious, ethnic, cultural and regional communities. The report made detailed recommendation for combating racism at all levels of society.

¹⁶⁴ <http://www.runnymedetrust.org>

4.5 Summary and follow up

4.5.1 Summary

In 2000, EU Governments and other actors in the Member States took a series of initiatives, to combat racism and discrimination through legislation and other measures.

Legislative and institutional anti-discrimination initiatives

The adoption by the Member States of the Council Directives related to the Article 13 EC Treaty provides a framework to enact legislation and designate institutional mechanisms to tackle discrimination. In some Member States this work has started. For example in Greece, the Parliament set up independent State Authorities to protect and promote human rights in general and the principle of non-discrimination in particular. In Ireland, the Equal Status Act, to promote and defend equality issues, came into force. The Special Permanent Commission against Racial Discrimination in Luxembourg was given changes to its mandates and a Consultative Commission on Human Rights was established. In the UK the Human Rights Act came into law, which introduces protection against discrimination on the grounds of religion to Great Britain. The amendments to the Race Relations Act brings fully within the scope of the Act a wider range of functions of public authorities such as law enforcement and imposes a duty on public authorities to promote racial equality.

The UN Convention on Human Rights has been fully implemented in Ireland; the convention on regional languages has been ratified in Austria, and the convention on Minority languages in Sweden. A Commission to assess the necessity to incorporate several human rights convention into national law has been established by the Danish Government. And in Sweden, legislative measurements have been taken to limit the activities of neo-Nazi organisations.

Policies for the integration of immigrants

Special policies for integration of immigrants are considered a necessary step for creating equality and preventing racial/ethnic discrimination. In Member States with long experience of immigration, integration policies do exist, but these might need to be updated. In 2000, in Belgium a reform of the Nationality Code became law, providing more flexible conditions for the acquisition of citizenship. A Commission of Migration "Zuwanderungskommission" was established in Germany to co-ordinate migration and integration and the new right to citizenship came into force. Moreover, improvements in work permits for asylum seekers and refugees were introduced. In Spain, amendments to the existing legislation related to discrimination and social exclusion were introduced, focusing on social and civil rights for established immigrants.

With regard to the labour market, in Austria, a number of measures were introduced in order to facilitate and promote the integration of immigrants.

The new Danish Act on Integration was amended by rules for family reunification. The parliament in the Netherlands adopted a law to encourage employers to diversify their recruitment. In Spain, the Municipal Immigration Council of Barcelona works to design appropriate policies for integration of immigrants.

Mainstreaming Cultural Diversity at Work

Most acts of discrimination have been found to take place in the labour market and in workplaces. At the same time, there are a lot of initiatives taken by various actors to combat discrimination and promote cultural diversity in the workplaces. The EUMC study on good practice reveals initiatives directed towards employers, employees and minorities.

Most Member States can report on Government co-ordinated projects to combat discrimination and facilitate recruitment of immigrants in the private and public sectors. The Dutch Government has, for example, initiated an action plan with the 15 largest companies, offering training for managers. Grants or prizes for cultural diversity in the private sector are offered in Belgium and Sweden. In Portugal, a special cultural diversity project linked to the health sector has proven to be successful. Affirmative action in recruitment is practised in Sweden, and a special project on the recruitment of international engineers is given support

However, when facilitating recruitment for immigrants, employers also try to act in advance to prevent the majority population's protests. For this reason, special mediation agents are employed in France. In Sweden, the Ombudsman has produced a handbook on good practice in promoting cultural diversity. In the UK there are companies specialised in convincing companies about the positive outcomes of diversity.

In some Member States, employers associations meet regularly for the exchange of international experiences of diversity (Finland, Sweden). In addition, the trade unions have developed projects to make immigrants more attractive to employers, and in some cases arrange seminars for the exchange of experiences about difficulties and solutions related to discrimination and conflicts. Job data banks and telephone hotlines for immigrants are provided in several Member States, like Spain, Sweden, and the UK. Training sessions enabling immigrants to be better prepared for the labour market are another type of initiative in practice. In addition, ministries and specialised bodies offer vocational training for immigrants. Awareness and intercultural training in various forms, and at all levels in private and public companies are provided in most Member States.

Education and awareness raising

Education and awareness raising are considered necessary and basic steps to prevent prejudice, racist attitudes and discrimination. Efforts are made in all Member States, but the focus varies. In 2000, human rights training for police officers (Denmark) as well as for other professionals (Belgium) were reported. Another focus was diversity management training for various professionals (Belgium)

Special awareness training aimed at understanding why people emigrate was provided in Austria, and a special day for democracy and tolerance was initiated in Germany. The Holocaust was given attention in different forms (Austria and Sweden). Another aspect of education in this field might be special training for immigrant children in the majority language (Greece, Netherlands), or support for minorities in developing their mother tongue (Finland).

4.5.2 Follow up initiatives by the EUMC

In its Work Programmes the EUMC will

- Initiate a comparative research study on legislative initiatives taken in 2000 concerning racism in the Member States. In addition, it will publish a report comparing Member States national legislation with the adopted Article 13 Council Directives and provide an overview of Member States' legislation against discrimination on grounds of race or ethnicity and religion or belief.
- Examine initiatives and institutional mechanisms/good practices, for the integration of migrants and ethnic minority groups in the Member States.
- Based on the RAXEN data the EUMC will carry a comparative research study focussing on access to employment opportunities and discriminatory practices in the workplace. Another aspect relates to initiatives to prevent racist and discriminatory phenomena.
- The EUMC will carry out a comparative study on education based on the RAXEN data. The study will include aspects related to racial, ethnic, religious and cultural discrimination, and awareness training, vocational training in the field of integration, cultural and social diversity.

Annex to Part I

Demographic situation in the European Union

The following paragraphs give an overview of the demographical situation of non-nationals in different member states. A non-national of a given country means a person who does not have the nationality of that country¹⁶⁵. It must also be recognized that the right to get the citizenship of the "host" country for non-nationals is quite different in the Member States. Some information relating to working integration of non-nationals allows some comparisons between Member States but the data are only as accurate as their sources.

This country-by-country description follows the same pattern. The first paragraph gives some data relating to the demographic situation and the second some data relating to the working integration of non-nationals. With regard to unemployment of non-nationals, the report underlines the lack of national data.

Austria

Austria has a total population of 8.1 million, of which, 758.000 are non-Austrian nationals, mainly immigrants. The largest immigration group comes from the ex-Yugoslavia, which accounts for 4.2 per cent of the total population and 46 per cent of the non-Austrians. The second largest immigrant group comes from Turkey, in total 18 per cent of the non-Austrian population and 12 per cent of the EU-nationals, mostly Germans¹⁶⁶.

Official Austrian figures show that 6.5 per cent of the Austrian and 8.2 per cent of the non-Austrian labour force was unemployed in 1999 (annual average). This is a 26 per cent difference. Broken down by gender the difference was only 10 per cent among the women (6.8 per cent vs. 7.5 per cent) but 37 per cent among the men (6.2 per cent vs. 8.5 per cent).¹⁶⁷

Belgium

In January 2000, Belgium had a total population of 10.2 million of which 891,980 non-nationals, approximately 9 per cent of the whole population. The foreign population has been composed in the last ten years of 12 nationalities that together comprise more than 85 per cent of the foreigners in Belgium. Italians are the largest group with 202,645 nationals; followed by the Moroccans with 125,082, the French with 105,113, the Dutch with 84,213 and the Turks with 70,701 nationals. At a lower level, the Spanish population comes to 46,635, the Germans 34,044, the British 25,902, the Portuguese 25,507, the Greeks 18,832, the Zairians 12,428 and the North-Americans 12,394. The remaining 15 per cent of the foreign population comprise about 20 nationalities drawn from Northern Europe (Finland, Denmark, etc.),

¹⁶⁵ Definition according to Eurostat (The European social statistics, Demography, theme 3 (2000), Luxembourg: Eurostat, European Commission, p.160)

¹⁶⁶ Statistik Austria. Author's calculation (CEMES 2001)

¹⁶⁷ Statistik Austria; Public Employment Service (AMS)

Eastern Europe (Romania, Poland, etc.) and Northern Africa (Algeria, Tunisia, etc.).¹⁶⁸

In 1998, Belgium's working population comprised about 4.3 million people. This number includes 3,106,719 salaried employees, 681,755 unsalaried and 505,282 unemployed workers. The total unemployment rate is approximately 12%. Out of 505,282 unemployed workers, there are 413,916 Belgians against 91,316 foreigners. That is 18 per cent of the total of the unemployed workers when the total of the foreign working population is 9 per cent of the total working population in Belgium.¹⁶⁹

Denmark

In 2001, Denmark has a total population of 5,35 million inhabitants¹⁷⁰ out of which 4.8% non-nationals, i.e. 258,630 people. Turkish remains the largest minority group in Denmark, more than 35,232 people, but closely followed by the former Yugoslavia, 34,954 people. There are 25,490 people from Africa, of which 14,447 Somalians, and 56,534 from Asia, of which 13,821 Iraqis. There are 308,674 immigrants, out of which 214,868 non-Europeans; and 87,223 descendants, out of which 75,926 are non-European.

According to the Eurostat survey¹⁷¹, the total unemployment rate¹⁷² is 4.1 per cent whereas the non-EU nationals' unemployment rate is 13.9 per cent and EU nationals unemployment rate is 2.0 per cent.

Finland

Finland has a total population of 5.1 million, of which 90,000 are non-nationals, i.e. 1.7 per cent. The largest groups of foreign citizens today come from the former Soviet Union, approximately 37,000.¹⁷³ Thereafter there are around 11,000 Estonians, more than 5,000 Somalians and 3,600 Soviets (most of whom stem from the Russian part of the former Union). Finland is fairly homogenous with only a few endogenous, nation specific minorities: the Sami (about 6,000), the Romani (about 9,000), the Jewish (less than 2,000) and the Tatar (less than 1,000). In some respect the Swedish speaking population (ca 300,000) can be regarded to be a *de facto* minority.¹⁷⁴

The unemployed rate is around 10 per cent, but for many immigrant groups it is considerably higher. For all foreigners, the number is 34 per cent. It can be as high as 80 per cent unemployed for refugees from Iraq or Iran.¹⁷⁵

¹⁶⁸INS/CEDEM: 1998.

¹⁶⁹INS/INASTI/CEDEM, 1998.

¹⁷⁰ The Danish ministry of Interior.

¹⁷¹ Eurostat (2000), Eurostat Labour Force Survey 2000

¹⁷² unemployed people between 25 and 64 years old / (employed + unemployed people).

¹⁷³ Around 20 000 of them are Ingrian Finns, who are considered to be 'returning migrants'. The Ingrians are mostly Russian citizens, but they are in many cases also citizens of the former Soviet Union. Besides the Ingrians, the largest single immigrant group is the Russian citizens, with about 17 000 members.

¹⁷⁴ Statistics Finland. Foreigners & International Migration 1999.

¹⁷⁵ Ibid.

France

France has a population of 58.5 million inhabitants, of which 3.6 million are foreigners by nationality or origin (around six percent of the total population). The largest foreign groups are the Algerians, 575,740 (13.4 per cent of all immigrants¹⁷⁶ and the Portuguese, 570,000 (13.2 per cent) and the Moroccans, 521,000 (12.1 per cent). The Italians, 381,000 (8.8 per cent), the Spanish, 316,500 (7.3 per cent), the Turks, 176,000 (4.1 per cent), the natives of sub-Saharan Black Africans, 170,000 (4 per cent) and the South-East Asians, 170,680 (4 per cent) express the diversity of French immigration.¹⁷⁷

Immigrants represent 8.1 per cent of the working population. The unemployment rate reaches 19.7 per cent for the foreign men whereas the unemployment rate of all men in France is 10.2 per cent. 23.1 per cent of foreign women are unemployed, compared with 13.1 per cent of all women in France.¹⁷⁸

Germany

In January 2000, Germany had a total population of 82.2 million, of which 9 per cent are non-nationals i.e., 7.4 million people. The former recruitment countries are still the most important areas of origin of immigrants living in Germany. In 1998, 2.1 million people with a Turkish passport lived in Germany.¹⁷⁹ This represents 28.8 per cent of the foreign population in Germany. The second largest group were immigrants from former Yugoslavia with 719,500 people or 9.8 per cent of the foreign population. Third and fourth largest groups were also coming from former recruitment countries but were smaller: Italy with 612,000 immigrants or 8.4 per cent of the foreign population and Greece with 363,500 people or 5.0 per cent of the foreign population. Of the country without recruitment background, 283,600 Poles were living in Germany in 1998, which represent 3.9 per cent of the foreign population. Immigrants from industrialised countries came in highest numbers from Austria (185,200), the United Kingdom (114,100), the Netherlands (122,100) and the United States (110,700). Among the Immigrants from developing countries those from Iran (115,100) and Vietnam (114,100) form the largest groups.¹⁸⁰

In July 2001, 3.69 million unemployed people were registered,¹⁸¹ i.e. 4.5 per cent of the total population. In 1999, 478,000 immigrants were registered as unemployed. At the end of the 1990's it reached 18.4 per cent and was clearly above that of the German labour force. There is a difference of unemployment rates by nationality. Turkey has the highest rate, 23.2 per cent and the Ex-Yugoslavia has the lowest rate, 11.6 per cent.¹⁸²

¹⁷⁶ Immigrants " it includes only the primary migrants, whether they came as adult or as children "

¹⁷⁷ INSEE, Census 1999.

¹⁷⁸ INSEE, Labour Survey 1999.

¹⁷⁹ Federal Ministry of the Interior 2001; pp. 1&54.

¹⁸⁰ Beauftragte der Bundesregierung für Ausländerfragen (2000)

¹⁸¹ Bundesministerium der Finanzen, Die wirtschaftliche Lage in der Bundesrepublik Deutschland, Monatsbericht 07/2001.

¹⁸² Amtliche Nachrichten der Bundesanstalt für Arbeit (ANBA)

Greece

Greece has a population of 10.5 million,¹⁸³ of which 161,200 are non-nationals¹⁸⁴, approximately 1.5 per cent. Nevertheless, if illegal immigrants (since 1998, partly covered by legislation.¹⁸⁵) are taken into account, the immigration population¹⁸⁶ in Greece is approximately of 900,000 people. Ethnic minorities in Greece consist, in the main, of the following segments: The Muslim population, officially estimated as 96,000 adherents, is 50 per cent Turkish, 35 per cent Pomak, and 15 per cent Roma (the total number of the Roma varies between 150,000 and 300,000, depending on the source); the Vlachs; the Arvanites (Orthodox Christians who speak a dialect of Albanian); the "Macedonians" or the "Slavo Macedonians"; the Albanians; and the Jews (5,000).¹⁸⁷ The dominant nationality is that of Albanians with 64.94 per cent, followed at a great distance by the Bulgarians with 6.76 per cent, and the Romanians with 4.55 per cent. There is a predominance of Eastern Europeans.¹⁸⁸

According to a Eurostat survey¹⁸⁹, the unemployment rate¹⁹⁰ is 8.8 percent for the whole population whereas the unemployment rate of non-EU nationals is 9.9 percent and for EU-nationals, 16.2 percent.

Ireland

Ireland has a total population of 3.7 million people¹⁹¹ of which 114,000 are non-nationals¹⁹², i.e. approximately 3 per cent. The number of non-EU citizens increased from 8,400 in 1983 to 22,000 in 1997. In 1998, the number of refugees and asylum-seekers rose to some 4,500, while the overall number of immigrants to Ireland reached an all-time high, 44,000 persons, almost half of them being from the United Kingdom. The largest ethnic group comprises of the so-called Travellers, about 25,000 - 27,000 in total, which have their own language, history, and culture. In statistical terms, the Travellers are followed first by the Chinese and secondly by various nationally and religiously identified groups from South Asia.¹⁹³ Overall, Ireland has some 70,000 people of ethnic minority background, approximately 2 per cent of the total population.¹⁹⁴

¹⁸³ Eurostat, population on 1.1.1999 (The European social statistics, Demography, theme 3 (2000), Luxembourg: Eurostat, European Commission, p.50)

¹⁸⁴ Ausländer in den Staaten der EU nach Herkunft am 1.1.1997, Isoplan, Institut für Entwicklungsforschung, Wirtschaft- und Sozialplanung GmbH (Dezember 2000), 4. aktualisierte Auflage, Isoplan, 20.

¹⁸⁵ NSSG: Statistical Yearbook of Greece 1998.

¹⁸⁶ ¹⁸⁶ The target group includes two categories of immigrants of Greek descent, the Greek-Albanian, the so-called North Epirotes and the Greek Pontians (ethnic Greeks returning from the former USSR) because they have been refused the Greek citizenship they are normally entitled to.

¹⁸⁷ OECD 1999 p.147

¹⁸⁸ NSSG: Statistical Yearbook of Greece 1998.

¹⁸⁹ Eurostat (2000), Eurostat Labour Force Survey 2000

¹⁹⁰ unemployed people between 25 and 64 years old / (employed + unemployed people).

¹⁹¹ Eurostat, population on 1.1.1999 (The European social statistics, Demography, theme 3 (2000), Luxembourg: Eurostat, European Commission, p.50)

¹⁹² Ausländer in den Staaten der EU nach Herkunft am 1.1.1997, Isoplan, Institut für Entwicklungsforschung, Wirtschaft- und Sozialplanung GmbH (Dezember 2000), 4. aktualisierte Auflage, Isoplan, 20.

¹⁹³ OECD (1999), pp. 155-157.

¹⁹⁴ EUMC, the European statistical atlas on racial violence 1995-2000.

According to the Eurostat labour survey¹⁹⁵, the unemployment rate¹⁹⁶ is 3.8 per cent whereas the unemployment for non-EU nationals is 5.4 per cent and for EU-nationals, 5.9 per cent.

Italy

Italy has a total population of 57.6 million¹⁹⁷ of which 884,500 are non-nationals¹⁹⁸, i.e. approximately 1.5 per cent. Almost 40 per cent of valid residence permits as of 31 December 1999 are issued to European nationals, 66 per cent of whom come from Eastern Europe. Africa ranks second, accounting for 28.5 per cent of residence permits, followed by Asia (19.2 per cent) and America (12.2 per cent). The most remarkable change which has occurred throughout the 1990s is represented by the growing presence of Eastern European nationals, whose incidence within the total immigrant population was 5.6 per cent in 1990 and rose to 26.3 per cent in 1999. 180 different countries of origin are represented among migrants currently living in Italy. Moroccans represent the largest community, account only for 11.7 per cent of the total immigrant population, followed by Albanians, i.e. 9.2 per cent of the total immigrant population. Moroccans and Albanians are the only two communities who number more than 100,000 persons. There are three groups with more than 50,000 nationals in Italy: Filipinos (61,000), former Yugoslavians (54,000) and Romanians (51,000).¹⁹⁹

Immigrants' unemployment rates are to be higher than Italians. In 1999 it amounted to 19.4 per cent, against 11.4 per cent for Italians. Nevertheless, the number of non-EU unemployed recorded by job centres showed a slight decrease in recent years: from about 206,000 in 1998 to 204,573 in 1999. This slight improvement is in line with a general trend of economic recovery: the national unemployment rate fell from 11.9 per cent to 11.4 per cent in the same period. According to a survey conducted by ISMU in Milan in 1998, the unemployment rate within the different ethnic communities ranged from 5 per cent for Filipinos to 27.3 per cent for Moroccans, 31 per cent for Tunisians and 48.3 per cent for Albanians.²⁰⁰

Luxembourg

Luxembourg has about 435,700 inhabitants among whom there are 159,900 non-nationals (36% per cent). Some 90 per cent of the foreign population are EU nationals. The main communities of non-nationals are currently Portuguese with about 57,000 nationals, Italians with 20,100 nationals, French with 18,800, Belgians with 14,500 nationals, Germans with 10,500, British with 4,600 and Dutch with 3,800 nationals.²⁰¹

¹⁹⁵ Eurostat (2000), Eurostat Labour Force Survey 2000

¹⁹⁶ unemployed people between 25 and 64 years old / (employed + unemployed people).

¹⁹⁷ Eurostat, population on 1.1.1999 (The European social statistics, Demography, theme 3 (2000), Luxembourg: Eurostat, European Commission, p.50)

¹⁹⁸ Ausländer in den Staaten der EU nach Herkunft am 1.1.1997, Isoplan, Institut für Entwicklungsforschung, Wirtschaft- und Sozialplanung GmbH (Dezember 2000), 4. aktualisierte Auflage, Isoplan, 20.

¹⁹⁹ Caritas report 2000.

²⁰⁰ Ibid.

²⁰¹ STATEC/CEDEM 2000

In July 2001, the unemployment rate of the active population is 2.4 per cent²⁰². The unemployment figures by nationality show that for every 100 job-seekers the natives of Luxembourg make up 43 per cent, the Portuguese 22.1 per cent, the Italians 7.2 per cent, the French 6.4 per cent, the Belgians 4.6 per cent, and the Germans 2.8 per cent.²⁰³

The Netherlands

In January 2000, there were 15.8 million inhabitants in the Netherlands, of whom 662,400, were non-Dutch (around 4,2 percent)²⁰⁴. Of these half came from other EU countries (1999: 192,200). The main groups from other countries are from the former colonies of Surinam (1999: 15,500, non-Dutch, and the Surinamese ethnic minority: 298,700) and the Antilles (1999: the Surinamese ethnic minority: 106,000) on the one hand and the former guest workers from Turkey (1999: 102,000 immigrants) and Morocco (1999: 128,600 immigrants) on the other. In most recent years, some population in the form of refugees and asylum-seekers from a wide range of countries, most notably the near and far east (1999: Former-Yugoslavia, 22,400 immigrants), and the continent of Africa (1999: Ghanaian, 4,000 immigrants; Somali, 8,900 immigrants).²⁰⁵

Indigenous unemployment rates (1998: men, 3.3 per cent²⁰⁶; women, 4.2 per cent) are the lowest but Surinamese (men, 9.3 per cent; women, 9.9 per cent) and Antillean (men, 8.5 per cent, women, 16.6 per cent) rates are much higher and Turkish (men, 17.1 per cent; women, 18.8 per cent) and Moroccan (men, 19.1 per cent ; women, 21.2 per cent) rates highest of all. It has been estimated that about half of the difference between ethnic minority and indigenous unemployment rates can be attributed to discrimination (Niesing et al 1994).²⁰⁷

Portugal

In 2000, Portugal had a population of 9.9 million of which 177,774 were non-nationals (around two percent).²⁰⁸ Of these about 52,000 were from Europe, 82,500 from Africa, 10,000 from northern America, 25,000 from Latin America and the Caribbean, and 8,000 from Asia. The countries with the highest number of emigrants in Portugal were Cape Verde (about 40,000 people) and Brazil (about 20,000). The only other countries with more than 10,000 people resident in Portugal were Angola (about 16,000) and Guinea Bissau (about 13,000).²⁰⁹

²⁰² STATEC/July 2001, available at http://www.statec.lu/html_fr/statistiques/statistiques_par_domaine/emploi/index.html

²⁰³ Administration générale de la sécurité sociale, Luxembourg/CEDEM: 1998.

²⁰⁴ Non-Dutch nationals are all persons not holding a passport with the exception of the diplomats, NATO military staff and the asylum seekers residing the Netherlands for less than one year without a residence permit.

²⁰⁵ Central Bureau of Statistics 2000.

²⁰⁶ The registered unemployed as percentage of the labour force, by ethnic group, gender and age.

²⁰⁷ SPVA-98, ISEO & SCP

²⁰⁸ Estatísticas Demográficas 1998. Estimation of total population by INE.

²⁰⁹ Estatísticas Demográficas 1996,1997.s

The total unemployment rate is 4 per cent²¹⁰. Compared with the domestic population only two foreign groups (Mozambiquans and immigrants from S. Tome) show higher inactivity rates than the ones observed for the Portuguese citizens.

Spain

Spain has a total population of 39.4 million²¹¹ of which 801,000 non-nationals (around two percent)²¹². The estimated figure for the total number of non-nationals for the year 2000 is forecast to reach one million. Moroccans (140,896 residents in Spain) form the largest minority in Spain, followed by nationals from the UK (74,419 residents), Germany (58,089 residents), Latin America (84,678 residents) and Asia (60,714 residents).²¹³ The number of immigrants is constantly increasing, but most of them are not documented. According to the Eurostat survey²¹⁴, the total unemployment rate²¹⁵ is 12.1 per cent, the non-EU nationals' unemployment rate is 17 per cent and the EU nationals' unemployment rate is 9,2 per cent.

Sweden

Sweden has a total population of 8.8 million of which 582,000 are non-nationals, approximately 6.6 percent. There are approximately 400,000 foreign-born citizens residing in Sweden on a temporary or permanent basis, representing 4.5 percent of the current population. There are approximately 582,000 foreign-born persons who have naturalized to Swedish citizenship, corresponding to 6.6 percent of the total population. The foreign born (Swedish as well as foreign citizens) total approximately 982,000 or 11.1 percent of the population. The majority of the foreign-born came from Finland (196,998) and from Yugoslavia (128,662). Four minorities are recognized in Sweden, the Romanies (estimated at 25,000), the Jews (approximately 20,000 or 0.2), the Tornedal Finns (25,000 or 0.3 per cent) and the Saami (17,000 or 0,2 per cent).²¹⁶

According to the Eurostat survey²¹⁷, the total unemployment rate²¹⁸ is 5.1 per cent, the non-EU nationals' unemployment rate is 21.3 per cent and the EU nationals' unemployment rate is 6.3 per cent. Labour market participation is considerably lower for non-Swedish citizens than for Swedish citizens. It is specifically low for persons from ex-Yugoslavia (13,000 unemployed), Turkey and Iran.²¹⁹

²¹⁰ OCDE 2001, study of the economical situation in Portugal,

<http://www.oecd.org/publications/Library/webook/01-2001-14-2/2.htm>

²¹¹ Eurostat, population on 1.1.1999 (The European social statistics, Demography, theme 3 (2000), Luxembourg: Eurostat, European Commission, p.50)

²¹² Ausländer in den Staaten der EU nach Herkunft am 1.1.1997, Isoplan, Institut für Entwicklungsforschung, Wirtschaft- und Sozialplanung GmbH (Dezember 2000), 4. aktualisiert Auflage, Isoplan, 20.

²¹³ CEMES 2001, own resources from Dirección General de la Colicía del Ministerio del Interior.

²¹⁴ Eurostat (2000), Eurostat Labour Force Survey 2000

²¹⁵ unemployed people between 25 and 64 years old / (employed + unemployed people).

²¹⁶ AKU : 1998.

²¹⁷ Eurostat :Eurostat Labour Force Survey 2000

²¹⁸ unemployed people between 25 and 64 years old / (employed + unemployed people).

²¹⁹ Ibid.

United Kingdom

The United Kingdom has a population of 59.6 million (2000)²²⁰, of which 2.1 million are non-nationals²²¹, approximately 3.6 percent. Ethnic Minorities account for around 6% of the total population (including members of the British Jewish community). Main groups of Religious Minorities (non-Christian) are Muslim, Hindu, Sikh and Jewish – these figures are extrapolated from those related to ethnic minorities as the UK does not currently maintain data on religious affiliation of the population²²².

The population estimates of the late 1990s indicate that 2 per cent of the population aged ten and over in England and Wales were of black ethnic origin, 3 per cent of Asian origin and 1 per cent of 'other' non-white ethnic origin. In London one-fifth of the population is of black ethnic origin. Ethnic minorities amount to 6.2 per cent of the population in England, 1.5 per cent in Wales, and 1.3 per cent in Scotland. Nearly half of ethnic minority people in England were born in the UK.²²³

The unemployment rate in the United Kingdom is 5.9 per cent for all sixteen years old and over. White people have a rate of 5.6 per cent whereas black people have a rate of 15.6 per cent. There is a rate of 7.7 per cent for the Indians, 18.2 per cent for the Pakistanis /Bangladesh and 12.3 per cent for other ethnic, religious and cultural minorities.²²⁴

²²⁰ [http://encarta, encarta.msn.co.uk](http://encarta.msn.co.uk).

²²¹ Ausländer in den Staaten der EU nach Herkunft am 1.1.1997, Isoplan, Institut für Entwicklungsforschung, Wirtschaft- und Sozialplanung GmbH (Dezember 2000), 4. aktualisierte Auflage, Isoplan, 20.

²²² Figures based on Ethnic Minorities in Britain, CRE Factsheet 1999.

²²³ Institute of Race Relations (2000b), p. 1.

²²⁴ ONS, Labour Force Survey (LFS) Spring 1998 to Winter 1999/2000 averaged.

PART II

DEVELOPMENT OF EUROPEAN UNION POLICY ON COMBATING RACISM

1 DEVELOPMENT OF EUROPEAN UNION POLICY ON COMBATING RACISM

1.1 Introduction

The European Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law, principles which are common to the Member States. The right to equality before the law and the protection of all persons against discrimination is essential to the proper functioning of democratic societies and the protection of fundamental rights and the fight against racism are firmly fixed in its foundations and in EU on-going activities.

The Amsterdam Treaty which entered into force in May 1999, reinforced the provisions governing human rights and fundamental freedoms at the heart of the EU (Article 6 and Article 7 of the Treaty on the European Union), and introduced a new Article 13 into the EC Treaty. Article 6 recalls the commitments of the EU to defend human rights and basic freedoms. Article 7 introduces the possibility for the EU to take sanctions against a Member State, which violate fundamental rights and basic freedoms.²²⁵ Under Article 13, the Community acquired for the first time, the power to take legislative action to combat racial discrimination.

The Commission proposed its package of measures to implement Article 13 in November 1999, including legislation prohibiting racial discrimination throughout the EU. The legislation was accepted as a top priority, and was speedily adopted by the Council in June 2000.

In parallel to the work implementing Article 13, the EC has made the 'mainstreaming' of anti-racism into all policies a priority. So far this has proved particularly effective in the EU's external relations with other states, and internally in relation to police and judicial co-operation on criminal matters.

In all of this the Commission has paid great attention to the contribution which civil society can make. Much of what has to be done can only be achieved with the contribution of civil society organisations and concerted actions between public authorities and civil society. Organisations of civil society can help promote a more participatory democracy, chiefly because they can reach out to the poorest and most disadvantaged population groups and give a voice to those who are debarred from using other channels. Their specific skills and their connections at local, regional, national and international level may also contribute to policy design and to the management, follow-up and evaluation of actions.

²²⁵ This possibility has even been reinforced under the draft Treaty of Nice concluded in February 2001.

1.2 The Charter of Fundamental Rights

The most recent reinforcement of fundamental rights and non-discrimination in the EU came with the proclamation of the Charter of fundamental rights at the Nice European Council on 7 December 2000. The aim of the Charter is to strengthen the protection of fundamental rights in the light of change in society and social progress, by making those rights more visible. The Charter reaffirms the rights as they result, in particular, from the Constitutional traditions and international obligations common to Member States of the Union, from the European Convention for the Protection of Human Rights and Fundamental Freedoms, from the European Social Charter and the Community Charter of the Fundamental Social Rights of Workers or from the Treaty on European Union itself.

In respect for the principle of universalism, the rights set forth in the Charter (except those directly linked with citizenship of the Union) are generally given to all persons, irrespective of their nationality or residence. Among Articles of particular relevance, Article 1 guarantees the respect and protection of human dignity and Article 21 of the Charter prohibits discrimination based on any ground including sex, colour, ethnic or social origin, language and religion and belief.

The declaration on the future of the European Union which was annexed to the Nice treaty expressly foresees that, in conformity with the conclusions of the European Council of Cologne, one of the issues to be discussed in the process leading to the Intergovernmental conference in 2004 concerns the status of the Charter. It is highly desirable for the sake of visibility and certainty as to the law, for the Charter to be made mandatory by way of its insertion into the treaties.

1.3 Legislation

1.3.1 Prohibiting racial discrimination

Discrimination on grounds of race or ethnic origin is banned to some extent in all Member States but its scope, content and enforcement differ considerably. All Member States have passed legislation outlawing racist violence and incitement to racial hatred (see point 3.2). Certain Member States have also enshrined non-discrimination in their constitutions, which may or may not vest individuals with a right of redress. A number of Member States have also adopted specific legislation, backed by the right of access to justice, with a view to banning discrimination in certain spheres of employment, whereas others have legislated in respect of other aspects of daily life such as access to goods and services and to education.

On 25 November 1999, two months after its nomination, the Commission adopted a package of anti-discrimination proposals²²⁶ implementing Article 13

²²⁶ Specifically, a directive concerning employment and outlawing the grounds for discrimination mentioned in Article 13 with the exception of sex (Council Directive 2000/78/EC of 27 November 2000, establishing a general framework for equal treatment in employment and occupation); a directive designed to combat

of EC Treaty. These included the draft directive on equal treatment irrespective of racial or ethnic origin, which was subsequently adopted by the Council on 29 June 2000.

The directive (2000/43/EC) sets out a binding framework for prohibiting racial discrimination throughout the EU, and it must be implemented in the national laws of the Member States by 19 July 2003. Once the period for implementing the directive outlawing racial discrimination has passed, the Commission will be responsible for ensuring that the Member States fulfil the obligations imposed by the directive.

The directive defines the concepts of direct and indirect discrimination and outlaws discrimination in the fields of employment, social protection including social security and health care, social advantages, education and access to the supply of goods and services, including housing. It gives persons who believe themselves to be victims of discrimination access to an administrative or judicial procedure so that they can assert their rights, associated with appropriate sanctions for those who discriminate. In order to strengthen the position of victims, the directive shifts the burden of proof on to respondents and empowers victims to seek the help of associations. The directive also outlaws racial harassment in the fields covered by the directive and prohibits retaliation against persons who have made use of rights flowing from the directive.

In addition, the directive requires that all Member States set up a body or bodies which may act independently to promote the principle of equal treatment irrespective of racial or ethnic origin. The main function of these bodies should be to support victims of discrimination, to conduct surveys or studies on discrimination, and to publish reports and deliver recommendations in the field of racial and ethnic discrimination.

The directive contains a set of minimum requirements: Member States may adopt or maintain provisions which are more favourable to the protection of the principle of equal treatment. Member States may also take 'positive action' to compensate disadvantages suffered by a particular racial or ethnic group.

Once the directive comes into force in 2003, every resident in the EU will be able to enforce their rights under the directive in their national courts.

1.3.2 Immigration and asylum issues

In December 1999 the Commission put forward a proposal for a directive on the right to family reunification,²²⁷ considering that family reunification is a necessary way of making a success of the integration of nationals of non-EU

discrimination based on race or ethnic origin in employment, social protection, education and access to and supply of goods and services (Council Directive 2000/43/EC of 29 June 2000, implementing the principle of equal treatment between persons irrespective of racial or ethnic origin); and an action programme to combat discrimination (Council Decision 2000/750/EC of 27 November 2000, establishing a Community action programme to combat discrimination: 2001 to 2006).

²²⁷ COM 1999 683 final, 1.12 1999

countries residing lawfully in the Member States. The right to family reunification flows from the need to protect the family as the natural and fundamental unit of society, as recognised by the Universal Declaration of Human Rights and the International Covenants of 1966 on Civil and Political Rights and on Economic and Social Rights. This right flows as well from the right to respect for family life secured in particular by the European Convention for the protection of human rights and fundamental freedoms of 1950 and proclaimed in the EU Charter. The draft directive is currently being discussed by the Council.

In May 2000, September 2000, March 2001, April 2001, the Commission put forward respectively proposals for directives on temporary protection in case of a mass influx of displaced persons²²⁸, asylum procedures for granting and withdrawing refugee status²²⁹, the status of third-country nationals who are long term residents²³⁰, reception conditions for asylum-seekers²³¹. They all contain a specific provision on non-discrimination for the implementation of the directive's provisions, in particular on the basis of race, ethnic origin or religion. In November 2000, the Commission issued two important policy documents²³² on the one hand on a common asylum procedure and a uniform status for persons granted asylum and on another hand on a Community immigration policy, where it is recalled that policies in that field must contain strong components of anti-racism, anti-xenophobia and anti-discrimination legislation and actions.

1.4 The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

The United Nations World Conference against Racism, organised by the office of the High Commissioner for Human Rights, will take place in South Africa in September 2001 and it will focus on action-oriented and practical steps to eradicate racism, including measures of prevention, education, protection and the provision of effective remedies.

The Commission adopted in June 2001 a Communication²³³ as a contribution to the debate taking place at the World Conference. It summarises the measures which have already been taken in the European Union to combat racism, and demonstrates what can be achieved by a group of states acting together at a regional level. It also invites the States represented at the World Conference to take account of the on-going work to combat racism in the European Union, and to consider how similar initiatives may be pursued elsewhere in the future. The World Conference will also provide an opportunity for the European Union to learn from the experiences of the rest

²²⁸ COM 2000 303 final, 24.5.2000

²²⁹ COM 2000 578 final, 20.9.2000

²³⁰ COM 2001 127 final, 13.3.2001

²³¹ COM 2001 181 final, 3.4.2001

²³² COM (2000) 755 and 757 final, 22.11.2000

²³³ COM (2001) 291 final.

of the world. This should help devise future strategies and measures to combat racism.

The Community has also been actively involved in the preparatory process of the conference in Europe, in the Americas, in Africa and in Asia. The Community provided funds to support the European NGO Forum in Strasbourg (10-11 October 2000), and contributed €3.6 million to the Office of the High Commissioner for Human rights to support the participation of NGOs in the preparatory process: Santiago de Chile (5-7 December 2000), Dakar (21-24 January 2001), Teheran (19-21 February 2001) and the World Conference itself.

1.5 Mainstreaming: Integrating the fight against racism in the Community policies

Following the impetus of the European Year against Racism in 1997 and the adoption of the Action Plan against racism in 1998²³⁴, the Commission has endeavoured to pursue a coherent strategy of integrating anti-racism into EU policies, known as mainstreaming.

The principle of "mainstreaming" involves mobilizing all the general policies and action by actively and visibly introducing consideration about the possible impact on combating racism when drawing them up. A working party representing different Commission departments evaluates EU policies and programmes, and works on identifying ways of enhancing the impact of these policies in the fight against racism. This has proved successful across a number of Community policies and programmes.

The Commission undertook, in its Action Plan, to assess the results of the mainstreaming process. This assessment exercise is taking place in two stages. An initial analysis, published in 2000, has reported on the way in which the anti-racism dimension has been included in Community policies and drawn up a set of guidelines and proposals to be implemented in order to broaden awareness of anti-racism in sectors not yet involved, so as to integrate this dimension as a strategic objective in its own right. This first exercise of evaluation should be supplemented, in 2001/2002, by a more complete evaluation covering the real impact, on the 'ground', of the Community project as regards antiracism.

1.5.1 Employment strategy

Promoting employment is essential for economic and social cohesion in every society and hence in combating conditions conducive to racism and racial tension. The employment strategy pursued by the EU since 1997, whose objective is to achieve a high level of employment for all categories of workers, is therefore an important weapon in the fight against racism. The *employment guidelines* constitute the input provided at EU level.

²³⁴ COM(1998) 183 final of 25 March 1998.

Since 1999, the employment guidelines include the principle of non-discrimination on the labour market. To this end Member States are required to implement appropriate measures to meet the needs of the disabled, ethnic minorities and migrant workers as regards their integration into the labour market, and to devise effective preventive and active policies to promote the integration into the labour market of groups and individuals at risk or with a disadvantage. Member States must also identify and combat all forms of discrimination in access to the labour market and to education and training. The Commission assesses every year the implementation of the National Action Plans on Employment.

1.5.2 The Community framework strategy on gender equality

The Community Framework Strategy on Gender Equality and the programme related to it covers the enforcement of the human rights of women. The programme has gender equality in civil life related to the human rights and fundamental freedoms by both women and men, regardless of race or ethnic origin, religion or belief as one of its five inter-related areas of intervention. The Commission will pay attention to and support awareness raising actions aimed at empowering in particular women facing multiple discrimination, such as migrant women and women from ethnic minorities. The programme will fund actions promoting the recognition of human rights of women, enforcing equal opportunity rights and strengthen the fight against gender related violence and trafficking in women.

1.5.3 External relations

The protection and promotion of human rights – including the fight against racism – is an essential component of the European Union's external relations. The Commission's Communication on 'The European Union's Role in promoting Human Rights and Democratisation in Third Countries,'²³⁵ which was recently adopted, concentrates on developing a coherent strategy in this field for EU external assistance and specifically addresses the fight against racism and xenophobia.

In the context of the enlargement of the European Union, great importance is attached to progress in policies designed to combat racism and to protect minorities in the applicant countries. In fact, the Copenhagen European Council in 1993 defined political criteria which countries applying to be members of the European Union must satisfy: '*stability of institutions guaranteeing democracy, the rule of law, human rights and the respect for and protection of minorities*'. Each year, the Commission reviews the progress of each candidate country in view of the Copenhagen criteria, including the rate at which it is adopting Community laws. By the time they join the Union, candidate countries will have to implement the relevant laws, including the directive on equal treatment irrespective of racial and ethnic origin.

²³⁵ COM (2001) 252 of 8 May 2001

In this framework, the *Phare* programme brings financial support to help candidate countries in their preparation to join the Union, according to the priorities resulting from the regular progress reports. In order to ensure fulfilment of the Copenhagen criteria, substantial funding has been provided to a number of projects to improve the situation of the Roma population in Central European candidate countries, in the fields of anti-discrimination, awareness raising, education and training, income-generating activities. In the Baltic countries, the *Phare* programme has supported actions aiming at the integration of non-citizens.

The EU's development policy supports the promotion and protection of human rights. The 1998 Communication on "*Democratisation, the rule of law, respect for human rights and good governance*"²³⁶ underlines that the mechanisms, which need to be put in place to guarantee a dynamic process leading to democracy, respond to criteria of non-discrimination and ensure the participation of and equality for all sectors of society. The European Union has also taken measures in favour of certain particularly vulnerable populations. These are taken up in a 1998 Council Resolution²³⁷ on indigenous peoples in development co-operation, which shows a political will to take action. A Progress Report on the implementation of the Council Resolution is currently under preparation and will be adopted at the end of 2001.

1.5.4 Education and youth programmes

In the fields of education, vocational training and youth, the Community programmes *Socrates*, *Leonardo da Vinci* and *Youth* are instruments of the greatest importance for transmitting the democratic principles and respect for others which are fundamental values of Europe. By funding projects proposed by the players themselves, these programmes enable universities, teachers, educators and associations to organise trans-European actions against racism and xenophobia. On the basis of this experience, the fight against racism and xenophobia has also been selected as one of the priorities of the new generation of programmes, for the period 2000-2006. These Community programmes are also open to the participation of candidate countries.

1.5.5 Research

The *Fifth research and technological development framework programme (1998/2001)* includes, notably under the key action "Improving the socio-economic knowledge base", an analysis of the phenomena of xenophobia, racism and migration in Europe, as well as their impact on economic development, social integration and social protection.

²³⁶ COM (1998) 146 final of 12 March 1998.

²³⁷ Council Resolution of 30 November 1998.

1.6 Support for anti-racism projects

The European Union has a broad range of programmes which provide financial support for activities in a number of fields. The anti-racism element has been integrated into a considerable number of these programmes, ranging from those specifically targeted at discrimination, to those with more general aims related to education and research.

1.6.1 Community Action Programme to combat discrimination

The Action Programme to combat discrimination runs from 2001 to 2006, and supports projects aimed at preventing and combating discrimination on a number of grounds, including racial or ethnic origin and religion or belief. It has a budget of approximately €100 million and concentrates on three areas. The first is the analysis and evaluation of discrimination, with the aim of building a clear picture of the causes of discrimination and the best methods of combating them. The second is developing the capacity to fight discrimination, by encouraging organisations in different countries to exchange information and best practice, and by supporting European networks of anti-discrimination NGOs. The third area is raising the awareness of the fight against discrimination.

However, the programme is not starting entirely from scratch. In 1999 and 2000, the Commission promoted a series of preparatory actions on the basis of the commentary to budget lines B3-2006 (1999) and B5-803 (2000) laid down by the Budget Authority. These actions focus on the promotion of the exchange of information and good practice between actors in the Member States in a way similar to that foreseen under Strand 2.1 of the Action Programme. In practice, the 15 actions funded under the 1999 budget took place in 2000. The 34 actions funded under the 2000 budget will run during the course of 2001.

The Commission has contracted with independent experts to carry out an evaluation of the 15 actions supported under the 1999 budget. The results of this evaluation will be made available in 2001.

1.6.2 Community Initiative EQUAL

In the context of the European employment strategy, the mission of the Community Initiative EQUAL, based on the lessons drawn from the EMPLOYMENT and ADAPT initiatives, is to combat discrimination and inequality of all kinds connected with the labour market in the context of transnational co-operation.

Some 2 847 million Euro have been earmarked for the 2000-2006 period to fund numerous strategic projects at transnational level and to endeavour to draw conclusions and deliver recommendations at European level so as to fight discrimination and inequality in employment more effectively. EQUAL will also take into account the specific needs of asylum-seekers.

1.6.3 Support for refugees

The Council has established on a proposal from the Commission a *European Fund for Refugees*, the aim of which is to provide financial support for the reception, integration and voluntary repatriation of persons in need of international protection. In supporting the efforts made by Member States for receiving refugees and displaced persons and coping with the consequences of their efforts, the European Refugee Fund will facilitate the implementation of the 1951 Geneva Convention relating to the status of refugees and contribute to securing the right to seek and enjoy asylum enshrined in Article 14 of the Universal Declaration of Human Rights.

1.6.4 Co-operation in the field of police and judicial matters

Grotius, a joint action establishing a programme of incentives and exchanges for legal practitioners has funded over the period 1996-2000 different training sessions for judges and prosecutors on the subject of racism and xenophobia, as, for instance, the seminar held in Stockholm on 11-15 February 2001 on how to increase the possibilities to combat racist and xenophobic crimes in the Member States.

1.6.5 European Initiative for Democracy and Human Rights

A number of projects related to the fight against racism and xenophobia are funded under the *European Initiative for Democracy and Human Rights (EIDHR)*. Council Regulations 975/99 and 976/99 on human rights, which are the legal basis for this Initiative, clearly refer to people who are subject to discrimination, as well as to support for '*minorities, ethnic groups and indigenous peoples*'. These Regulations also aim to support '*the promotion of equal opportunities and non-discriminatory practices, including measures to combat racism and xenophobia*'. In 1999 and 2000, the fight against racism and xenophobia was one of the funding priorities identified. Combating racism and xenophobia and discrimination against minorities and indigenous peoples has been identified as one of the priorities for the implementation of the EIDHR for 2002 and the medium-term.

PART III

ACTIVITIES OF THE EUROPEAN MONITORING CENTRE ON RACISM AND XENOPHOBIA

1 MAJOR OPERATIVE EVENTS

1.1 RAXEN

1.1.1 Developments in 2000

Considerable progress took place regarding the setting up of RAXEN. The key steps taken were:

- Launch of a call for tender to establish National Focal Points (NFPs) in the Member States to perform a mapping exercise
- Establishment of NFPs in seven countries
- First steps in running the network
- Data collection and presentation of results of the mapping exercise
- Definition of technical requirements for RAXEN including IT and security provisions
- Preparation of a second call for tender to establish National Focal points with a three year perspective

1.1.2 Launch of a call for tender to establish National Focal Points in the Member States to perform a mapping exercise

The call for tender, which described in detail the role and tasks of an NFP, was launched in June 2000.

NFPs are the entrance points for the EUMC at national level regarding data collection. They are required to set up a national information network which includes cooperation with the main actors in the field being either NGOs, research bodies, specialised bodies or social partners. In this way NFPs are the national coordinators for data collection. The call for tender required that the NFPs have good knowledge and experience in the field and that they are able to fulfil the role as recognised partners in the national context.

This first call for tender was limited to three months and concentrated on the mapping exercise, which aimed at identifying what is known where and by whom in the field of racism, xenophobia and anti-Semitism. The mapping exercise was defined to provide information on the key organisations in the field, their co-ordinates, their activities ("good practice"), their data collection tasks, and publications done by them.

The EUMC received altogether 16 applications from 12 Member States. A selection committee comprised of experts in the field and representatives of the European Commission evaluated the applications according to predefined criteria.

The result was that the EUMC chose seven NFPs, which were from the following countries: Austria, Finland, Germany, Greece, Ireland, The Netherlands and The United Kingdom.

There were different reasons for not having full European coverage. For some countries there were problems in meeting the formal criteria defined in the call for tender and in meeting the deadline. There were no applicants from three Member States.

1.1.3 Establishment of seven National Focal Points

The seven NFPs were contracted in November 2000 and immediately began their work. They represented very different types of organizations. In some countries an NGO was the lead organisation whereas in others a research institution or a specialized body was the main partner.

The seven NFPs are:

- **Austria:** Austrian Academy of Sciences
- **Finland:** Finnish League for Human Rights
- **Germany:** Regional Association for Questions on Foreigners, Youth Work and School (RAA)
- **Greece:** Information Centre for Racism, Ecology and Non-Violence
- **Ireland:** National Consultative Commission on Racism and Interculturalism + Equality Authority
- **The Netherlands:** Anne Frank House
- **UK:** The Commission for Racial Equality

1.1.4 First steps in running the network

A meeting between the EUMC and the seven NFPs took place in Vienna in December 2000. The meeting aimed to establish direct and personal links between the EUMC and the NFPs. All aspects of cooperation were discussed including how to work with a common format for the RAXEN mapping exercise and how to link the results together.

1.1.5 Data collection and presentation of results of the mapping exercise

The NFPs conducting the "mapping exercise" have been asked to provide the EUMC the following information:

- contact data for organisations active in the field of racism, xenophobia and anti-Semitism, and general information on their objectives and field of activity;
- what activities ("best practice") each organisation has carried out since 1995;
- what data have been collected by each organisation in the course of its activities;
- what publications have been produced by each organisation.

The work of the mapping exercise was guided by a set of questionnaires, developed by the EUMC. In some cases the questionnaires were sent out to organizations and completed by the NFPs; in other cases the questionnaires were adapted by the NFPs and used as a background instrument to obtain the necessary information, for example by direct contacts.

In order to have a uniform presentation of the results of the mapping exercise the EUMC decided to purchase LARS, a special library software. With this tool the EUMC is able to transform the results of the mapping into a user-friendly and searchable database and make them available to the public via the Internet. The final results of the mapping were received in February-March 2001 and had been published on the EUMC website. There are two possibilities to access the results. First, you can download the complete Excel sheets containing all data country by country from the site: <http://eumc.eu.int/projects/raxen/outcome/mapping/>

As a second possibility you might do a search of the results on the site: <http://eumc.eu.int/projects/raxen/outcome/mapping/mapping-lars.htm>

1.1.6 Definition of technical requirements for RAXEN including IT and security provisions.

The EUMC went through a number of consultations regarding the technical requirements for RAXEN. Because of difficulties to be integrated in broader European technical networks, it was decided to take a simple, cheap, but effective approach for assuring data security on RAXEN data, by using reliable software that is already widely used in the RAXEN community. This approach was agreed upon by EUROPOL.

1.1.7 Preparation of a second call for tender to establish National Focal Points with a three-year perspective

Parallel to working with the network of seven NFPs the EUMC started the development work for the second phase of RAXEN, which deals with data collection at the European level. It aims to have an NFP in each of the 15 European Union Member States.

The EUMC established an internal development group and drew up a preliminary timeframe, definition criteria, data collection framework including priority areas and budgetary aspects.

The second call for tender was published in February 2001.

1.2 Raren

In 2000 the EUMC established Raren: Rapid Response and Evaluation Network, on an intermediate basis. Raren was established to provide the EUMC with a task force of experts who could react at short notice.

The Raren experts were chosen through a call for tender. As in the case for RAXEN there was not a full European coverage, as no experts applied from three Member States.

The Raren network finalised in 2001, when the RAXEN information network was fully operational.

1.3 Round Tables

A detailed website on Round Tables containing agendas, key issues, related issues and contacts was published on the EUMC website by the end of 2000.

One of the main tasks of the EUMC is to facilitate and encourage the organisation of regular Round Table discussions. The main objectives of the National Round Tables are:

- to engage the representatives of civil society and the public authorities in a dialogue and to encourage their cooperation;
- to identify “key issues” and specific aspects in the Member States
- to inform about developments in the area of racism and xenophobia
- to exchange information on “good practice” in the Member States;
- to communicate their work to the Monitoring Centre, other National Round Tables and members of the RAXEN network;
- to include cultural, religious and ethnic minorities as well as ENAR and ECRI in National Round Table activities
- to prepare recommendations for the EUMC work programme and Annual Report

EUMC has completed an internal evaluation of Round Table activities, structures, objectives and future strategy, which will be shared with national Round Table Coordinators and relevant participants as a basis of future action.

1.3.1 National Round Table Meetings

Austria: On 24 March, in Vienna, the third Austrian Round Table presented its achievements in terms of examples of “good practice”, e.g. in the field of intercultural education. A special working group was created to cover this field. Several Austrian NGOs expressed their interest in projects and cooperation with EUMC.

Denmark: On 28 February, the “Baton Conference” in Copenhagen addressed issues of the Round Table with particular attention to the development of the RAXEN Network, with the participation of EUMC director and staff members.

Finland: On 4 December, the first Finnish Round Table took place in Hanasaari Expoo, Finland, focusing on models of integration and migration issues. Finland also raised special interest in combating right-wing extremism.

France: On 7 February, in Paris, the French Subcommittee on Human Rights, which represents the French Round Table, focused on the political situation in Austria and EUMC’s position related to the developments.

Germany: On 17 March, in Berlin, the “Forum Against Racism” convened for the first time in a EUMC Round Table context. EUMC presented its structure, mission and work programme. Issues of cooperation were discussed.

On 15 November the second German Round Table took place in Berlin with the focus on national implementation of the EU directives on anti-discrimination measures and on strategies encountering right-wing extremism in Germany. The “Forum Against Racism” has decided to operate as the German Round Table partner in cooperation with EUMC.

Portugal: On 10 and 11 April, in Lisbon, the first Portuguese Round Table took place. The conference was designed as an international convention, conducted bi-lingually (Portuguese and English) and had high attendance and participation from other countries.

The United Kingdom: On 6 November in London, the third UK National Round Table took place with strong participation of leading government officials, NGOs and social partners. One of its main aspects was dedicated to the implementation of the directives related to Article 13 of the Amsterdam Treaty with regard to national legislation. EUMC took a central role in the agenda

1.3.2 European Round Table Conference

The EUMC hosted the first European Round Table Conference in June, in Vienna, which was a significant move towards formulating a common agenda, identifying key issues and strengthening the network of Round Table Coordinator’s in the Member States.

The main aim of the Conference and other National Round Table meetings is to exchange information, to learn from each other and, most importantly, to utilize our combined knowledge for a concerted effort to combat racism and xenophobia in our societies.

The first European Round Table Conference activated the synergy effect of our work, as the National Round Tables have the possibility to reflect the 'bottom-up' developments and could function as an indicator of trends and tendencies. With regard to the human rights situation in their respective countries, we can mutually benefit from each other's experience gathered in the Round Table discussions and thus become more efficient, e.g, by learning from existing "good practices". One of the principle goals of the European Round Table Conference is to intensify cooperation between ECRI, ENAR and EUMC.

First steps were discussed and later implemented to conduct annual workshops on an issue of key importance for Round Table organizations. As the field of intercultural education was identified as a key issue for all National Round Tables, it was decided that EUMC conduct a workshop with experts in this area.

This was the beginning of the European Round Table Network.

1.3.3 Outlook

While the structures of National Round Table organisations may still be different in each Member State, it is this diversity which is the very challenge at the core of the EUMC's mission: to acknowledge diversity and to identify practical approaches to transform the differences into a network of knowledge and many talents. The EUMC expanded its cooperation with the National Coordinators of Round Tables and is seeking to extend further its contacts and interchange with NGOs and key players. In order to achieve these goals, the EUMC offers its services and resources for creating a common agenda for Round Tables in Europe.

1.4 EUMC Research Projects

In addition to establishing networks and collecting data, the EUMC also "*studies the extent and development of the phenomena and manifestations of racism, xenophobia and anti-Semitism, analyses their causes, consequences and effects, and examines examples of good practice in dealing with them*". For this reason the EUMC initiated a total of nine research projects in 2000²³⁸. The projects will be finalised in 2001. Some findings from these research projects can be found in Part 1 of this Annual Report. The final reports will be available direct from the EUMC or on its website (<http://eumc.eu.int>).

1.4.1 Racial Violence and Statistics

Racism is for many people first of all understood as overt racial violence. But how is racial violence defined? What is considered criminal? And how is racial crime recorded?

Åbo Akademi in Finland worked on the EUMC project on racial violence and statistics to respond to these questions. The study has a threefold aim. The

²³⁸ The EC procedures, with open call for tenders, have been applied for all the EUMC research projects

first is to find out what criteria and what definitions are in use in the 15 EU Member States for measuring “racial violence”. The second aim is to describe the situation with regard to racial violence in the Member States in the period 1995 to 2000. The third aim is to find out if any considerations have been undertaken for achieving comparability of data and statistics in the 15 EU Member States and in the field of racial violence. The project includes collecting information on existing penal codes and other legislative instruments as well as information from existing statistics and record keeping institutions.

1.4.2 The Socio-economic situation for Migrants and Minorities

Racism and xenophobia are deeply linked to social and economical issues. It is believed that there is a correlation between social exclusion and a general positive climate towards immigrants and minorities. In the last decades the population in several Member State countries have witnessed a decline in the welfare conditions. At the same time there has been a rise of expressions of racism and xenophobia.

The overall aim of the project worked out by CEMES, UK, is to present an overview on the most vulnerable groups when it comes to living conditions, by comparing data, statistics and research on the socio-economic situation for Migrants and Minorities in each of the 15 EU Member States. The areas to be covered are incomes, employment, standards of housing, health conditions and education.

1.4.3 Racism and Diversity in the Media

The mass media is considered the most influential agent in society, when it comes to public opinion. What the media pays attention to, or what it ignores or marginalizes, is considered to have a decisive impact. Mass media can take initiatives to promote cultural diversity. At the same time mass media can unintentionally support a racist public opinion, either by providing a public forum for the extreme right or by discussing migrants and minorities as the problems in society.

The project is focused on the findings in mass media research during the period 1995-2000. It is worked out by the European Research Centre on Migration and Ethnic Relations of Utrecht University. The aim of the project is to describe what kind of media research has been carried out, with regard to racism respectively anti-racism/multiculturalism, what are the major findings. Is it possible to find similarities in mass media content in the 15 Member States?

1.4.4 Mainstreaming Cultural Diversity

Mainstreaming refers to practices aimed at overcoming racism, and convinces different areas and organisations in society to cope with cultural diversity.

The research project undertaken by the Berliner Institut für vergleichende Sozialforschung in Germany aims at finding examples of good practice in the 15 EU Member States, starting with the Labour market. The project will also present examples of unsuccessful practices and undertake an analysis of why these practices did not succeed.

1.4.5 Majority attitudes towards Migrants and Minorities

The Eurobarometer survey is an instrument used by the EC twice a year to measure attitudes in the 15 EU Member States. The study done in Spring 2000 by INRA, Belgium, included questions related to the majority population's attitudes towards migrants and minorities. A part of the survey on attitudes towards religious minorities was published in December, and the entire study done by SORA, Austria, including analysis of the data was published in March 2001.

1.4.6 Anti-discrimination legislation

The EUMC commissioned a follow up report from Migration Policy Group (MPG) after the adoption of Article 13 Council Directives 2000/43/EC of 29 June 2000 (implementing the principle of equal treatment between persons irrespective of racial or ethnic origin) and 2000/78/EC of 27 November 2000 (establishing a general framework for equal treatment in employment and occupation). The report provides an overview of member states' anti-discrimination legislation and makes a comparison of Member States' existing national legislation and the Article 13 Council Directives.

1.4.7 Charter of Political Parties for a non-racist Society

The Charter has been signed by a number of political parties in Europe. By signing the political parties have undertaken to adopt a non-discriminatory tone in their everyday political activities or in the battle for voters. The EUMC integrated the Charter in its work, for example in the national Round Tables, in press conferences and in the Official Opening. The EUMC is also setting up a new monitoring mechanism on the Charter together with the Trans European Policy Science Association (TEPSA), an independent, non-profit making research and academic organisation working with high-level national experts in all EU Member States. The monitoring system will verify implementation and measure the impact and efficiency of the Charter. The project will be linked to the findings of the final report on the Charter that recommended that the EUMC appoints a Steering Committee, which will operate as an independent body under the auspices of the Board of the EUMC. The EUMC (and the RAXEN network) will take a leading role in monitoring and promoting the Charter and will facilitate the exchange of good practice.

1.4.8 Intercultural education

In 2000, the EUMC commissioned a study on initiatives addressing intercultural competence.

The study was conducted by Anne Frank House, Amsterdam and features a cross-selection of projects and initiatives in the field of intercultural training. It encompasses a reference-guide for teachers, educators and the public to access available materials and relevant websites.

The inventory also entails shortlists of centres of expertise, existing products, programmes and leading experts in the field of intercultural education and aims to raise awareness among teachers and other trainers.

It represents a valuable tool for teaching, research, contacts and serves to provide an overview on good practice in the Member States and beyond. Different approaches to the subject are presented by including diverging definitions of "intercultural education", supplemented by references to intermediary methods such as mediation and conflict management.

1.4.9 Islamic communities

This project is a trans-national analytical study on the situation of Islamic communities in five European cities: Århus (DK), Bradford (UK), Mannheim (D)

The project aims to identify, collect and compare city approaches in the field of anti-discrimination on grounds of religion. It addresses good-practice and aims to produce results that contribute to the promotion of tolerance and equal treatment on grounds of religion in key areas of public life such as employment, public services and education. It is worked out by the Europees Centrum voor Werk en Samenleving (ECWS), Maastricht in The Netherlands.

The approach of the study relies on data collection activities carried out at the local level leading to five local reports of partner cities (in co-operation with stakeholders) and at the transnational level leading to a cumulative, comparative, trans-national report with recommendations.

1.4.10 Roma – women and health

This project is undertaken in cooperation with the OSCE (Office of the High Commissioner on National Minorities and the Office for Democratic Institutions and Human Rights) and the Council of Europe (ECRI and Migration and Gypsy/Roma Division). The project will follow up elements of the OHCNM's report for the OSCE concerning Roma women and access to public health care, which was one of the major issues identified in the report as requiring further study. The project will cover both EU Member states and candidate countries. The objectives of the project are to improve access to and quality of health care for Roma women and those in their care; contribute analysis and policy options for consideration in addressing broader problems of adequate living conditions for Roma and add momentum to the nascent Roma women's movement.

1.4.11 Racism in football on the Internet

The EUMC is conducting a joint study with the Italian organisation Unione Italian Sport Per Tutti (UISP) and ERIN, an internet company based in Luxembourg. The study is examining the extent to which the Internet is used to disseminate racist and xenophobic material through football related websites. The collected documents and analysis will be made available to the public, EU institutions and organisations.

1.5 Information, Public Relations and Media

During 2000 the EUMC succeeded in developing its visibility among key target groups and the general public. The media coverage on the activities of the EUMC has raised a greater awareness on racism and xenophobia.

1.5.1 Interest of the media

The general interest of the media in the work and the activities of the EUMC was consistently high during the year. Overall, the EUMC featured in around 100 interviews on radio and TV stations throughout Europe. Furthermore more than 1500 articles on the EUMC and its activities were published in newspapers, magazines and bulletins, mainly in the EU Member States, but interest was received also from other parts of the world, as far reaching as Japan.

Two important press conferences covered the EUMC's Official Opening and the presentation of its 1999 Annual Report. In addition, the EUMC issued 21 press releases during the year. These dealt in the main with information on the activities and results of the work of the EUMC and raised awareness of the need for vigilance and tolerance in Europe on issues of racism and xenophobia.

The EUMC sought to be present as an active partner or participant in several relevant conferences dealing racism and xenophobia. To highlight a few examples, representatives of the EUMC attended the European Media Forum "Media and the Far Right" in Brussels in May, the Prix Europa Iris 2000 seminar "Multi-vision on Television" in Berlin in October, the European Conference Against Racism in Strasbourg in October, the media conference CivisEurope in Brussels in November and events and conferences organised by the Portuguese and the French Presidencies during 2000.

Furthermore, the EUMC was present at a number of meetings, seminars and discussions with NGO's and at universities and institutions with socio-political relevance, underlining the EUMC's role as a networking organisation as well as driving force in combating racism and xenophobia.

Also hundreds of guests from political parties, public authorities, universities, international institutions and schools visited the EUMC's Centre in Vienna to get information on the objectives and the activities of the EUMC.

1.5.2 Publications

There have been several publications of note during 2000. These are mainly:

- The Annual Report
- The Vienna Forum book
- The magazine Equal Voices
- Newsletters and leaflets

Annual Report

The second Annual Report (covering the year 1999) from the EUMC was presented by the Director in the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs in the European Parliament on 23 November 2000. This presentation was followed by a media conference in the press centre at the Commission. Here the EUMC set up a new exhibition stand presenting the EUMC logo and from this stand the Annual Report 1999, the summary and a press release (in all official languages) were handed out to the reporters. Around 75 reporters picked up the material, and 40 attended the press conference. Here the conclusions of the Annual Report were presented by the EUMC Chairman Jean Kahn, MEP and Chairman of the CFR Committee, Graham Watson, and the Director.

Vienna Forum book

The book on the "Vienna Forum 2000" based on speeches and expert presentations at the official opening was published at the end of September.

Equal Voices

The EUMC published the second edition of the quarterly magazine Equal Voices in June 2000, a third edition in September and a fourth in November.

Internet communication

The Internet provides 24 hours direct access to the EUMC's news and information, and the number of users grew rapidly during 2000, especially after the Official Opening of the EUMC in April. In all more than 1.1 million hits were registered at the EUMC website.

EUMC expects an increasing use of the website and during the second half of 2001 a new user friendly and restructured website will be launched giving access to key issues such as EUMC news, projects, research, legislation, good practice and current developments in the 15 EU Member States.

1.5.3 Co-operation with EU Institutions and International Organisations

The EUMC has further developed its relations with the EU institutions, in particular the European Parliament, the Council of Ministers and the European Commission. The aim is to seek ways to strengthen and build on the

European Union's initiatives in the areas of racism, xenophobia and anti-Semitism. A draft Memorandum for Co-operation between the European Commission and the EUMC is currently with the Commission for discussion.

The EUMC and ECRI held a joint meeting in June to discuss mutual co-operation.

The EUMC staff have participated in many national, European and international conferences including the EU Human Rights Conference in Venice and the International Consultation on Roma Refugees and Asylum Seekers, Warsaw.

European Private Foundations

The EUMC has a joint project with the European Foundation Centre "Combating Racism and Xenophobia: An inventory of European Foundations activities". 100 private foundations are involved and the aim was to create an inventory of the specialisations of each of the Foundations. It gives precise information on what private foundations are doing against racism and for multicultural society. The final report is available and, following publication at the beginning of 2001, a workshop between the private foundations and the EUMC will be organised in order to identify in which way to take the work forward.

UN World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance

In 1997, the United Nations General Assembly decided to convene the Third World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001. The Conference will focus on action-oriented and practical steps to eradicate racism, including measures of prevention, education and protection and the provision of effective remedies. In the European preparation conference for the World Conference, held in Strasbourg in October 2000, the EUMC played a prominent role. The EUMC produced four position papers for each of the four working groups; on Legislation; Policy and Practices; Education and Awareness-raising; and Information, Communication and the Media. In addition, the EUMC participated in the preparatory meeting for the World Conference in Geneva.

1.5.4 The Official Opening

The official Opening of the EUMC took place on 7-8 April 2000 at the Hofburg Congress Centre in Vienna. It consisted of an Opening Ceremony, broadcast live on Austrian television, the Vienna Forum - a conference on politics and racism -, and a press conference.

Romano Prodi, President of the European Commission, Nicole Fontaine, President of the European Parliament, Thomas Klestil, President of the Republic of Austria, Maria de Belém Roseira, representative of the Portuguese EU Presidency, Graham Watson, Chairman of the Committee on Citizens' Freedom and Rights, Justice and Home Affairs in the European Parliament, Jean Kahn, Chairman of the Management Board of the EUMC attended the

Opening. In the Vienna Forum experts from a number of points of view tackled the subjects of politics and racism.

There was very extensive reporting of the official Opening Ceremony of the EUMC in the European media. In addition to the more than 100 media companies present at the Opening, nearly 500 newspapers and magazines and 100 television and radio stations in Europe reported the event on the basis of information from news agencies, pictures from agencies and live coverage by Eurovision (ORF). There was also extensive reporting of the Opening Ceremony on the Internet. Seen in terms of meeting the key objective of raising the awareness of the EUMC by securing the widest possible reporting in Member States, the Opening was a success.

1.5.5 “Three wise men” report

When Austria’s new government was formed in February 2000, 14 EU Member States decided to impose special bilateral measures on Austria. In June, the 14 Member States decided, via the Portuguese presidency, to request the President of the European Court of Human Rights to appoint a committee of “wise men” to deliver a report on “the Austrian Government’s commitment to the common European values”.

The mandate was published on 12 July, and the following members were appointed: Martti Ahtisaari, former President of Finland, Jochen Frowein, Director of the Max Planck Institute for Comparative Public Law and International Law at Heidelberg University and former Vice-President of the European Court of Human Rights and Marcellino Oreja, President of the Institute on European Studies of the San Pablo-CEU University and former Spanish Minister of Foreign Affairs.

On 25 July the Director of the EUMC received a request from the commission to prepare a comprehensive collection of information related to the mandate. The material was sent to the commission on 2 August 2000.

The final report was handed over to the French Presidency at a meeting in Paris on 8 September, and in the concluding paragraph the commission recommended a strengthening of the EUMC’s activities: “It is important that institutional arrangements within the Community institutions for furthering these aims are established. These may include the creation of a Human Rights office within the Council reporting to the European Council; the appointment within the Commission of a Commissioner responsible for human rights issues; and, particularly, the extension of the activities, budget and status of the existing EU Observatory on racism and xenophobia, which is based in Vienna, in order to make possible the establishment of a full EU Agency on Human Rights”.

The report recommended that the 14 EU countries revoke the bilateral measures imposed on Austria and this was done after consultations between the Heads of Governments on 12 September 2000.

2 PERSONNEL AND ORGANISATIONAL INFORMATION OF THE EUMC

2.1 Activities of the Management Board and the Executive Board

2.1.1 Meetings

Management Board

The Management Board held the following meetings in 2000 with the following main results:

6th Meeting in February: The Board decided to make a statement on the political situation in Austria concerning the proposed coalition in Austria between the ÖVP and the FPÖ. Further, the meeting discussed the official opening on 7/8 April 2000 and its possible political implications in Austria. The meeting also discussed an EUMC paper concerning initiatives in the framework of Art. 13 of the EC Treaty. The Board approved the Work Programme 2000.

7th Meeting in April: A lengthy debate took place on the arrangements for the official opening of the EUMC, including an overview of preparation of the official celebration and the agenda for the Vienna Forum. The Board also adopted a position paper on Art. 13 of the EU Treaty and discussed the delay in the implementation of the Headquarters agreement.

8th Meeting in September: After the report of the Three Wise Men on Austria, which included a recommendation to extend the mandate of the EUMC to become a human rights agency, this recommendation was discussed. Some members of the Board felt that the EUMC should fulfil its present mandate, before discussing to expand it. The preparation of the first call for tender for RAXEN was discussed. Also the participation of a delegation of the EUMC at the preparatory European conference for the world conference against racism in October 2000 in Strasbourg was discussed.

Executive Board

The Executive Board held the following meetings in 2000 with the following main results:

8th Meeting in March: The main point of discussion was the organisation of the official opening and the difficulties which arose due to the political situation in Austria. The Board identified the risk for the EUMC to be seen primarily as a watchdog for Austria.

9th Meeting in June: The main points on the agenda were the preparation of the budget 2001 and discussions on the future strategies of the EUMC.

10th Meeting in October: The Board gave close attention to the criteria for selection, especially in the RAXEN and RAREN exercise. The Board also examined the situation of the ratification of the headquarters agreement by the Austrian Parliament. It also expressed satisfaction with the conclusions and participation of the EUMC at the European Conference against Racism, Strasbourg, October 2000.

2.1.2 Members of the Boards

Management Board

The Management Board takes decisions necessary for the operation of the EUMC. In particular, it is required to:

- Determine the EUMC's annual Work Programme
- Adopt the EUMC's Annual Report
- Adopt the EUMC's annual draft and final budgets
- Approve the accounts of the EUMC

The Management Board consists of 18 members: one independent person appointed by each Member State, by the European Parliament, and by the Council of Europe, and a representative of the European Commission. Each member has a deputy nominated in a similar fashion.

The term of office for the members of the Management Board is three years and may be extended for a further term. The Management Board meets at least twice a year. Each member has one vote. Decisions are taken by two-thirds majority.

The composition of the Management Board during 2000 was as follows:

	MEMBER	DEPUTY MEMBER
Austria	Anton Pelinka/ Stefan Karner	Stefan Karner/Peter Scheer
Belgium	Johan Leman	Jean Cornil
Denmark	Ole Espersen	Morten Kjaerum
Finland	Kaarina Suonio	Tom Sandlund
France	Jean Kahn	Martine Valdes-Boulouque
Germany	Uta Würfel	Barbara John
Greece	Petros Stangos	Perikles Pangalos
Ireland	Mervyn Taylor	Mary Flaherty
Italy	Francesco Margiotta Broglio	Diego Ungaro
Luxembourg	Nic Klecker	Edouard Wolter
Netherlands	Ed van Thijn	Paul B. Cliteur
Portugal	Pedro Bacelar de Vasconcelos	Esmeraldo de Azevedo
Spain	Juan de Dios Ramirez-Heredia	Joaquin Alvarez de Toledo
Sweden	Stéphane Bruchfeld	Lena Berggren
United Kingdom	Robert Purkiss	David Weaver
European Parliament	William Duncan	Jürgen Micksch
Council of Europe	Joseph Voyame	Jenö Kaltenbach
European Commission	Odile Quintin	Adam Tyson

Executive Board

The Executive Board is composed of the Chairman and Vice Chairman of the Management Board, and a maximum of three other members of the Management Board, with the person appointed by the Council of Europe and the European Commission representative as ex-officio members. The third member is elected by the Management Board.

The Executive Board supervises and monitors the work of the EUMC and prepares the meetings of the Management Board in conjunction with the Director.

In addition, it deals with all matters delegated to it by the Management Board in accordance with the rules of procedure. The Executive Board meets every year. The composition of the Executive Board during 2000 was as follows:

FUNCTION	MEMBER
Chairman	Jean Kahn
Vice Chairman	Robert Purkiss
Member elected by the Management Board	Anton Pelinka (until 22 May 2000)
Member appointed by the Council of Europe	Joseph Voyame
Representative of the European Commission	Odile Quintin

2.1.3 Staff Information

Administrative Information

The regulation concerning the Advisory Committee on Procurements and Contracts (ACPC) of the EUMC was significantly amended based on the experience gained in the past. ACPC is an internal body for control of the procedures before the EUMC is contracting external projects or services on the amount of more than € 46.000. The ACPC prepared its first annual report: the ACPC met 16 times in 2000 to give its opinion on the awarding of contracts of the EUMC.

Elections for the staff committee were held and the EUMC staff committee rules were implemented to ensure that the staff could express its opinion on important matters for the organisation.

Of vital importance for the tasks of the EUMC, a data protection regulation was issued and published in the OJ of the EC, C 323 of 14.11.2000. A data protection officer was appointed.

The internal rules were revised and compiled to ensure their clarity and user-friendliness. A disciplinary committee was set up.

Staff

According to the authorisation given by the budget authority, the Centre was able during year 2000 to accelerate the recruitment of its staff, made up entirely of temporary employees.

At the end of year 2000, 24 posts (of 26 authorised) were filled. One national expert was additionally contracted to deal with evaluation.

Recruitment of staff (Number of temporary agents)

Year Month	1998		1999		2000	
	December	June	June	December	June	December
A	2	2	5	7	9	
B	1	1	5	5	8	
C		1	3	5	6	
D			1	1	1	
Total	3	4	14	18	24	

Virtually three quarters of A grade staff may be regarded at the end of 2000 as operational and contributing directly to achieving the Centre's objectives.

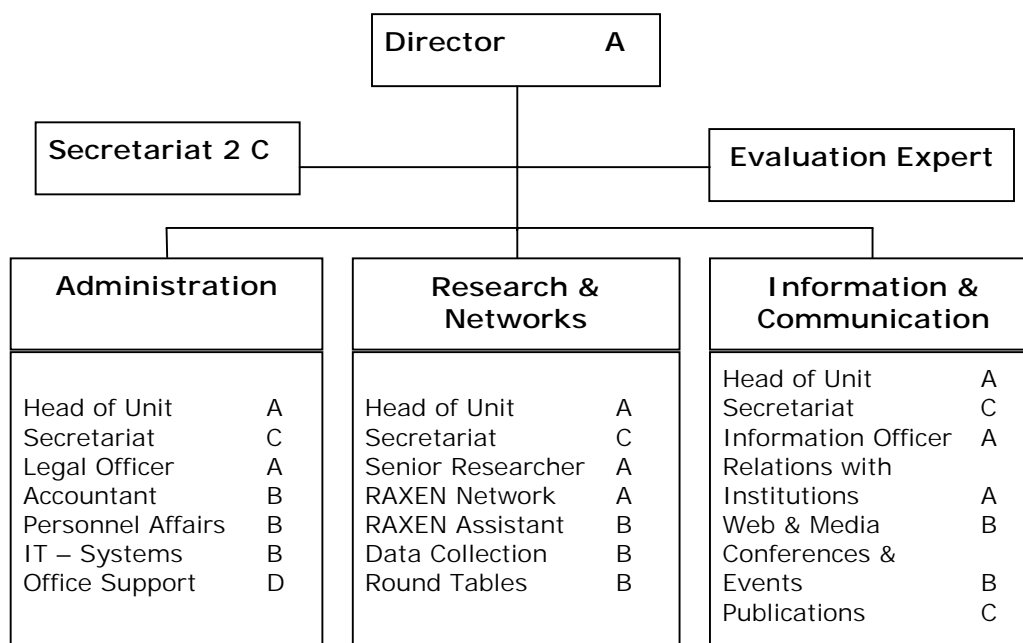
When all categories are taken together, 55% of the Centre's staff could be considered operational members of staff, and 45% responsible for support activities (administration, accounting and secretarial services)²³⁹

²³⁹ Report from European Court of Auditors, to be published in December 2001.

2.1.4 Internal Organisation

At the end of year 2000, the Centre is organised with three departments as follows:

Organisation Chart



2.1.5 Budget and Financial Affairs

The budget resources the Centre received in year 2000 came from the EU general budget.

Revenues of the Centre (Mio €)	1998	1999	2000
EU subsidy	0,5	3,750	4,750
Austrian contribution ²⁴⁰	-	-	-
Others	-	-	-
Total	0,5	3,750	4,750

94% of the total appropriations for the financial year were committed during the exercise.

For operating appropriations, 88% were committed, despite of the delay in setting up the RAXEN network.

²⁴⁰ The Austrian contribution is provided from 2001

The situation of budget implementation and financial statements is as follows:

Table 1 - Implementation of the budget for the financial year 2000 - EUMC Vienna

		(Mio EUR)						
Titre		Appropriations (a)	Commitments (b)	Payments (c)	% (d=c/b)	Carry-overs (f)	Cancellations (g=a-c-f)	% (h=g/a)
I-Staff	2000 budget	2.1	2.0	1.9	96%	0.1	0.0	0%
	1999 carry-overs	0.1	0.1	0.1	61%	0.0	0.1	100%
	Total	2.2	2.1	2.0	94%	0.1	0.1	6%
II-Operations	2000 budget	1.1	1.1	1.0	90%	0.1	0.0	0%
	1999 carry-overs	0.6	0.6	0.4	66%	0.0	0.2	34%
	Total	1.7	1.7	1.4	82%	0.1	0.2	11%
III-Transactions	2000 budget	1.7	1.5	0.9	59%	0.6	0.2	9%
	1999 carry-overs	0.6	0.6	0.6	89%	0.0	0.1	11%
	Total	2.3	2.1	1.5	68%	0.6	0.2	10%
Total	2000 budget	4.9	4.6	3.8	83%	0.8	0.2	3%
	1999 carry-overs	1.3	1.3	1.0	77%	0.0	0.4	29%
	Total	6.2	6.0	4.8	81%	0.8	0.5	9%

Table 2 - Balance sheet as at 31 December 2000 and at 31 December 1999 - EUMC Vienna

			(1000 EUR)		
Assets	2000	1999	Liabilities	2000	1999
Fixed assets			Fixed capital		
Fixed assets	326	20	Own capital	326	20
Sub-total	326	20	Balance of the year	179	737
			Sub-total	505	757
Current assets			Current liabilities		
Advances on salaries and amounts to be deducted from remunerations	10	36	Automatic carry-overs of appropriations	806	1,037
Recoverable VAT	456	116	Non-automatic carry-overs of appropriations	27	290
Sundry accounts receivable	119	0	Social liabilities	107	64
			Salaries to be paid	0	66
			Sundry accounts payable	158	37
			Recoverable VAT	456	116
			Re-use	30	5
Sub-total	585	152	Sub-total	1,584	1,615
Cash accounts					
Bank account(s)	1,178	2,200			
Sub-total	1,178	2,200			
Total assets	2,089	2,372	Total liabilities	2,089	2,372

Source: Table drawn up by the Court of Auditors on the basis of data compiled by the Centre.

Table 3 - Revenue and expenditure accounts for the financial years 2000 and 1999 - EUMC Vienna

	(1000 EUR)	
	2000	1999
Revenue		
Commission subsidy	4250	3750
Miscellaneous revenue (bank interest)	61	27
Total revenue	4311	3777
Expenditure		
Staff expenditure - Title I of the budget		
Payments	1935	985
Appropriations carried over	84	131
Buildings, equipment and miscellaneous administrative expenditure - Title II of the budget		
Payments	987	392
Appropriations carried over	106	564
Operating expenditure - Title III of the budget		
Payments	898	444
Appropriations carried over	643	633
Total expenditure	4653	3149
Out-turn for the financial year	-342	628
Out-turn carried over from the previous financial year	737	-42
Repayment to the Commission	-533	0
Appropriations carried over and cancelled or re-used	315	151
Exchange rate differences/exceptional charges	2	0
Balance for the financial year	179	737
Source: Table drawn up by the Court of Auditors on the basis of data compiled by the Centre.		

3 INFORMATION RESOURCES

3.1 Publications of the EUMC

- **Situation of Islamic Communities in five European Cities** - Report on examples of local initiatives. (EN, 2001)
- **Funding Minorities and Multiculturalism in Europe: Funders' Activities Against Racism and for Equality in Diversity** - Directory on combating racism and xenophobia. (EN, 2001)
- **Attitudes towards minority groups in Europe** - A Eurobarometer survey including analysis and a technical report. (EN 2001)
- **Annual Report 1999** - (EN, FR and DE, 2000)
- **Annual Report 1999 Summary** - (All languages)
- **Vienna Forum** - Booklet of speeches held at the official opening of the EUMC and at the Vienna Forum conference (EN, 2000)
- **You can do something** - for better mutual understanding against racism, xenophobia and anti-Semitism. (EN, FR and DE, 1998)
- **Cultural Diversity against Racism** - documentation of the European Media Conference in Cologne (EN and DE, 1999)
- **Annual Report 1998 Part 1** - Giving Europe a Soul: The activities of the EUMC. (EN, FR and DE, 1999)
- **Annual Report 1998 Part 2** - Looking Reality in the Face: The situation in the Member States. (EN, FR and DE, 1999)
- **Annual Report 1998 Summary** (All languages)
- **Equal Voices** - newsmagazine of the EUMC (EN on print, FR and DE on the EUMC website)
- **EUMC-News-Letter** - newsletter of the EUMC (EN)
- **General Information** - Leaflet (EN, FR and DE)

3.2 Website

The website of the EUMC was created in 1999 and will be further developed as part of the new corporate identity of the EUMC.

The website, <http://eumc.eu.int> has become a useful tool for delivering basic information about the Centre and allowing unimpeded access to the Centre's information by journalists, NGOs and governments. The website proved its importance for access to information during the Opening of the Centre as journalists were able to download registration forms for the media conference and surfers were able to download speeches and photographs in a short period of time.

3.3 Important Contacts and Links

The European Union

<http://europa.eu.int>

The European Parliament

Allée du Printemps
B.P. 1024/F, F-67070 Strasbourg Cedex
Tel.: +33 (3) 88 17 40 01
Fax: +33 (3) 88 25 65 01
<http://www.europarl.eu.int>

Council of the European Union
Rue de la Loi, 175, B-1048 Bruxelles
Tel.: +32 (2) 285 61 11
Fax: +32 (2) 285 73 97/81
Mail-box: public.info@consilium.eu.int
<http://ue.eu.int>

The European Commission

Rue de la loi 200, B-1049 Brussels
Tel.: +32 (2) 29 9111
<http://europa.eu.int/comm/index.htm>

Council of Europe

F-67075 Strasbourg Cedex
General Web site of the Council of Europe <http://www.coe.int>
Parliamentary Assembly / L'Assemblée Parlementaire <http://stars.coe.int>
European Court of Human Rights / Cour Européenne des Droits de l'Homme
<http://www.echr.coe.int>
Specialist Group on Roma/Gypsies
<http://www.coe.fr/DASE/EN/cohesion/action/romaact.htm>

ECRI (European Commission against Racism and Intolerance)

F-67075 Strasbourg Cedex
Tel.: +33 (3) 88 41 20 00
Fax: +33 (3) 88 41 27 81/82/83
<http://www.ecri.coe.int>

United Nations High Commissioner on Human Rights

8-14 Avenue de la Paix, CH-1211 Geneva 10

Tel.: +41 (22) 917-9000

Fax: +41 (22) 917-9016

<http://www.unhchr.ch>**United Nations World Conference against Racism, Racial
Discrimination, Xenophobia and Related Intolerance**<http://www.unhchr.ch/html/racism/program.htm>**Organisation for Security and Cooperation in Europe**

OSCE Secretariat, Kärntner Ring 5-7

1010 Vienna, Austria

Tel.: +43 (1) 514 36 180

Fax: +43 (1) 514 36 105

E-mail: info@osce.org<http://www.osce.org>**OSCE High Commissioner on National Minorities**

P.O. Box 20062, 2500 EB, The Hague, The Netherlands

Tel.: +31 (70) 312 55 00

Fax: +31 (70) 363 59 10

E-mail: hcnm@hcnm.org<http://www.osce.org/hcnm/>**European Union Migrants Forum**

Rue du Commerce, 70-72, B-1040 Brussels

Tel.: +32 (2) 502 4949

Fax: +32 (2) 502 7876

ENAR - European Network against Racism

43 Rue de la Charité, B-1210 Brussels

Tel.: +32 (2) 229 35 70

Fax: +32 (2) 229 35 75

<http://www.enar-eu.org>

EUMC

European Monitoring Centre on Racism and Xenophobia

Why do we exist

Europe's future is based on its cultural, ethnic and religious diversity. Racism, xenophobia and anti-Semitism are phenomena that are diametrically opposed to these principles.

They pose a threat which must be fought throughout Europe. The European Union considers that one of its tasks is to develop concrete measure to combat these trends by establishing a comprehensive strategy.

The European Monitoring Centre on Racism and Xenophobia is entrusted with this task.

Our agenda

We will critically review the extent and development of racist, xenophobic and anti-Semitic phenomena in the European Union and submit to the Community and its member states objective, reliable and comparable information including analyses of their causes, consequences and effects, examples of best practices and proposals for specific measures to be taken.

This ground work is designed to help the Community and its Member States to plan appropriate action in their respective fields of responsibility. accomplish this end efficiently we have developed an action plan that concentrates on the following priorities:

- European Information Network "Raxen"
- National and European Round Tables
- Documentation Resources
- Identification of key issues
- Research initiatives
- Networking of available knowledge
- Conclusions and expert opinions
- Annual report
- Public relations

EUMC

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