

TOOLKIT FOR EQUALITY

CITY POLICIES AGAINST RACISM

European
Coalition
of Cities



against Racism



International Coalition
of Inclusive and
Sustainable Cities – ICCAR



Co-funded by
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THE ECCAR TOOLKIT FOR EQUALITY – UNESCO & ECCAR FOREWORD

By endorsing the 2030 Agenda for Sustainable Development, the peoples of the world committed themselves to a set of goals targeting the full realization of human potential and shared prosperity. The overarching goal would be to achieve “A just, equitable, tolerant, open and socially inclusive world in which the needs of the most vulnerable are met.” (preamble of the 2030 Agenda). This is a vision to which UNESCO and ECCAR (the European Coalition against Racism), as part of the International Coalition of Inclusive and Sustainable Cities – ICCAR (a 500-plus-member global platform), fully subscribe.

We believe that local authorities, as articulated in Sustainable Development Goal 11 “Making cities and human settlements inclusive, safe, resilient and sustainable”, are essential actors in these efforts. This is echoed by the New Urban Agenda, adopted in the Habitat III Conference, which underscores the commitment to building “peaceful, inclusive and participatory societies, as well as to promote living together, connectivity and social inclusion”.

Cities stand at the heart of profound transformations affecting the entire planet. Already home to more than half of the world’s population, urban spaces are our greatest motors of dynamism, poverty elimination and living together. City administrations are key to the provision of public services, including in education, culture, health, employment, housing, water and sanitation and, more generally, urban facilities. At the same time, local governments face steep challenges – institutional, legal, practical, cultural, resource and capacity gaps – exacerbated by rising hate speech, xenophobia, and in some cases violence.

Acknowledging that such barriers exist, analysing them and defining strategies, policies and measures to overcome them is a main priority in order to maximize cities’ potential for inclusive positive change.

The Toolkit for Equality is the outcome of a long-term investment and collaborative work of which we are very proud. It provides valuable guidance to city administrations in successfully countering racism and racial discrimination, drawing on the wealth of experiences, practices and expertise of European cities. It has the advantage of delivering hands-on operational advice in the form of guidance on concrete policy areas covering the entire policy cycle, from conceptualization to evaluation and impact assessment. The Toolkit is a useful aide not only for city officials but for all stakeholders, including civil society actors, who are engaged in anti-discrimination work and want to strengthen their advocacy work at the local level. Congratulations are in order for all those who have contributed to this participatory undertaking for their commitment, professionalism and quality work.

We hope that local politicians, city officials and civil society actors can be inspired by this Toolkit. We also hope that this tool building on the ongoing work within the Welcoming Cities for Refugees and Migrants initiative - launched in 2016 by ECCAR, UNESCO and the Marianna V. Vardinoyannis Foundation - will enhance the momentum within ECCAR and influence similar action by other regional and national ICCAR coalitions.

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INTRODUCTION TO THE TOOLKIT FOR EQUALITY

Why should local governments take action promoting equality? Why is anti-discrimination policy at the local level important? How should inequalities be identified and their relevance assessed from a human rights perspective? What goals should be pursued? What topics can be addressed? How can challenges in planning, implementing and evaluating political measures for equality be overcome? What are the key factors for success? What are the keys to sustainable impact?

The Toolkit for Equality addresses these questions in a very practical way. It gives examples and detailed guidance on implementation. All of the information has been collected and elaborated in cooperation with a wide range of local politicians, civil servants, consultants, civil society organizations, lawyers and the local people concerned. This provides a broad expertise on the what, how and when. Twelve thematic chapters on policy models relevant to local governance show the path to success from conceptualization and planning, to implementation, and to impact assessment and evaluation, all following a human rights based approach to the promotion of greater equality.

GUIDING IDEAS AND CORE OBJECTIVES

Racism in its various forms has been an inherent problem in European society for centuries. It is not just an issue that has arisen since the rise of xenophobic tendencies during the 1990s which were amplified by the 9/11 terror attacks or the recent events of refugee arrivals. The increasing popularity of right-wing populist and extremist parties all over Europe is more the consequence of, rather than the root cause of, more or less underlying racist attitudes and behavior. It targets new arrivals as well as European born citizens who are denied an equal place in the society they are clearly a part of. It ranges from overt racism, displayed by those who openly deny equal rights to all human beings, to issues of structural discrimination that we all grew up with and risk maintaining and supporting more or less subconsciously.

Putting the principle of non-discrimination into effect requires policies that effectively prevent, eliminate and sanction racial (and other forms of) discrimination.¹ Local authorities, especially at the city level, have a key role in implementing anti-discrimination policies that can make a real difference. They are close to their citizens, and generally have a degree of autonomy, resources, and solidarity networks. Being closer to the daily lives of their citizens, they also often recognize the impact of racism and the need for action more immediately than national politicians.

Cities have become the hubs of ethnic and cultural diversity. They receive its benefits but are also the places where the everyday meeting of differences sparks competition, clashing interests and fears that feed the development of the ideologies and practices of racism and discrimination. Local authorities are challenged to address these issues and feel the need to share their experiences with other cities facing similar challenges in order to improve their policies to counteract racial and ethnic discrimination. The creation of cooperative networks at the city level corroborates this wish for exchanging experiences. Many initiatives have been launched in this respect during the last two decades. Many of them were civil society driven, some are horizontally organized city networks, and some have initiated and maintained by international organizations such as the European Union, the Council of Europe, as well as UN organizations, particularly UNESCO.

The European Coalition of Cities against Racism (ECCAR), founded by UNESCO and several European cities in 2004, which today is a part of the International Coalition of inclusive and sustainable Cities, is one of the key actors in this field. ECCAR was launched with the overall objective of involving cities and municipalities in the struggle against racism and all forms of discrimination. At the heart of the initiative is a Ten-Point Plan of Action (10PPA), which proposes ten commitments and corresponding concrete examples of action to be implemented by member cities. The main goals outlined therein concern:

- prevention and positive action including awareness raising and education in mutual tolerance, creating respect for cultural diversity, promoting intercultural dialogue, peaceful coexistence, human rights and democratic citizenship;
- monitoring and vigilance including collecting data and developing relevant indicators in order to assess discriminatory situations and policy impact;
- empowerment and support of victims in their efforts in affirming, organizing and defending themselves;
- mediation including arbitration, explanation, awareness raising and reconciliation;
- punishment including reinforcing administrative and judicial mechanisms and uncompromisingly prosecuting racist acts.

An especially important factor concerning discrimination is in understanding that, beyond the issues of overt racism, the issue of structural discrimination (institutional racism) requires a recognition that:

- discrimination is something carried out by persons with the power to discriminate
- discrimination by these persons is not something necessarily related to an evil intent or bad attitudes (open racism) and that
- to a large extent those with the power to discriminate already have “good” attitudes.

There is thus a need to recognize that measures for promoting equality will necessarily involve a challenge to the current status quo, which in turn means that at least some of the measures have to involve a focus on changing behavior and not just attitudes. Even though this seems fairly obvious, the denial of racism in its more subtle forms has long been the norm in Europe.

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After World War II, while European countries rejected the overt ideology of racism that had been a foundation of the war, they were slow in recognizing racism in its more subtle institutional forms. This can be seen in the fact that European countries, other than the United Kingdom, did not adopt modern laws against racism and race discrimination until the 1990s or 2000s. The EU's race directive was a driving force in this regard in that it required the establishment of a high minimum standard of protection in all EU Member States against race discrimination in working life as well as in other parts of society.

This can be contrasted with the United States which adopted such laws in the 1960s. These laws were not a reflection of a greater or deeper understanding of democracy. They were a matter of necessity and denial of the problem was no longer an option. A catalyst was the open and "legal" racism in the southern states well as the more subtle racism embedded in other parts of US society that was tearing the society apart. There was a similar development at the local level in the US. Larger cities, given the increasing numbers of blacks who migrated from the South to northern cities – largely in search of jobs – were often the first to confront and develop measures against discrimination, particularly race discrimination.

Measures need to be evaluated from the point that even if they do not seem to be having an impact today, they can possibly be strengthened so that they will have an impact. In other words, if the cost risks of discrimination are included or increased, measures that today seem to have little impact, may have a substantial impact if they include a cost risk. People are often not aware of such biases while at the same time research also indicates that these underlying prejudices affect the way people behave.²

For example, many mention the importance of training of city employees concerning non-discrimination, yet they are seldom mentioned as the types of measures that have an impact. However, if it were made clear to managers that their ability to promote equality and counteract discrimination will be one factor that is taken into account in relation to raises in salary and job retention, this would presumably lead to greater long-term impact for the trainings as well. Thus our conclusion is that if measures to some extent focus on behavior, the measures can help those with power to reconsider their actions. This is also in line with psychologists who point out that one of the best ways to encourage more long lasting changes in attitudes is through the achievement of behavioral change.

This idea also supports the basic idea that counteracting discrimination should lead to greater diversity in e.g. working life by helping to ensure that individuals are respected for who they are and the qualifications they have, which in turn should lead to increased empowerment of the individuals involved, thus leading to even greater pressure to counteract discrimination. Taken together these factors will create a positive spiral. This is as opposed to the negative spiral that occurs when the occurrence of discrimination is denied, which means that ethnic diversity developing in the workplace is related only to the demand for employees rather than the qualifications of the individuals thus treating "immigrants" as a labor reserve, which in turn tends to disempower those involved.

To ensure actual mutual learning of cities, the presentation of policy examples has to be accompanied by providing practical tools as to why they are successful or how they could be more successful, as well as training, taking into account experiences made and lessons learned by municipalities and local authorities. The Toolkit for Equality aims at the overall objective that more cities will implement more effective anti-discrimination policies and thus promote equality, foster equal opportunities, and reduce the amount and scope of discriminatory behavior and damage caused by discrimination.

The Toolkit for Equality is to provide city authorities with practical guidance that encourages and enables them to implement policies that have a substantial impact in fighting racial and ethnic discrimination and promoting equality in the society. The Toolkit for Equality is primarily addressed to local politicians and civil servants, but also to civil society organizations working in the fields concerned, be it for the purpose of advocacy or for constructive cooperation with authorities in the establishment and realization of non-discriminatory policies at local level. It is important to stress that the policies introduced are not necessarily focusing on fighting racism in its more overt forms, but are everyday policies preventing discrimination through a human rights compliant design and implementation.

There is not always a common understanding of what is meant by “good practices”. Addressing the question of what is “good”, the authors developed a goal-operationalisation model. It is based on the definition according to the International Convention on the Elimination of All Forms of Racial Discrimination (CERD 1965). Article 1 of CERD defines racial discrimination as distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin [...]. Policies successfully counteracting racial discrimination therefore need to contribute to the opposite of these four dimensions of discrimination. The CERD dimensions (distinction, restriction, exclusion, preference) and their opposites as policy goals (equality, equal opportunities, inclusion and equal treatment) are the measure. Thus, good is what respects, protects, fulfils and promotes at least one of these four dimensions. Therefore an anti-discrimination policy is understood as successful, if it actually shows a measurable impact of having achieved more equality, inclusion, equal opportunities and equal treatment.

Besides the operationalization of an international human rights norm in order to qualify anti-discrimination policies, the Toolkit for Equality structures its policy model along five areas of municipal functions. In this understanding local governments can take action in their capacities as Democratic institutions, Rule-makers, Employers, Service providers and Public contractors. In order to fit into the structure of the 10PPA of ECCAR, the policies are categorized in accordance with the respective commitments.

The goal of the Toolkit for Equality is not to collect and disseminate examples of actions taken by cities, but to analyze policies implemented by cities in order to formulate policy models in various fields of municipal action which fulfil the criteria derived from CERD. The models are prepared in a way that allows for practical implementation after being contextualized in regard to local circumstances.

METHODS

The Toolkit for Equality was realized in three steps. The first part was based on conceptual clarifications, including desk research and the clustering of possible policies and measures against discrimination.

The second part was dedicated to a survey among policy stakeholders from European cities on their policy approaches to counteracting racial discrimination. The survey invited cities to indicate what kinds of policies they employ and to describe policies that they consider particularly successful. The survey thereby addressed the five functions of a city. In a second step, the respondents were asked to give an impact assessment of the described policy in relation to a set of overall 144 outcome indicators and to describe additional outcome effects in their own words. The survey was distributed by ECCAR to its 120 member cities. A total of 40 cities participated, including 22 cities that described one or two policies in great detail. The survey generated a database of promising policies and thus provided an overview of the policies implemented by European cities to counteract racism and racial discrimination from the perspective of human rights.

The third part aimed at gathering very concrete and practical advice on the process of implementation, on the challenges to be expected and the strategies to mitigate these challenges. This was realized through 24 city visits in 11 European countries, including in-depth interviews with 78 civil servants, politicians and other stakeholders (e.g. NGOs, migrant associations, academia) responsible for or involved in the implementation of policies against racism and racial discrimination. This information was compiled into 12 thematic “model policies”. The Toolkit for Equality presents these model policies in 12 chapters with step-by-step instructions on their design and implementation.

The model policies combine policies that are applied by several cities and are described as successful in terms of enhancing equality, guaranteeing equal treatment, promoting equal opportunities and/or fostering inclusion and participation. In this way model policies in the following areas have been compiled: action plans, monitoring, migrant participation, anti-discrimination offices, welcome services, diversity in public administration, access to public services, housing policies, cooperation with private businesses and measures to counter, prevent and monitor hate speech. The model policies were the subject of repeated review and revision processes, focusing on the ability to understand and implement them and their human rights relevance.

The final text of the Toolkit chapters was reviewed by a team of researchers and improved through feedback from city administrative officers.

In order to improve accessibility to the publication, the European Commission helped us

- to deepen and broaden the policy models through further research,
- to create a user-friendly design,
- publish nine language versions (English, German, Spanish, Italian, French, Dutch, Greek, Hungarian, Swedish),
- organize exchange events to discuss among decision-makers and to train civil servants and civil society actors

by providing funding within the project ADPOLIS (JUST/2014/RDIS/AG/DISC, Project Number: 8084).

HOW TO USE THE TOOLKIT

The Toolkit for Equality primarily addresses local government authorities. It consists of an introduction, a series of working papers, annexes like indicator lists, tables of human rights instruments, policy examples etc., and, as its core part, twelve stand-alone chapters. This is intended to take into account the departmental structure of local authorities on the one hand (different competencies for different areas), and the interest of policy-makers on the other hand (many policies are already in place, but in certain areas policies need to be introduced or improved).

Each of these chapters includes an introduction establishing the human rights framework of the topic and an annex with further resources and examples from cities. The implementation part of each chapter is structured in the sections Why is it necessary?, including human rights arguments for the benefit of all; the Planning and Foundation of the policy; the section Putting into practice and its maintenance; and a section on Follow-up, including evaluation, sustainability and the key factors for success. This guarantees the applicability according to the respective division of work. We invite you to examine the whole Toolkit or simply choose one policy model you are interested in. Our aim has been to give suggestions that are as concrete as possible. Of course this does not mean that the order of steps cannot be changed or that all of the words of advice will be applicable in your city context. We invite you to read the toolkit as the joint expertise of colleagues in other cities and take whatever seems to be useful for your city. There can naturally be variations depending on factors like the size and the structure and powers of the city that can vary due to national legal requirements.

The structure follows the ECCAR 10 Point Action Plan. The Toolkit provides ideas and guidance for existing ECCAR member cities as well as potential members on how to fill the ECCAR 10 Point Action Plan with content.

The Toolkit for Equality presents twelve model policies in the areas of:

- THE ECCAR 10 POINT PLAN OF ACTION
- MONITORING
- ANTI-DISCRIMINATION OFFICE
- MIGRANT COUNCIL
- MIGRANT CITIZENSHIP FORUM
- DOOR POLICY PANEL
- DIVERSITY MANAGEMENT IN THE CITY ADMINISTRATION
- WELCOME SERVICE FOR NEW CITY INHABITANTS
- IMPROVING ACCESS TO SERVICES FOR MARGINALIZED GROUPS
- ADEQUATE HOUSING POLICIES
- COMBATTING RACISM AND HATE SPEECH: BUILDING A NON-RACIST SOCIETY
- COMBATTING POLITICAL HATE SPEECH: ELECTION CAMPAIGN MONITORING

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OBSERVATIONS

The research for the Toolkit revealed some patterns in the implementation of equality policies in cities, and commonalities in those approaches that led to tangible results.

In counteracting racial discrimination, cities are most active in their function as a democratic institution, as rule-makers and as service providers. There is an untapped potential for many cities to make use of their powers as an important local employer as well as a public contractor. When it comes to the city's function as an employer, trainings for employees are frequently conducted, but still a quarter of the cities participating in the survey do not yet train their staff in non-discrimination matters. That means that non-discrimination trainings are not a standard in the professional education of many city employees. The policies implemented were frequently classified in the area of "the city as a service provider", whereas cities are rather reserved in addressing local entrepreneurs and private actors, whether in regard to their role as public contractors or providers of subsidies or other forms of support.

Cities focus on policies that aim at preventing racial discrimination and supporting potential victims, rather than eliminating discrimination and discriminatory behaviour by sanctioning offenders. In terms of human rights-relevant policy objectives - equality, inclusion, equal opportunities and equal treatment – city policies most often aim at promoting equal opportunities by encouraging non-discriminatory behaviour, and inclusion by offering possibilities for more participation. Policies that explicitly aim at promoting equality or equal treatment are less common and even rarer when it comes to changing or combating discriminatory structures or behaviour.

These tendencies are also reflected in the definitions of target groups found in various policies, showing a clear orientation towards migrants and/or minority groups. The majority population as potential witnesses of discrimination and/or those having the power to discriminate or prevent discrimination is seldom addressed in policy concepts. Policies against racial discrimination are in addition more likely to be designed in terms of diversity and integration policies while leaving out discrimination or treating discrimination as a minor issue rather than as a fundamental and key issue.

Anti-discrimination is a cross-cutting issue that requires the work of more than one unit in one city department. Implementing a policy that cuts across the usual division of labour thus requires a great deal of communication and coordination. Related to its cross-cutting character, anti-discrimination policies require the recognition and attention of a number of stakeholders: city government, city parliament, a number of city departments, NGOs/civil society organisations, migrant associations, semi-private service agencies (e.g. social service agencies, housing agencies), interest groups, and influential individuals. Interestingly, multi-level-government approaches (e.g. local, regional and national) are not among those reported as successful.

In negotiating the establishment of anti-discrimination policies, initiators use the following lines of arguments, depending on their counterpart's priorities:

- Pointing to legal obligations: e.g. complying with human rights and constitutional rights obligations; implementing a national or regional action plan or guideline; filling a city's mission statement with concrete measures; enforcing criminal law (hate crime) and anti-discrimination law;
- Pointing to the benefits for the city population as a whole: e.g. avoiding social conflict and the resulting threats to safety and security; promoting social cohesion at the local level; positive city marketing attracts tourists, students, businesses; avoiding the societal costs of discrimination caused by conflict or the exclusion and marginalization of people;
- Pointing to benefits for the city administration and its employees / for the stakeholder in question: e.g. diversity management helps the city adapt to the fact that the city population is diverse and is becoming more and more diverse; gaining trust among the population and increasing compliance with city regulations; being informed about the city dwellers' concerns; implementing effective policies that reach the target groups; supporting the sense of competence and professionalism in managing a diverse clientele; attracting the most qualified employees; making use of the every-day expertise of city dwellers;
- Pointing to benefits for the target group: e.g. improvement of current living situations; respect and protection of their rights; support in cases of discrimination; a larger involvement in policy-making concerning them.

The approaches that have been determined to successfully implement anti-discrimination policies include:

- A participatory approach,
- A careful needs assessment,
- Development of established networks,
- Working towards a common goal,
- Long-term planning,
- Reliable coordination and support,
- Structural embedding,
- Adaptability and openness to improvement,
- A low-threshold concerning the accessibility of services,
- Supportive training of stakeholders,
- Monitoring impact and achievements

Furthermore, many of the successfully implemented anti-discrimination policies address racial discrimination indirectly. They directly address societal challenges and define their target group by socio-economic criteria, regardless of residence status or ethnic origin.

The most frequently reported challenges are related to an active involvement of the target group, targeted outreach work, and broad public relations efforts, e.g. through collaboration with local media such as local newspapers. Another challenge is coordinating the activities of different municipal offices, NGOs, police, and other civil society actors. This includes gathering and comparing data from various sources on the forms and cases of discrimination, and ensuring that relevant actors in the field are informed about each other's competences and effectively refer clients to the competent body.

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