**Council of Europe**
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# Community and ethnic relations in Europe

Final report of the Community Relations Project of the Council of Europe

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# RELATIONS IN EUROPE

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**FOREWORD**

**by Mr Dieter GROSSEN, Chairman of the European Committee on Migration**

In 1987, the Committee of Ministers of the Council of Europe decided to launch a multidisciplinary project on community relations. Under the overall authority of the European Committee on Migration, the intergovernmental body responsible for cooperation in such matters, the project was carried out by the Committee of Experts on Community Relations. This Committee conducted many studies, made field visits and organised meetings which have resulted in this final report.

The community relations project has gone beyond an examination of action and measures designed to help particular migrant groups and has made society as a whole the subject of its work: the expression *community relations* therefore covers the totality of relations between the indigenous population and the various migrant or ethnic groups of immigrant origin. This overall approach has proved necessary because it is now clear that the idea that migrants will one day return to their countries of origin has become a myth and the majority of migrants end up settling down permanently in the host country.

Now that large population groups of different national or ethnic origin live in practically all the member States of the Council of Europe[1] it has become urgently necessary to define a consistent strategy for dealing with the consequences of recent and future migration. This report contains analyses of many of the elements which need to be taken account of in working out an effective overall strategy. It is, in my view, possible to identify five principles which should underlie a valid and effective community relations policy:

1.     It must be accepted that the majority of immigrants will remain in the host countries and that they are valued and necessary partners in building a multicultural society. Migrants should not, in other words, be considered as a separate and problematic group but rather as an integral part of society as a whole.

2.     Public authorities, both central and local, have a crucial part to play in developing community relations policies.

3.     The law should guarantee equality of opportunity and rule out all forms of discrimination.

4.     The integration of immigrants should be achieved not by positive discrimination but by *positive action* designed to ensure that immigrants benefit fully and in reality from provisions made available to the population as a whole.

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[1] Austria, Belgium, Bulgaria, Cyprus, Czech and Slovak Federal Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, San Marino, Spain, Sweden, Switzerland, Turkey, United Kingdom (14.XII.1992)

5.	Integration should lead immigrants to develop a sense of belonging to their new society.

At their Fourth Conference, held in Luxembourg on 17 and 18 September 1991, the European Ministers responsible for migration affairs were unanimous in welcoming the work carried out through the community relations project. In their Resolution, which is reproduced in Appendix 5 below, they decided "to disseminate this report widely among interested circles in each country and to promote debate on it both publicly and within official bodies responsible for policy or consultation in the field of migration and the integration of immigrants". I very much hope that this report, which constitutes a first attempt to lay the foundations for a common European approach to the integration of immigrants, will provoke a wide debate and that the Council of Europe will continue and develop its activities so as to make it possible for all those working to build harmonious community relations in the 25 member States and beyond to exchange their experience.

I wish to express my sincere thanks to the Committee of Experts on Community Relations for the exceptional quality of its work and for its commitment to the task. My special thanks go to its Chairmen, Mr Erland Bergman (Sweden) and Mr Emil Samuels (Netherlands), to Professor Han Entzinger, who played a key part in the preparation of the final report and also to the Secretary of the Committee, Mr John Murray of the Council of Europe.

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## 1.    INTRODUCTION: THE COUNCIL OF EUROPE COMMUNITY RELATIONS PROJECT

1.    The Council of Europe has always taken an interest in movements of people to and from European countries. In the 1950s the main concern was the post-war influx of refugees to Western European countries, but in the 1960s and 1970s interest shifted to the migrant workers who were attracted in their millions to fill jobs in the more industrialised member States of Northern and Western Europe. Then, as the majority of "migrants" showed increasing signs of settling down for good in the host society, both host countries and countries of origin came to accept that they must be helped to integrate as fully as possible into the society of the host country and integration policies became the focus of the Council of Europe's work.

2.    Another shift of focus occurred in the mid-1980s when the Council of Europe turned its attention to community relations questions. The term "community relations" is used here to refer to the whole range of problems and opportunities resulting from the interaction between the majority or host population and the various migrant groups or ethnic groups of immigrant origin.  Community relations deals not only with the integration of migrants into their new country, but also with how society as a whole and all its members need to respond to the presence of large numbers of people of different ethnic and cultural origins from the majority.  Community relations policies are therefore directed not only towards migrants but towards the population as a whole. Community relations are not about migrants as a separate and problematic group, but about the interaction between the different groups or communities which go to make up society as a whole.

3.    In 1984 the Council of Europe took the first steps towards a coordinated examination of these questions by organising a Seminar on community relations which was entitled "Making multi-ethnic societies work" (Strasbourg, 7-9 November 1984). The final report of the Seminar called upon the Council of Europe to launch a long-term programme to support the growth of good community relations in the member States.

4.    The Steering Committee on Intra-European Migration (since re-named the European Committee on Migration) then decided to set up a Committee of Experts on Community Relations with terms of reference to prepare and put into effect an integrated programme of work on community relations. This resulted in the decision by the Committee of Ministers to initiate a community relations project to be carried out between 1987 and 1991.

5.    The Committee of Experts on Community Relations was given responsibility, under the overall authority of the European Committee on Migration, for planning, implementing, co-ordinating and evaluating the work carried out as part of the community relations project. It has had to ensure that the different elements of the project are related to one another and that a unified approach to community relations questions as a whole is developed and maintained. It has also developed working relationships with other Council of Europe bodies capable of making a contribution to the project. The Committee's terms of reference are set out in full in Appendix 1.

6.       The regular members of the Committee of Experts come from the ten following countries: France, Germany, Greece, Italy, Netherlands, Norway, Portugal, Sweden, Turkey and the United Kingdom. However, other member States have also taken an active part in the meetings, especially Belgium, Luxembourg, Spain and Switzerland. In most cases the representatives of these countries are senior government officials dealing with migration and community relations questions. It is interesting to observe that while at first the community relations project was directly of interest mainly to the countries of Northern Europe with large immigrant populations, the Southern European member States have since come to feel much more directly involved in the project because they too are beginning to  have to work out policies on community relations in their own societies. Observers from the Holy See, the Commission of the European Communities and the Churches' Committee for Migrants in Europe have taken part in the Committee's work. The list of the Committee's members and observers is given in Appendix 2.

7.       It should be noted that the definition of community relations given in paragraph 2 above excludes from the scope of the project the old-established ethnic, religious or linguistic minorities, in most cases territorially based, which are present in many member States. The project only covers relations with groups of people who have arrived during recent decades (essentially the post-war period), ie community relations questions arising as a result of recent migration movements. Groups such as Bretons, Catalans or German-speakers of the South Tirol, have not therefore been covered, and neither have Roma and Cinti, on the grounds that their legal status and sociological situation are different from those of migrants. On the other hand, there is a degree of common ground too and it may well be that some of the results of the project will prove to be relevant to the problems of the older minorities. In any case, it is clear that as the Council of Europe opens up its membership to the countries of Central and Eastern Europe, it will be called upon to pay more attention to the problems of the historic minorities and it will be necessary to consider how far these matters should be examined in connection with any ongoing work on community relations.

8.       The project's main working methods have been studies by consultants and a variety of conferences and meetings of specialised experts (both governmental and non-governmental) on different aspects of community relations. This work has given rise to many reports and papers which are listed in Appendix 3 and available from the Secretariat on request. At the mid-way point of the project, in 1989, an interim report was prepared and widely distributed (document MG-CR (89) 3 rev.). But the reports and papers generated by the project are only the visible tip of the iceberg. The Committee considers that the opportunities created by the project activities for the establishment of personal contacts between people concerned with community relations in different countries are among its most important results. In many cases, contacts made through the project in Strasbourg or elsewhere have developed and borne fruit later on in the member States.

9.       In addition, the Committee has consistently sought to associate other Council of Europe bodies with the work of the community relations project. The Parliamentary Assembly Committee on Migration, Refugees and Demography made an important contribution through its European Days "Enjoying our Diversity", through its Recommendation 1089 on improving community relations and by its sustained support

and interest for all aspects of the project. In addition, activities on different aspects of community relations have been carried out by or in association with the following bodies: the Standing Conference of Local and Regional Authorities of Europe, the Council for Cultural Cooperation and the Committee of experts for the promotion of education and information in the field of human rights.

10.     Altogether, the Committee of Experts on Community Relations will have held thirteen meetings, beginning with its first pre-project planning meeting in October 1985 and concluding with the meeting at the close of the project at the end of 1991. A large number of specialised expert meetings have been held: three on different aspects of discrimination, and others on youth employment, information and public relations, the police, housing and town planning, health services and cultural and religious practices. Larger conferences have been organised on migrants and the media, on the educational and cultural aspects of community relations and on the role of local and regional authorities in the integration process. Consultants have been commissioned to write reports on research in progress, ethnic business, legislation against discrimination and ethnic and racial violence. A complete list of the activities carried out in connection with the project is given in Appendix 3.

11.     The Committee has wished to involve in the project not only goverment officials but also people and organisations that have direct experience of community relations problems at the local level. Community relations are concerned with the daily lives of ordinary people, mostly people who are far removed from the centres of power and influence in our societies. For national and international officials, however well intentioned they may be, there is an ever-present danger of paternalism in dealing with this kind of question, and it is necessary to hear the voice of those who can speak from personal experience. This implies in particular listening to the migrants and members of ethnic groups themselves. The Committee is well aware that, where matters of racism and discrimination are concerned, only the victims can speak with authority.

12.     This aspiration has not been easy to put into effect but it has been possible to invite to selected meetings a number of people who work actively on community relations matters in the field, and many of these have been members of the immigrant communities. The main way in which the Committee has been able to enter into contact with people at the grassroots has, however, been by holding one of its two annual meetings within the context of a study visit to a city where there are large immigrant communities. These visits (to Birmingham in 1986, Berlin in 1987, Lyon in 1988, Barcelona in 1989 and Stockholm in 1990) have proved a most effective means of bringing the members of the Committee into contact with everyday realities of community relations in a variety of European cities. The organisations and projects visited by the Committee in these cities are listed in Appendix 4. The Committee hopes that the project, which has operated primarily at international and expert level, will give rise to a series of follow-up activities of a more operational nature which would be a way of disseminating the results of the project widely in the member States, and testing them out in practice.

13.     It should also be mentioned that community relations will have been one of the main themes for discussion at two successive Conferences of European Ministers responsible for Migration Affairs. At the Third Conference, held in Oporto in May 1987, the Ministers gave strong backing for the community relations project and called upon governments to adopt specific policies on community relations. One of the two main

themes selected for discussion at the Fourth Conference, held in Luxembourg on 17 and 18 September 1991, was an evaluation of the results of the community relations project. The present report was one of the main working documents for the Conference, and the Ministers adopted a text highlighting the main conclusions of the project and laying down guidelines for the future[2].

14.     The present final report attempts to draw together all the threads of the project in a way which, it is hoped, will be useful to all those interested in community relations in the member States of the Council of Europe. It seeks to draw conclusions from the work of the past few years and to make proposals and recommendations for consideration by politicians and officials responsible for making policy in the area of community relations.

It is hoped that the report will be widely circulated in the member States and that the proposals it contains will be the starting-point for debate by all concerned with community relations questions.

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[2]     The relevant parts of the text adopted by the Ministers responsible for migration affairs have since been incorporated in Recommendation N° R (92) 12 of the Committee of Ministers to member States on community relations. This formal instrument, adopted by the highest political authority of the Council of Europe, is reproduced in Appendix 5.

## 2.    IMMIGRANTS IN EUROPE

### 2.1    A brief recent history

15.    The history of the human race is a history of human mobility, of population movements of all kinds - voluntary or forced, peaceful or violent, gradual or sudden. Europe is no exception to the rule and at all times in the history of our continent people have been on the move to a greater or lesser extent. Contrary to what is often thought, immigration is not a new phenomenon in European countries, and although the descendants of earlier immigrants - such as the Poles and Italians who came to France in the early decades of this century - may scarcely think of themselves as immigrants any more, the Europe we know is to a considerable degree the product of migration down the centuries.

16.    This being said, it is nonetheless undeniable that a significant new wave of immigration began to affect many European countries in the 1950s and 1960s. Those two decades were a major period of large-scale recruitment of unskilled migrant workers, mainly from Southern Europe and Northern Africa. These workers were recruited from foreign countries because the rapidly expanding economies of Western Europe were short of labour. In several European countries a sizeable immigration also took place in the aftermath of the decolonisation process; most of these post-colonial migrants have a non-European background. Finally, the countries of Western Europe have also admitted refugees, although their numbers have remained far below those of the other two categories. Initially, most refugees came from Eastern Europe; later they began to come from other parts of the world as well. The two major inflows of labour - the post-colonial immigrants and the so-called migrant or "guest" workers - almost came to a halt in the first half of the 1970s, although they were followed by sizeable continuing flows of family members.

17.    Throughout Europe increasing restrictions were placed on the entry of migrants during the 1970s and 1980s, and especially from the time of the first oil crisis in 1973: the need for foreign workers had diminished and the opportunities for established migrants proved to be limited. Moreover, tensions developed in many countries between the original population and immigrant communities. It is well known that most countries in Europe had expected their migrants to return, in particular their "guest workers". Some did indeed go back, especially those from Southern Europe, where economic prospects had much improved. The majority, however, stayed on, in spite of host country policies to encourage departures, e.g. by special departure bonuses. The opportunities offered by the countries of origin did not seem sufficiently attractive. Moreover, once immigrants have settled down with their families in the host country and brought up children there, it becomes increasingly unlikely that they will uproot themselves and return to their former home.

18.    The recognition that most migrants would stay for good did not always come quickly; this applies both to the countries of immigration and to most of the  migrants themselves. The myth of a return that recedes, mirage-like, ever further into the distance, has made it difficult for migrants to plan their lives and has enabled policy-makers to put off difficult decisions about integration. Countries that considered their immigrants a potential for demographic growth were much less reluctant than those that considered themselves too densely populated already or that saw the migrants as a

threat to their cultural values. Western European states do not in general consider themselves formally to be countries of immigration in the sense of countries that seek long-term immigration as a matter of policy, but they are increasingly coming to recognise that, whether by accident or by design, they are in practice involved in a continuing process of de facto immigration.

19.     By the beginning of the 1980s, however, immigration was down again at relatively low levels and the European states began to contemplate integration policies for the second generation while thinking that large-scale new immigration had come to an end. But as the 1980s went on, another upsurge in immigration occurred, this time quite unexpectedly and, from the point of view of the receiving countries, without a clear and obvious reason such as decolonisation or a lack of unskilled manpower. This new immigration is of various kinds.

20.     In the first place, not only has family reunion continued at a higher level than expected but also young men and women, especially those of the second generation, have often sought their spouses in the country of origin. The consequent inflow of marriage-partners has brought into Western European countries a significant additional number of young adults of working age. The suspicion that some marriages are contracted solely for the purpose of evading immigration restrictions has led immigration authorities to tighten up on the admission of fiancé(e)s and spouses. This in turn has naturally caused resentment among immigrant communities.

21.     One of the main talking-points of the 1980s has been the dramatic rise in the number of people claiming political asylum. In accordance with their obligations under the Geneva Convention of 1951 (and the New York Protocol of 1967), the governments of the member States are obliged to investigate each case individually. The fact that this process, together with the appeal procedures available, may take months if not years has no doubt led many would-be entrants into European countries to use the asylum procedure as a way of circumventing immigration control. Here again, the risk of abuses has led governments to take controversial measures aimed at reducing the flow of asylum-seekers. There has been a regrettable change in the public image of refugees: traditionally seen as innocent victims of persecution, they now tend increasingly to be assimilated to clandestine immigrants.

22.     Another major development of the 1980s was the growth in immigration to the countries of Southern Europe, particularly Italy and Spain. From being considered as the classic emigration countries, the Southern European member States are now seen to be in the "front line" of immigration to Europe from the Third World. They have been obliged to adapt their immigration legislation to the new situation, but it is still the case, despite regularisation campaigns in some countries, that a large number of immigrants are in an irregular situation, having entered illegally or overstayed. Many of these immigrants are employed in the informal sector of the economy, where there appears at present to be a continuing demand for them.

23.     A new trend in several European countries is the growing immigration of well-educated people from developing countries, the so-called "brain drain". From a quantitative point of view, this trend may not be particularly significant, but its impact on the countries of origin can be dramatic. Even the departure of small numbers of university and college graduates deprives some of these countries of an important part of their development potential.

24.	The latest development is the growth in migration from the formerly communist countries of Central and Eastern Europe. At first, the main flow was that of ethnic Germans to Germany, which is a special case in that they have a right to settle there. Austria in particular has received large numbers of refugees from further east. But as the process of democratisation advances in the countries of Central and Eastern Europe, and as the concurrent transformation of the economic systems of those countries leads to widespread unemployment, economically-motivated migration is beginning to take place and will certainly grow. Just how much it will grow, and how far it can be controlled, were subjects of a ministerial conference held in Vienna in January 1991. This conference has laid the foundations for pan-European cooperation on migration matters.

25.	These various developments have pushed migration to the top of the political agenda for the 1990s. Public opinion is worried about continuing immigration and in this climate it is easy for racist or xenophobic movements to gain support. We are therefore living through a period of considerable public debate on the relations between immigrants and the society in which they live. Current tensions around these issues may be reinforced by the fact that over the years, migrants in Europe have tended to come from further and further afield. In the past migration was primarily an intra-European (or at least European and Mediterranean Basin) phenomenon, but nowadays the people entering Europe come from all over the world. Whereas the industrialised countries used to draw the bulk of their migrants from a limited number of countries with which they had special links, migration flows today are more complex and more diversified. Indeed, migration patterns have now become so complex and diverse that it is no longer justified to consider international migration as a series of regional flows. Instead, it has become a structural phenomenon at a global scale. The main causes of this phenomenon are the highly unbalanced prospects for economic development in the world, important differences in human rights conditions and uneven demographic pressures. Flows from poor to rich, and from unfree to free, are likely to persist for as long as these gaps remain as wide as they are now. Moreover, migration is nowadays facilitated by improved transport and communications as well as by the presence of substantial immigrant communities in Western Europe.

26.	The new migration, however, is not only induced by "push" factors at the sending end; as long as European economies need extra manpower, particularly of a more flexible nature, they will continue to attract new migrants. Whether these will come mainly in future from Eastern Europe or from the Third World remains to be seen, but in any case it seems clear that despite a basically restrictive immigration policy there will be continuing inflows of people into practically all the member States of the Council of Europe. The paradox here is that, although the member States do not consider themselves to have a labour shortage at present, a substantial number of these immigrants continue to find employment, in either the formal or the informal sectors of the economy.

27.	As immigration to Western Europe is increasing, member States of the European Community are discussing possibilities for a common immigration policy. Germany, France and the Benelux countries, now joined by Italy, Spain and Portugal, are harmonising their visa and border control policies under the Schengen Agreement. With a similar aim in mind, the twelve European Community States are involved in a process of intensive intergovernmental cooperation (eg the Ad Hoc Group on Immigration and

Trevi working groups). Among immigrant communities these developments have induced fears of a "Fortress Europe" trying to prevent further immigration and to whittle away the rights of established immigrants. It is too early to assess the possible effects of such policies; while it is clear that European States will wish to go on pursuing restrictive immigration policies, there is a growing recognition that in the kind of world we live in, Europe cannot seal itself off from all future immigration. In any case, human ingenuity being what it is, immigration restrictions, however necessary they may be, always seem to call forth irregular inflows of one sort or another.

2.2    A multi-ethnic society?

28.    Immigrant communities in most states in Western Europe now account for between five and ten per cent of the total population. It is impossible to give a precise number because it is not always clear who should be counted as an immigrant and who should not. Quite often, for instance, children of immigrants are seen as members of an immigrant community, even when they were born in the country of residence and thus never have migrated themselves. There are also wide variations from one country to another as to who are considered as immigrants. Are asylum-seekers included? Are people from overseas territories included? Are naturalised immigrants included? What about children of "mixed" marriages? To mention only one example: people living in France and originating from the French Antilles are not considered to be immigrants by the French authorities, whereas people living in the Netherlands and originating from the Netherlands Antilles - only a few hundred kilometres away - are seen as immigrants by the Dutch authorities.

29.    An additional complication is that some immigrants are citizens of the country where they now reside and others are not. Simply counting foreign residents, as is done very often to get an idea of the size of the immigrant population, does not always produce an accurate assessment. It is difficult to compare the size of the immigrant populations in countries where many immigrants have the nationality of the host country (eg where nationality law is based on the ius soli principle) and in countries where few immigrants do (eg where nationality law is based on the ius sanguinis principle). As the immigrant communities have become more established over the years, such differences become very significant. Finally, "immigrants" are usually understood to be "legal" immigrants, i.e. immigrants who possess the proper documents and who are formally entitled to stay in the country where they actually reside. Some European countries, particularly those in Southern Europe, also have large numbers of "illegal" migrants among their populations. Although estimates of their numbers vary greatly, it is widely understood that these communities have been growing recently. In Southern Europe as a whole there might easily be between one and two million illegal migrants now.

30.    In the future, the idea of who is an immigrant and who is not will become still more unclear. Immigrant communities are no longer necessarily made up of newcomers unfamiliar with the society in which they find themselves. In this respect, similarities are developing between Europe and traditional immigrant societies like the United States, Canada or Australia. The distinctive element is not always immigrant status any more, but rather the fact that members of "immigrant" communities share a common ethnicity which is rooted elsewhere. Ethnicity can be interpreted as a sense of community, based on a common heritage, in which elements like history, culture, race,

language or national

identity may all play a role. For this reason, certain European countries now prefer to designate their "immigrant" communities as "ethnic" communities or "ethnic groups". By contrast, other countries still prefer to use the term "foreigners" and believe that by giving preference to the term "ethnicity" one is likely to impair the fundamental equality of all individuals before the law, whatever their origins.

31.     It is important to bear in mind also that "migrants" do not constitute a single, homogeneous group. Far from it: groups as diverse as Arabs, Indians, Chinese, African and Caribbeans have little or nothing in common with one another culturally and face different kinds of problems in finding their place in the host society. Quite serious conflicts can arise in the relations between different immigrant groups, especially as they are often obliged to live in proximity to one another in the disadvantaged parts of large cities. On the other hand, as time goes on more common ground may emerge between the different groups as their shared experience of immigrant status brings them together despite the differences in their cultural origins.

32.     In any case, the fact remains that as a result of migration in recent decades substantial and diverse populations of different national or ethnic origins from those of the host population have come to live in most of the member States of the Council of Europe. This has led many to speak of an emergent multi-ethnic or multicultural society. Whether or not these terms are felt to be appropriate, it is undeniable that national, ethnic, racial and cultural diversity has become a characteristic feature of European society, particularly in the large cities where most of the newcomers have settled.

33.     In this document the terms (multi-)ethnic and (multi-)cultural are used as if they were almost synonymous. In scientific use, however, ethnicity as a concept is more exclusive than culture. Groups with a common culture simply share certain values and forms of behaviour (eg students). Ethnicity, by contrast, is a characteristic that not only refers to "inherited" forms of belonging, but also tends to take precedence over any other characteristic in the perception both of the communities concerned and of the surrounding population. In so far as it makes use of the concept of a multi-ethnic society, the Committee does not aim, however, to describe society as a "mosaïc" of organised communities where cultural, ethnic or religious groups simply exist side by side. In fact, there is interaction and communication between individuals and groups and there is no question of suggesting that people belonging to one group or another are "confined" to the life of one particular community. When it takes European societies today to be multi-ethnic or multicultural, the Committee is simply observing that in these societies the communities to which people belong function as systems of social organisation, solidarity and self-expression and that this should be recognised.

34.     The term "ethnic minorities" is also used in this context because, sociologically speaking, many immigrant groups are in a minority situation. Some important characteristics of such a minority situation are: inadequate participation in the major institutions of the established society such as employment, education, housing, social services, reduced possibilities for influencing democratic decision-making processes, and the fact that the consequent marginal position in society is passed on to successive generations.

35.     Marginality is indeed an important characteristic of the immigrant situation in many countries, especially as the dividing lines between social classes may sometimes

coincide with the dividing lines between ethnic communities. This situation is enhanced and tends to be perpetuated by two major sets of conditions. One is that immigrants often lack the means that would enable them to function effectively in society as a whole. One may think here, for example, of language ability, education and training, security of residence, and also of a sufficient knowledge of the codes and practices used in daily life. The other set of conditions is linked more directly to the surrounding society and its institutions, which are not always sufficiently accessible to members of immigrant communities. Sometimes this is an effect of deliberate discrimination against foreigners or people of a non-indigenous ethnic origin, although it may also often be the case that policy-makers and those who are in a position to provide access to major institutions do not intend to discriminate against individuals. At the same time, however, these "gate-keepers" (employers, public officials, teachers, etc.) are insufficiently aware of the "culturally biased" nature of the rules and practices that determine access to such institutions. Under such circumstances people of immigrant origin may experience greater difficulties than members of the established population and this explains, for instance, why immigrants have more problems in passing job interviews or selection tests or in trying to familiarise themselves with school curricula.

36.     Such forms of indirect or structural discrimination, as these are called, may frustrate immigrant ambitions to become socially integrated and upwardly mobile. There is ample research evidence that such ambitions are usually very strong among immigrants, in particular those of the second and subsequent generations. Much more thought, therefore, will have to be given to creating opportunities for participation by opening up established society and its major institutions and organisations to those members who have an immigrant background. This task is particularly urgent in the case of women migrants and young people of immigrant origin. This seems a basic prerequiste for avoiding social marginalisation and for preventing the social and ethnic divisions in European society from being reinforced.

37.     If European societies fail to take these problems seriously, they could lead to growing social tensions and conflict. The combination of social and economic disadvantage, ethnic identity and lack of political rights is a potentially explosive mixture and already from time to time the deprived areas of European cities where many immigrants live are the scene of violence - whether between the indigenous majority and the immigrant groups or between immigrants and the police as representatives of authority in the majority society. Serious outbreaks of violence, which may amount to riots, are still fortunately infrequent, but there can be little doubt that tension is widespread and that determined action is needed to try and reduce the risks for the future. The basic stance of this report is that the problems of community and ethnic relations are potentially serious but not insoluble, and that, if we really want to solve them, or at least prevent them from becoming too damaging, governments and many other social actors will have to take concerted action across a broad front.

## 3.   **SOME POSSIBLE POLICY RESPONSES**

### 3.1   Existing approaches to community relations issues in member States

38.    In this chapter we shall first give a brief description of the ways in which various member States address themselves to community relations questions at present.  Then the advantages and disadvantages of a variety of possible policy options will be analysed and discussed.  Finally, we shall sketch out the broad lines of the policy on community relations which the Committee wishes to commend to the governments of the member States.

39.    Governments in many European countries have been obliged to respond to the community relations issues arising in their countries as a result of recent migration movements.  Often the response has been of an ad hoc nature, a matter of reacting in an unco-ordinated manner to particularly pressing problems as they arise. An overall strategy has often been lacking and as a result the response by the public authorities has often been less effective than it might have been. Nevertheless, many countries have been active in the field of community relations and in the section that follows we shall try to give an impression of some of the different approaches which have been followed.

40.    Some countries have been more open than others to the possibility of permanent immigration. The countries with a colonial past, the United Kingdom, France, the Netherlands and Portugal in particular, have more historial familiarity with people from overseas and because of post-colonial links experienced a considerable volume of immigration from their former colonial territories. Historic links of this kind may up to a point provide a basis for integration since immigrants from ex-colonies often have some knowledge of the language and culture of the host country. The problems of multiculturalism are part of the historical experience of the former colonial powers; this does not necessarily make them any easier to resolve, but at least they are recognised for what they are.

41.    Countries like Germany, Switzerland and Sweden which have little or no colonial past, are in a different position. Such countries have little historical experience of immigration or multiculturalism, so that the arrival of large numbers of workers and families from foreign countries has raised issues which are unfamiliar. As in general immigrants to these countries have no acquaintance with their language and culture, the practical problems of integration are greater.

42.    The legal status of migrants and immigrants varies too. In the United Kingdom, Commonwealth citizens have many of the rights of British citizens, whereas in most of the other countries there is a much clearer distinction between the status of nationals and foreigners. But immigrants are not necessarily foreigners. In some countries, mainly those with a greater tradition of immigration and overseas links (but also, notably, in Sweden), it is relatively easy for long-stay migrants, and especially their children born in the host country, to obtain the nationality of their country of residence. More and more migrants or, more correctly, persons of migrant origin, have the nationality of the country they live in. In some ways this simplifies matters because such people have no problems of legal status. On the other hand it is clear that they may suffer just as much from xenophobia and discrimination as foreign immigrants do.

43.    The difference in experience and approach between different countries becomes evident in the terminology they use. On the whole the countries with a stronger tradition of links with overseas are more willing to accept that most of the recent migrants have now settled down more or less permanently.  It comes naturally in such countries to use the term "immigrant" with its implications of permanence rather than the term "migrant" which implies transience. It has been traditional to use the term "migrant" in international documents, but some countries would wish to maintain that this term is inappropriate to a situation where immigrants have settled down for good, where in more and more cases they have never lived in any other country and where, increasingly, they are acquiring the nationality of the country they live in. Indeed, as the former migrant communities settle down as a permanent part of the "host" society, they tend to be referred to increasingly as "ethnic minorities" or "ethnic groups" rather than either migrants or immigrants. For all these reasons, it has not been felt appropriate to adopt a uniform terminology for the purposes of the community relations project.  Because of the differences between different countries and the constantly evolving situation, a certain fluidity in terminology seems inevitable, and indeed desirable, and so in the report which follows a variety of terms will be used. Readers are asked, where necessary, to "translate" the terms used here into the language customary in their own countries[3].

44.    The term "community relations" originates from United Kingdom usage. Britain has had a defined policy on community relations since the mid-1960's; the first Race Relations Act was passed in 1965. The second Race Relations Act of 1968 set up the Community Relations Commission with a duty to encourage the establishment of harmonious community relations, to assist others in taking steps to the same end and to coordinate on a national basis the measures adopted for that purpose by others. Since then the legislation against discrimination on social or ethnic grounds has been progressively broadened and strengthened. The 1976 Race Relations Act set up a statutory body, the Commission for Racial Equality, which is responsible both for the application of the legislation against discrimination and for a range of social, educational and information activities aimed at eliminating racial discrimination and promoting better community relations. In Britain people do not hesitate to speak of "race" and community relations are often described in terms of the relations between "whites" (the indigenous population) and "blacks" (often used to refer to all non-white ethnic minorities). Present policy stresses that ethnic minorities are an integral part of British society (very many of these groups were born in Britain and for this reason they are no longer referred to collectively as "immigrants"). It is therefore accepted that government, acting in concert with other public and private agencies, has a responsibility to make it possible for everyone "to participate freely and fully in the economic, social and public life of the nation while having the freedom to maintain their own religious and cultural identity" [4]. Despite the United Kingdom's long experience of

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[3] Thus, as agreed by the European Committee on Migration, where the term "migrant" is used it should be understood as referring not only to migrant workers and their families but also to those referred to in many countries as "immigrants", "ethnic groups" or "persons of immigrant origin".

[4] Quoted from a policy statement published by the Home Office in October 1990 on the criteria for ethnic minority grants.

policy-making in the community relations field, however, serious social tensions related to race and ethnicity still exist and the British situation seems to indicate that determined action in the community relations field needs to be a permanent feature of a multi-ethnic society.

45.     In France the traditional approach has been one of insistence on the equal rights of all individuals which accordingly precludes the institutional recognition of cultural minorities. Immigrants have been accepted as part of society but are expected to assimilate to French cultural norms. Nevertheless the undeniable reality of growing ethnic and cultural diversity has led in practice to the acceptance of the need for an "intercultural" approach in educational and cultural policy in particular. For many years, policy has been based on the principle of the "integration" of immigrants into French society (which, however the term may be understood by public opinion, is not officially intended to imply full cultural assimilation) and the response to growing conflict and controversy over the "immigration" question has been to create a range of new official bodies charged with developing co-ordinated policies for integration. The term "ethnic minorities" runs counter to the French insistence on the unitary character of the State, but as the term "immigrants" becomes less and less appropriate to describe people many of whom were born in France and have French nationality, the term "populations of immigrant origin" is passing into widespread use.

46.     The approach followed in the Netherlands combines some elements of the British and French approaches. Both the "post-colonial" and the "guest-worker" types of immigration have taken place into the Netherlands. The most striking feature of the Dutch policy is its frank recognition of the existence of ethnic minorities and the development of a clear and determined policy towards minorities and their place in society. For some years the government has even accepted a degree of responsibility for helping these minorities to preserve, develop and express their cultural identity. It has set aside special funds to implement this policy in cooperation with local and regional authorities as well as the voluntary sector. There is now a tendency, however, to place more stress on the need to encourage minorities to integrate successfully into Dutch society. In addition to language and vocational training programmes this includes an active commitment to removing obstacles hindering access by migrants and ethnic minorities to all areas of social and economic activity. The need to integrate immigrants into political life is also accepted, the Netherlands being one of the countries that has granted settled immigrants voting rights at local elections.

47.     In Germany, even more than elsewhere, immigration policy has been based on the requirements of the labour market. Germany is not considered to be a "country of immigration" in the sense of a country which seeks and welcomes permanent settlers from foreign countries, although German governments have come increasingly to recognise that substantial numbers of originally temporary "guest-workers" have settled down for good, as in other countries. In line with this acceptance that immigration has in practice taken place policies have been developed to promote the integration of foreign workers and their families living in Germany. At federal level an office to promote relations with foreigners has been in existence for several years but most activities of a "community relations" nature take place at the level of individual municipalities or Länder. It is noticeable that migrants in Germany are still generally referred to as "foreigners", which seems to suggest that the integration process is still at a fairly early stage and that people of migrant origin are not yet felt to be an integral part of the host society.

48.     Sweden has pursued a policy of great openness towards foreigners living in the country, combined with strict control on new entries. The wide range of social benefits available through the Swedish welfare state are available to foreigners on a basis of equality with nationals. A special ombudsman has been appointed to deal with ethnic discrimination matters, although his powers are still fairly limited. The National Board of Immigration and Naturalisation (SIV) has responsibility, at the central administrative level, for putting into practice the comunity relations policy adopted by Parliament. Municipal authorities also take their responsibilities towards foreigners seriously and sponsor a variety of local initiatives aimed at improving community relations. Political participation by immigrants is encouraged, they have voting rights at local level and their associations have been brought into the consultative process that is a characteristic feature of Swedish life. Finally it is fairly easy to acquire Swedish nationality and many immigrants do so.

49.     Switzerland, like Sweden, limits the admission of foreigners while seeking to integrate these who are admitted for long-term residence. The main lines of the integration policy are as follows. Young foreigners belonging to the principal foreign communities can take courses, which are to some extent integrated into the ordinary school curriculum, on the language and culture of their country of origin. Vocational training is available to them on the same basis as for Swiss nationals and they can also take courses in training centres set up by their own countries. In many municipalities there are consultative bodies through which foreigners can communicate their needs to the authorities. The Federal Commission for the Problems of Foreigners, which includes representatives of foreigners' associations, plays an important part in improving community relations. It makes recommendations to local authorities and to foreigners' associations with a view to improving foreigners' social integration. It also mediates between representatives of foreigners' associations, consultative committees and assistance services for foreigners. Finally, it publishes information for foreigners so as to help with their integration.

50.     As can be seen, the more highly industrialised countries which have received immigrants for many years have made considerable efforts to develop policies to encourage their integration and to promote good community relations. Although the policy approaches and the terminology in use vary considerably from country to country, all the governments concerned have found it necessary to devote attention to community relations matters. Quite naturally, things are very different in Southern Europe where foreign immigration on any significant scale is a development of the 1980's. As in the more northerly European countries twenty years ago, policy development is still at a rudimentary stage. In the last few years, however, these countries (Portugal, Spain, Italy, Greece, Cyprus) have realised that there is an increasingly pressing need for them to develop policies in the field of community relations. Thus far, the initiative has largely been left to voluntary organisations, especially churches, but, with local authorities increasingly unable to cope and disturbing signs of racism and xenophobia, it is now seen that government must step in too. There is unfortunately one serious complication which did not exist to anything like the same extent in the countries which experienced immigration earlier, and that is the fact that - even after large-scale regularisation programmes in some countries - so many of the immigrants are in an irregular legal status. They therefore avoid as far as possible all contact with official bodies so that any attempts to introduce integration programmes cannot touch a substantial part of the immigrant population. It therefore seems clear that the efficient

control of immigration is a pre-requisite for effective community relations policies in Southern Europe. Italy has recently taken some important steps in this direction: a new Act has been passed providing for better regulation of immigration, and a Ministry for Italians Abroad and Immigration has been created. At the same time, Southern European countries now feel the need to examine carefully the policies which have been applied elsewhere in Europe so as to see how they can be adapted to the situation of the new immigration countries. It is hoped that this report will, as proposed in Recommendation 1125 of the Parliamentary Assembly on the new immigration countries, help to stimulate the process of working out community relations policies appropriate to the situation of the Southern European countries today.

51.     It needs to be stressed that despite all this diversity in detail, European countries are in fact facing situations which have a great deal in common. In all the member States which have received large numbers of migrants in recent decades, similar questions arise. Irrespective of their legal status, immigrants and persons of immigrant origin are faced with all the problems of adapting to a new society: questions of cultural identity and language, educational problems, and, to a greater or lesser extent, the experience of xenophobia and discrimination. At the same time, the majority population, both in countries with and in countries without a tradition of immigration, faces the challenge of adapting to a new degree of cultural and ethnic diversity which has implications for the education system, the legal system, social policy, cultural policy, the mass media and so on. The justification for a European community relations project is the conviction that there are enough resemblances between the problems arising in different countries to make it worth while exchanging experience and ideas even if the solutions adopted will have to be applied in different ways in different countries. It seems essential that Europe, with its explicit commitment to tolerance and justice, should attempt to move towards a common approach to the challenges resulting from recent migration.

3.2     Analysis of some possible alternative strategies

52.     There is, therefore, a considerable variety of policy strategies adopted by the member States of the Council of Europe to encourage the integration of immigrants and to promote good community relations. This variety stems, at least partly, from the different modes of operation of the public sectors in different countries. When analysing different strategies, however, one also encounters substantial differences in the assessment by public authorities of the effects of immigration and its impact on community relations. At the same time important resemblances may also be observed. Differences as well as similarities will be discussed in this section, with a special emphasis on three major domains of public policy: the legal, the socio-economic and the cultural domains.

53.     One of the basic questions that all governments have had to face sooner or later is whether simply to extend the application of general policy instruments to immigrants, or whether to develop specific policies for integration. The latter approach implies, inter alia, introducing or adapting specific legislation so as to cope better with the situation of immigrants. As we shall see later, the application of specific integration policies may also involve the creation of more far-reaching instruments to promote integration.

54.     In this document integration is understood as the process by which immigrants

increasingly participate in the major institutions of society. Integration, interpreted thus, can be seen as an appropriate response to preventing marginalisation and minority formation. Integration is by no means the same as assimilation. The latter term usually refers to a process by which immigrants gradually abandon their specific values, beliefs and opinions and become like the dominant population. It should be clear that, even though the two are not completely unrelated, assimilation is not necessary for integration, and integration does not inevitably lead to assimilation.

*The legal domain*

55.     During recent decades nearly all immigration countries in Northern and Western Europe began by following the first approach. No specific policy was thought to be needed: it was enough to extend certain rights enjoyed by nationals to foreign immigrants as well. The most basic right in this context is the entitlement to security of residence, and this is usually linked to length of stay: generally-speaking, the longer an immigrant has been living in a country, the more secure his or her status becomes. In formally admitting an immigrant he or she is usually given access to education, housing, the labour market, the health care system and other important facilities. Obtaining a more permanent residential status implies, among many other things, that a foreigner can no longer be forced to leave the country if he or she becomes unemployed. Certain limitations in entitlement to social security benefits are gradually lifted as well.

56.     There are considerable differences between European countries in the number of years a foreign resident has to wait before he or she qualifies for a more permanent status. In Sweden, for instance, permanent residence status is accorded through the initial decision on residence, whereas in Switzerland there is a waiting period that may last up to ten years. The length of this waiting period may also vary according to the nationality of the person concerned. Besides, additional requirements, concerning for example housing or income, are much stricter in some countries than others. This variety in rules and regulations has produced a situation in which the percentage of immigrants with a secure residential status varies considerably from one country to another.

57.     Obtaining a secure residential status is important for a non-citizen, but it still does not automatically bring all the rights and entitlements  normally associated with citizenship. In many cases further measures have been taken so as to cope with the new situation arising from recent immigration: existing rules and legislation have been adapted, or completely new pieces of legislation and other measures have been introduced. Some European countries, for example, have assigned to certain religions with a strong following among immigrants the same status as that enjoyed by the traditionally established religions. This means that they are eligible for certain facilities financed out of public funds.

58.     Another right worth being mentioned in this context is freedom of association. In France, for instance, this right was not granted fully to foreign immigrants until 1981. Some other countries have been extending to foreign immigrants with a certain resi-dence record the right to vote and to be elected, but only at the local level. Extending voting rights to non-citizens is generally seen as an act of great symbolic significance as well as practical value. The Netherlands has also extended the right to enter the civil service to resident foreigners.

59.     Some countries have gone further than others in extending rights to non-citizens. Public authorities sometimes argue that granting more rights to foreigners narrows too much the gap in legal status between foreigners and nationals. As a consequence, foreigners might be less inclined to opt for naturalisation. A comparison of different European countries shows, however, the contrary: the stronger the legal status and the political rights of resident foreigners, the greater the number of naturalisations. The

naturalisation rate is particularly high in Scandinavia, where resident foreigners have been given many possibilities for participating in decision- making processes. Naturalisations are much rarer in Germany and Switzerland, countries that have more reservations about extending rights to foreigners.

60.     One step further than the mere extension of existing rights to immigrants is the adaptation of legislation or even the introduction of new legislation to increase their opportunities of integration. This may be seen as part of what was referred to above as a specific integration policy. This is by no means a new development: throughout history, laws and regulations have been adapted to changing realities in society. In the past, many European countries adapted parts of their legislation so as to accommodate specific desires of their Jewish communities. In more recent years, such adaptations have been extended in order to cover certain practices and rites common in other religions, particularly in Islam and Hinduism. One may think here of rules regarding the slaughtering of animals and legislation concerning funerals.

61.     Legislative adaptations may go well beyond the cultural and religious domain. Confronted with growing numbers of immigrants, most member States have changed their naturalisation laws, though not always in the direction of making it easier for foreigners to acquire citizenship. Last, but certainly not least, many member States have strengthened their legislation against discrimination based on race or ethnic origin. As is only too well known, immigrants are often discriminated against on such grounds. Combating these forms of discrimination, for instance in housing, in the work place or in education is not a simple matter, as discrimination may be hard to prove in individual cases.

62.     The United Kingdom is perhaps the country with the most experience in this field. During the past twenty-five years a series of laws regarding "race relations" have made the combating of discrimination and the promotion of inter-racial harmony a cornerstone of British integration policy for immigrants. Elsewhere in Europe the immigration issue is less generally defined in terms of "race", but rather in terms of "citizenship", as in France, Germany and Switzerland, or in terms of "cultural pluralism", as in the Netherlands and in Denmark, Norway and Sweden (and also in Canada, and more recently in Australia). Britain has gone further than other European countries in introducing anti-discrimination legislation and in setting up institutional provisions to promote racial equality. Moreover, demands for recognition of group rights are increasingly being heard in most countries from some immigrant and ethnic communities.

*The socio-economic domain*

63.     Granting more rights to immigrants may be a necessary condition for promoting integration, but it is not always sufficient. Many immigrants still have insufficient opportunity to participate in the society of which they are part: they often take the least attractive jobs, their unemployment rates are nearly always above average, their housing conditions are poor and school results often remain below what is needed to achieve some form of social mobility in the second generation. Although this does not apply to all immigrants, it can be observed that in many cases immigrants still live on the margins of society.

64.     There are various reasons for this, related both to the immigrants themselves and to society as a whole. First, the granting of additional rights does not always mean that immigrants use these rights effectively. This may be a result of language problems: immigrants do not always speak the language of the country where they live, even if they have been there for many years. Of course this makes it more difficult to gain familiarity with the institutions and the habits of that country. Besides, many immigrants, particularly those of the first generation, are uncertain about their plans for returning home and in some cases this may impede their integration. To a certain extent, this is a chicken-and-egg question, since a lack of opportunities for integration may serve to reinforce what is sometimes referred to as the "return myth".

65.     Another important reason why a strong legal position does not eliminate the risk of marginalisation is the educational level of migrants. Most immigrants in Western Europe are poorly educated, which contrasts with the situation in many non-European immigration countries, including the United States. Their history of immigration is quite different from Europe's, even though there has been a     certain     convergence during recent years. The peculiarities of the situation in Europe are the outcome of a deliberate recruitment policy that aimed at filling labour shortages at the bottom end of the labour market. Since then, many of those unskilled migrants have settled down for good, whilst at the same time many of the unskilled jobs they came to do have disappeared.

66.     Inadequate integration should certainly not be explained merely by indicating certain characteristics of the immigrant population. Much of the explanation lies with the receiving societies which show themselves unable to accommodate immigrants on an equal footing, even when sufficient rights are granted to them. Among the principal reasons for this are inadequate opportunities for work at an adequate skill level, as has just been noted, and a shortage of adequate housing. Research strongly suggests that where resources are scarce, distribution processes tend to favour the indigenous population at the expense of immigrants, even in cases where there are equal rights on paper.

67.     This may result from deliberate discrimination of the type already discussed, directed against individual immigrants on the basis of their race or ethnic origin. In recent years, however, there has been a growing awareness of another type of discrimination, which is sometimes referred to as structural discrimination or institutional racism. This form of discrimination is neither deliberate nor directed against individuals, but in its effects it may be just as harmful to successful integration. Structural discrimination refers to the fact that all major institutions in a society are governed by certain habits, rules and regulations, whether formal or informal, that are rooted in the dominant culture of that society. The more people are familiar with these rules and regulations, the easier it will be for them to gain access to those institutions. In the labour market, for example, interviews and entrance tests for jobs may seem "neutral" at first glance, but in practice they are not. The same is true of school examinations and the procedures governing the allocation of housing.

68.     The recognition of structural discrimination as a barrier to integration has been slow in coming. Various arguments have been put forward for keeping necessary adaptations to established practices to a minimum. Public authorities often consider it discriminatory to make distinctions between the indigenous population and members of

immigrant communities. Surely government policy should apply equally to all residents, irrespective of race or ethnic origin? By arguing like this, however, the harmful effects of structural discrimination tend to be overlooked. These effects can be reduced by introducing certain measures that are directed specifically at the immigrant communities, but the need for such policies is not always understood by the host population. This is why public authorities have often been slow to introduce specific integration policies for immigrants, claiming that existing institutions are sufficiently flexible to cope. It has become increasingly clear, however, that in a welfare state of the European type the social consequences of immigration simply cannot be neglected any longer by public authorities. This awareness becomes stronger with the passage of time: Northern and Western European member States have introduced more in the way of specific integration policies than the Southern European member States, where large scale immigration is a much more recent phenomenon.

69.      This is not to say that there is no ambivalence left in the integration policies of the more established countries of immigration. Not everyone in these countries is yet convinced of the need for specific integration policies. Moreover, some may argue that if integration policies are successful, and immigrants no longer remain on the margins of society, there will be nobody to assume the buffer role in the labour market. For obvious reasons, politicians who endorse such views would seldom express them in such explicit terms, but it has been observed that the attitudes of public authorities vis-à-vis certain categories of immigrants cannot always be explained otherwise. This is clearly the case for the growing numbers of illegal immigrants in Europe, particularly in the South. Other examples may be found in the way many member States treat seasonal workers and asylum- seekers.

70.      It is often assumed that migrants of this type will stay only temporarily, so that there is no need to promote their integration. In reality, however, these categories of immigrants have also been staying on longer than expected, and their numbers have been growing substantially in recent years. From the point of view of the needs of the labour market certain resemblances may be observed between current patterns of immigration and the immigration of "guest workers" from Mediterranean countries in the 1960s and 70s, migrants who at the time were also expected to stay temporarily. An important difference, however, between the "guest workers" of earlier decades and the present-day "temporary" migrant workers is that the former had a much stronger legal status than the latter.

71.      As many of the member States have familiarised themselves with large- scale immigration, they have also acknowledged that merely extending the working of regular policy instruments to immigrants does not always lead to their successful integration. As pointed out already, these countries opted sooner or later for some specific policy measures in addition to general policy instruments applicable to the population as a whole. The instruments and the scope of such specific policies differ considerably from one country to another. In essence, however, two major types may be distinguished. One type of measure aims at providing migrants with the tools they need to integrate, which general policy instruments do not fully supply. The other type aims at opening up those major institutions in society that are insufficiently accessible to immigrants.

72.      The need for specific measures of the first type tends to be recognised more readily. A specific immigrant policy has often started with such fairly obvious measures as the organisation of language classes, of special reception classes and other forms of

monitoring for immigrant pupils in schools, or the creation of separate social work agencies for immigrants. Then, as the second immigrant generation has grown up, and as their limited opportunities have become apparent, special vocational training courses have been organised for them. The choice of such policy instruments implies that immigrants' slowness to integrate is seen primarily as a result of their lack of qualifications. Quite often, this is indeed the case. The average level of schooling among the major immigrant communities in Europe is low, whereas labour market demands tend to be mainly at higher skill levels. Research evidence indicates, however, that immigrants with good qualifications also have difficulty in finding jobs. Unemployment levels diminish as qualification levels rise, and this is also true of immigrants, but to a lesser extent than with non-immigrants. There is also considerable under-employment among immigrants.

73.     In addition to inadequate qualifications, structural discrimination has been identified as a second major reason for this discrepancy. As the awareness of the phenomenon has grown, immigrant policies in some countries have begun to incorporate instruments that aim to increase the accessibility of institutions to immigrants. School curricula have been adapted, for instance, so as to allow for different forms of multi-cultural education.  Schools hope in this way to be able to cope better with an increasingly multi-ethnic public. Other measures that come under the heading of this second type of specific integration policies have been taken in the field of housing. Allocation systems, for example, have been screened for discriminatory effects and in some cases quotas have been laid down and allotted to immigrants, especially in the case of political refugees. The most prominent measures of this type are to be found in the field of employment. Efforts have been made in various European countries - mainly at the local level - to overcome the detrimental effects that structural discrimination in the labour market may have on immigrants.

74.     The policy instruments just discussed are among the most far-reaching developments in integration policies, but even they may only be of limited effect, particularly in the short and medium term. It should be borne in mind that the influence of public authorities on integration processes is limited: many other factors also play a role. Besides, these processes usually take time, and public authorities prefer taking measures that produce quicker results. The fact that all immigrant countries have nevertheless opted for specific measures, indicates how persistent the marginalisation processes among immigrants can be, and how difficult it is to correct them.

75.     Developing an integration policy implies taking risks, not only in the sense that short term success cannot be guaranteed, but also because of a possible backlash effect among the host population. Some people will be tempted to think that immigrants are being favoured at the expense of the original population, in particular those members who are in a deprived position themselves. Such impressions, whether right or wrong (and usually they are wrong), may serve as an important breeding ground for political parties of the extreme right. All over Europe such parties have been gaining support lately by playing the anti-immigrant card. Here, public authorities find themselves on the horns of the dilemma: if they give in to such backlash effects, marginalisation among immigrants may persist or even worsen, and inter-ethnic tensions will mount. If they do not give in and decide to maintain an immigrant policy, they fear encouraging the backlash effect. Needless to say that extremely careful manoeuvering is required.

76.     The development of an overall policy to overcome social deprivation among both immigrants and non-immigrants is sometimes considered as a way out of this situation. The British Inner City Policy, launched in the late 1960s, was clearly meant as such. Other countries have also embarked on programmes of urban renewal, assuming that all inhabitants, immigrants and the original population alike, benefit from them. The risk here, as research findings show, is that such overall policies tend to benefit the original population more than the immigrants. Immigrants tend to underutilise the measures deployed through such policies. The reason for this comes as no surpirse: such policies, based as they are on concepts and habits stemming from the dominant society, tend to have the effect of discriminating against immigrants with a different cultural background. Here again, a tension becomes manifest between promoting integration and recognising cultural difference. It is precisely for this last reason that some immigrant and ethnic communities are ambivalent or, in some extreme cases, even opposed to integration policies. They fear that such policies may eventually lead to their cultural assimilation, even though initially this might not have been intended. In the following paragraphs the cultural domain will be further analysed.

*The cultural domain*

77.     The presence of immigrant communities and their growth have undoubtedly reinforced the multicultural character of European society. Throughout Europe this phenomenon has been perceived in a variety of manners by the general public, by the authorities and, of course, by the immigrants themselves. Some members of the established population consider immigration, in particular from outside Europe, as a threat to Europe's cultural heritage. Non-Europeans, it is claimed, have very different views on vital issues such as democracy, the relationship between religion and the state, between men and women, and between parents and children. According to this view, being tolerant towards such attitudes might be a first step towards giving in. A major preoccupation seems to be whether one should be tolerant towards those who themselves are not tolerant; in this context reference is often made to religious fundamentalism.

78.     Some consider the Rushdie affair, which in early 1989 provoked fierce reactions all over Western Europe, but particularly in the United Kingdom, as an example of the clash of values and the incompatibility of cultures. Another such "affair" was the fierce debate on wearing headscarves at school later that same year in France. Large-scale migration, in this view, has brought together the incompatible. One may come across such perceptions in all European countries and there can be little doubt that the war in the Gulf  reinforced such feelings among substantial segments of all communities, both of immigrant and non-immigrant origin. From time to time anti-immigrant feelings emerge in the form of political parties that sometimes affect the functioning of the entire political system.

79.     Most anti-immigrant feelings find their roots in beliefs about the superiority of the white "race" that were particularly popular in the late nineteenth and early twentieth centuries, the heyday of colonialism. Later, an "enlightened" version of such beliefs emerged, according to which Europeans were thought to have a duty to help the less fortunate of the world become more like themselves. Indeed, in most European states, policies for immigrants started from such notions, which many now consider as prejudiced or even racist. Only gradually, and by no means everywhere, have policy aims developed into the promotion of more equitable relations between the original

population and the immigrant and ethnic communities, without either of these being forced to adapt completely to the other.

80.     Those who support the view that cultures are incompatible usually recommend two types of "solution". One is to stop further immigration and to encourage people to return. All European countries have learned from experience that this is very difficult to achieve in a world that is rapidly becoming smaller and more open. The other "solution" is assimilation, which would imply the almost complete disappearance of immigrant cultures and ethnic communities as recognisable entities. This may happen to some individuals, though seldom among the first generation. As a general rule, however, unequivocal policies of cultural assimilation do not work. They do not comply with the basic principles of freedom and democracy as currently interpreted in Europe. One of the most remarkable developments since the recent widespread waves of democratisation in Central and Eastern Europe has been the renewed visibility of ethnic and national feelings, and - unfortunately - also of racism.

81.     Most immigration countries in Western Europe have discovered the strength of ethnicity in a more gradual manner. They have introduced certain pluralist elements into their policies, e.g. the recognition of religious practices, facilities for mother-tongue teaching and for ethnic and immigrant organisations. Most governments now acknowledge the role ethnicity can play in promoting harmonious community relations. It has been acknowledged that immigration has indeed led to the development of multi-ethnic societies and that such societies should offer possibilities for peaceful co-existence to all communities, thus enabling people to arrange their private lives in line with their own traditions, within the limits set by the existing legal order (which in itself is not unchangeable). Such relatively pluralist views are based on the idea that, in the private sphere at least, cultures can be compatible and that different cultural and ethnic communities can live together peacefully in one and the same society.

82.     Usually there is more debate about the degree of cultural pluralism that should be accepted in public life. Should public authorities treat immigrant and ethnic communities and their individual members differently from other groups and individuals in society, or should the same rules and measures apply to everyone, irrespective of ethnic or immigrant origin? To what extent should ethnic origin be taken into account in policies that aim at promoting social integration? Would it be discriminatory to do so? The member States have taken different attitudes towards such issues. Some think that, basically, one set of values should prevail in the public domain; it is commonly understood that those values can only be the ones that have long been dominant in a given society and that have their "roots" there. Others think that equal treatment of "indigenous" and immigrant cultures requires the creation of a number of separate provisions and institutions that cater exclusively for immigrant communities. Of course, institutionalised forms of cultural pluralism may be found in all European countries, but some countries have gone further than others in these matters. The Netherlands and Sweden are two examples of countries with a relatively strong emphasis on cultural pluralism in their policies for immigrants.

83.     Creating separate public services and institutions for migrants in central fields of society (e.g. schools, housing, social work, health care, legislation) has the advantage of helping these communities preserve and develop their own cultural identity. Inside their own institutions they are sheltered from the dominant society, its racism and discrimination. This approach has certain disadvantages however: in the first place, these institutions may act as barriers between foreigners and the host society, rather

than encouraging the kind of integration that takes for granted access to generally available services; and secondly the migrant communities are often too small to support such an infrastructure on their own, so that they have to turn for help to the State or to other powerful financial backers, such as the countries of origin. This may open the door for undesired forms of political influence from foreign States and it may also keep immigrants unduly dependent on subsidies from the authorities in the country where they live. Finally, the existence of specific agencies, institutions and provisions for migrant communities may serve as a ready-made excuse for existing institutions not to open themselves up to members of these communities and their specific needs. Thus, too much pluralism may lead to isolation and hamper the process of integration.

84.    When discussing the role of culture in integration processes, sufficient account should be taken of the dynamic character of culture. Cultures always tend to adjust to changing circumstances; adjustment, however, is not the same as assimilation. International migration has traditionally been a very important motor for cultural change, comparable to other forces such as great discoveries, technological innovation, growth in prosperity, revolution and even war. Migration brings together bearers of different cultures and the subsequent contacts generate new impulses in all directions.

85.    This can only occur if the different groups involved have sufficient opportunities to get in touch with each other. If such opportunities are lacking, for instance because migrants remain in the ghettoes or on the margins of society - whether as a result of an inadequate integration policy or by their own will - the dynamics of culture will stagnate. Migrant cultures would not get sufficient new impulse, migrants would be thrown back on each other's company and relapse into old certainties. This could result in cultural "fossilisation" as well as having a radicalising effect. Public authorities should therefore try to find a balance between and attitude of respect towards immigrant cultures and a recognition of the fact that they are always involved in a process of change and development. A policy approach which creates space for immigrants to manifest and develop themselves is to be preferred to one that limits and restricts their potential.

**3.3. Towards a basic philosophy for community relations policies**

86.    Any policy that aims at improving community and ethnic relations should be based on the understanding that the vast majority of all immigrants in Europe are here to stay and that both intra-European migration and migration from outside Europe are likely to continue for the foreseeable future. It should also be based on the consideration that migrants and ethnic groups of immigrant origin form an integral part of society. It is no longer appropriate to think of the migrant population and the host population as separate, possibly even antagonistic, groups; rather, we should think of society as a single whole in all its ethnic and cultural diversity.

87.    Throughout its activities the Committee has endorsed the view that governments have a vital and active part to play in creating conditions for good community relations. It would be unwise to leave the promotion and the monitoring of the integration process entirely to forces that are beyond any form of public control. The active involvement of public authorities at national, regional and local levels is therefore required. This was recognised by the Ministers at the Oporto Conference when they declared that "if the member States are to derive benefit from the new elements of cultural and social life

brought by the migrant communities, it is important to adopt a community relations policy and to apply it consistently in all areas of society" (document MMG-3 (87) 22). The Committee therefore recommends that the governments of member States adopt explicit policies on community relations and ensure that they are put into practice across the whole range of government action.

88.     Such a commitment by governments will provide the basis for promoting full integration into society by immigrants or persons of immigrant origin. As has been mentioned before, integration defined in these terms is not the same as assimilation and does not require assimilation. On the contrary, a sufficient degree of integration of all communities in a society will facilitate the dialogue between those communities in that society. Achieving this should be a long-term goal for any government. Governments need to be aware of the long-term character of integration processes and of the need for long-term thinking on these particular issues.

89.     Integration and the promotion of community relations require legislation that provides equal opportunities for all individuals, irrespective of race, ethnic origin or immigrant status. The law must also protect all residents of a country from discrimination or harassment on these grounds. Policies that define fixed quotas for immigrant or ethnic minorities or under which members of these groups are exempt from normal procedures, either with "positive" or with "negative" intentions, do not, however, have the Committee's support.

90.     In addition to legislation of the type mentioned in the previous paragraph, additional policy measures may be needed to promote social integration for individuals of immigrant origin and to improve their chances of obtaining access to the major institutions of society on an equal footing with the indigenous population. Such additional measures should be adjusted in a flexible manner to the needs of individual members of specific ethnic communities. Their primary objective is to ensure that all individuals are genuinely in a position benefit from the equality of opportunity guaranteed by law. The type of measures referred to here have become known as "positive action". One of the functions of positive action programmes is to remind the authorities and the members of the original population that immigrants are going through an integration process in which they encounter extra barriers that may result from their unfamiliarity with established practices and from structural discrimination. This may require supplementary measures in order to achieve equal opportunity and equal access. In no way, however, will this imply a lowering of standards or a changing of selection procedures; the latter practices have become known as "positive discrimination" and differ fundamentally from positive action as advocated by the Committee.

91.     Perhaps to a greater extent than in the past, ethnicity has become a dimension of social organisation comparable to religion, political views or professional interests. Governments should allow ethnic and immigrant communities to organise themselves and to develop their own life and activities in so far as they wish to do so. An obvious condition, of course, has to be that any organisation observes the limits set by the law, even though the law is not always unchangeable. Traditionally, some member States offer more opportunities than others for pluralism and for public support to such forms of multiculturalism. An attitude of openness by the authorities towards the expression by immigrant and ethnic groups of their own community life can help to create a favourable context for the development of community relations on the basis of mutual

respect and tolerance of diversity.

92.     Immigrants should also be encouraged to develop a sense of belonging to their "new" society, without, however, being forced to assimilate and to abandon their own ethnic origins. It is to be expected that, from the immigrant's point of view, a society where positive attitudes towards equal opportunity, positive action and multiculturalism prevail is much easier to identify with than a society where there is little or no chance of integration and where xenophobic attitudes are widespread. As the European integration process advances, and as narrow nationalism comes to seem almost a relic from  the past, there is no reason any more why people in Europe should be forced to identify exclusively with one nation-state. Many members of immigrant and ethnic communities offer concrete proof of the fact that one can have a real loyalty to more than one nation-state.

93.     In this context, official attitudes are of crucial importance. The role of the State authorities as leaders of opinion, especially in delicate matters concerning immigration, is often underestimated. The messages of government authorities reach a very wide public, including those working in public services who take their cue from the attitudes expressed, explicitly or implicitly, by political leaders. As was recognised by the Ministers at the Oporto Conference, "governments need to take the lead in showing the importance they attach to community relations and in setting an example through policies and actions designed to create a propitious climate and the necessary conditions for the integration of migrants into the host society".

94.     Open, welcoming and tolerant attitudes are the only sound basis for good community relations. Members of immigrant and ethnic communities must be made to feel they are accepted as an integral part of society. Governments have a vital part to play in creating the conditions in which good community relations can develop. Public authorities at all levels that take this task seriously must consider immigrant communities and their leaders as key partners in developing and promoting policies that aim at good community relations. Non-governmental organisations (e.g. professional associations, trade unions, private companies) should be encouraged to do the same.

95.     It should also be remembered that a proper operation of all the policies mentioned in this section requires changes in the functioning of public services and many other institutions in society. Such services and institutions should be better equipped to cope with the needs of the ethnic and immigrant communities. Their needs are not always the same as those of the original population, in particular during the initial period of integration. In order to ensure that such policies continue to be properly implemented, the Committee underlines the importance of adequate forms of monitoring.

96.     Finally, it should be recalled that, in the view of the Committee, "community relations" deals not only with the integration of migrants into their new country, but also with how society as a whole and all its members need to respond to the presence of large numbers of people of different ethnic and cultural origins from the majority. Community relations policies are therefore directed not only towards migrants but towards the population as a whole. Community relations are not about migrants as a separate and problematic group, but about the interaction between the different groups or communities which go to make up society as a whole.

97.     To sum up, the basis of a good community relations policy is a sound legal status and equal opportunities for participation in the major institutions of a society for people of immigrant origin. Only on this basis can equitable and harmonious community relations flourish. Therefore, a good community relations policy should:

-       be based on the assumption that most immigrants have come to stay and that they have much to contribute to the life of the countries in which they live;

-       accept that public authorities have a crucial part to play in promoting and monitoring the integration of immigrants and the development of good community relations;

-       provide a legislative basis for action to ensure equality of  opportunity and to combat discrimination;

-       promote the social integration of individual members of immigrant and ethnic communities;

-       ensure that immigrants are eligible to benefit from existing government services and programmes open to the population as a whole and, wherever needed, develop additional measures to promote the successful integration of immigrants by means of "positive action" but not positive discrimination;

-       encourage immigrants to develop a sense of belonging to their new society;

-       consider immigrant and ethnic communities and their leaders as key partners in promoting good community relations;

-       be based on an awareness that integration and the development of good community relations are long-term processes that require long-term policy views.

98.     In what follows, the Committee will show how these principles can be applied in practice in different fields of government policy. The following fields for practical action have been selected for discussion in Chapter 4:

-       the legal framework (4.1)
-       combating discrimination (4.2)
-       improving the employment situation of immigrant and ethnic groups (4.3)
-       education for a multi-ethnic society (4.4)
-       housing and town planning (4.5)
-       adapting public services to the needs of a multi-ethnic society (4.6)
-       coping with conflict (4.7)
-       the role of local authorities (4.8)
-       the role of immigrant and ethnic associations and other voluntary bodies (4.9)

Then in Chapter 5, the cultural dimension of community relations will be discussed. After an introductory paragraph on cultural communities and the State, the following themes will be elaborated:

-       a multi-faith society: the role of religion (5.2)
-       family law and family relations (5.3)

-        cultural life and the arts (5.4)
-        the media (5.5).

## 4.    ELEMENTS OF A COMMUNITY RELATIONS POLICY

### 4.1    The legal framework

99.    As will be seen in the sections that follow, the building up of good community relations in a society is primarily a matter of changing attitudes and developing good administrative practice based on sensitivity to ethnic and cultural diversity. It is not possible to impose good community relations by legislation.  Nonetheless community relations develop within a general context set by law.  It is therefore necessary to ensure that the law does not stand in the way of developing the flexibility that is needed in a multi-ethnic society; this may mean amending laws in some cases.  Equally, it is necessary to establish in law the principles of respect and equal treatment for all members of a society irrespective of their ethnic origin, cultural traditions and so on; this implies the provision of legal sanctions against racist or discriminatory behaviour. In other words, while community relations policies are not primarily a matter for legislation, it is important to ensure that the general legal framework is conducive to the harmonious development of an ethnically diverse society. The matter of anti-discrimination law will be given the more extended treatment it deserves in the following section. Here, we shall simply draw attention to certain other areas of law that are particularly relevant to community relations.

*Immigration control*

100.    In that the community relations project has focussed on relations between the host society and communities of immigrant origin, it is clear that migration policy as a whole is directly relevant to community relations. Here, the Council of Europe member States start from the rights laid down in the Fourth Protocol of the European Convention on Human Rights, namely the freedom to leave any country including one's own (Article 2). This basic principle of freedom of movement has, as is well known, recently been accepted by all European countries through the Conference on Security and Co-operation in Europe (CSCE). Thus, in the final document of the Paris Summit of the CSCE countries, held in November 1990, the Heads of State or Governments "stress that free movement and contacts among our citizens ..... are crucial for the maintenance and development of free societies and flourishing cultures". (Charter of Paris for a New Europe, November 1990)

101.    Freedom to leave a country does not of course necessarily imply freedom to enter any other particular country. Indeed the control of immigration has long been considered as one of the essential attributes of national sovereignty. In the case of the European Community countries, of course, this is one of the aspects of sovereignty which is going to be exercised increasingly in common, but this does not alter the fact that immigration into one of the Twelve will continue to be strictly controlled.

102.    The manner in which immigration control is put into effect has important implications for community relations. Thus, most governments consider that a restrictive immigration policy is a necessary basis for good community relations because the host population will only be prepared to be open towards immigrants if they are assured that their numbers are not going to go on increasing indefinitely. On the other hand, unless immigration restrictions, and the way they are operated in practice, are perceived to be fair and reasonable, the message they convey to immigrants is that they

are not particularly welcome in the society, that their presence is merely tolerated. In present conditions, a restrictive immigration policy is no doubt inevitable, but unless it is operated fairly, humanely and in a non-discriminatory fashion, it may end up doing more harm than good to community relations. The Committee therefore considers that governments should, without prejudice to their right to determine immigration policy in the light of labour market and other considerations, take steps to monitor the way in which immigration control is exercised, so as to ensure that immigrants receive fair and courteous treatment irrespective of nationality or ethnic origin. In other words, the immigration service should set an example of good community relations practice along the lines set out in section 4.6 below. In this connection, the Committee wishes to draw attention to the conclusions of the Colloquy on "Human Rights without Frontiers" which was organised by the Committee of Experts for the promotion of education and information in the field of human rights on 30 November and 1 December 1989 (document DH-ED (89) 21).

*Legal security for immigrants*

103.    Once migrants have been admitted to a country it is essential that their legal status be clearly defined. Minimum standards for the treatment of migrants are laid down in a Council of Europe instrument, the European Convention of the Legal Status of Migrant Workers, although this has only been ratified by seven member States so far (France, the Netherlands, Norway, Portugal, Spain, Sweden and Turkey). A more comprehensive instrument, the International Convention on the Protection of the Rights of All Migrant Workers and their Families, has recently been adopted by the General Assembly of the United Nations and opened for signature.

104.    As far as the development of community relations is concerned, it is the rights and status of long-term migrants and so-called "second-generation migrants" that are of particular importance, because these are the people who can be expected in the majority of cases to stay on as permanent members of the host society.

105.    There is widespread agreement that these migrants will only want to integrate fully into society if they have a guaranteed legal status. If immigrants feel that their legal status - particularly their right of residence - is precarious, they will not be willing to make a clear commitment to the society they live in. Questions of legal rights and status are not part of the community relations project itself, but in view of their importance in providing a sound basis for successful community relations policies, the Committee of Experts warmly welcomes the fact that the Committee of Experts on the legal situation of long-stay migrants has recently adopted its final report, containing a number of proposals for strengthening the legal status of immigrants who have been living in the host society for several years, particularly as far as their security of residence and rights to family reunion are concerned (see document CDMG (91) 13, Addendum 1). This work is an essential counterpart to that being done within the community relations project and the Committee hopes that governments will give these proposals the careful attention they deserve.

*Nationality and political participation*

106.    Nationality law is another area which, while not itself coming within the terms of reference of the community relations project, is of considerable relevance to the process whereby immigrants integrate into society. Immigrants' social rights may be practically the same as those of nationals, and they may have a high degree of security of residence, but nationality remains the key to participation in the political system. Here many crucial decisions are taken that affect immigrants and the members of ethnic communities. In those cases where migrants possess the citizenship of their country of residence there is no problem: like any other citizen they are free to take part in the political process though they may often be underrepresented in legislative bodies and in the civil service. Migrants who do not possess citizenship of their country of residence normally cannot vote, even if they have lived in that country for decades, or indeed were born there.

107.    If a substantial number of permanent residents cannot vote, the legitimacy of political decision-making processes is impaired. This is why all five Scandinavian countries, the Netherlands, Ireland, two Swiss cantons (Neuchâtel and Jura), Portugal and (on a basis of reciprocity) Spain allow foreign citizens having lived in the country for a few years to take part in elections, but only at the local level. In several other countries (eg Germany, France, Belgium) the debate on the granting of voting rights to foreigners has been going on for many years now, but with very limited results. It should be mentioned here that a draft convention at present before the Committee of Ministers of the Council of Europe provides, in an optional chapter, for voting rights for foreign residents. Another means of offering a degree of access to the political process is to set up consultative bodies for immigrants, but problems arise in the designation of their members: should they be directly elected by immigrants or be made up of representatives of immigrant associations? Both systems have practical drawbacks, but in any case consultative mechanisms are no substitute for participation in "real politics".

108.    However keen they are to integrate into the society of the country they live in, immigrants are often reluctant to sever all their ties with their country of origin. One such tie, often of symbolic as well as practical importance, is that of nationality. This is why there is a growing demand by immigrants, in countries where it is not already permitted, to be able to retain dual nationality, as reflected for instance in the current discussion on revising the Council of Europe Convention on reduction of cases of multiple nationality.

109.    Even if the time does not yet appear to be ripe for a more fundamental reappraisal of the concept of citizenship, it is undeniable that as European integration progresses decision-making is becoming less and less exclusively a matter for the nation-state. This may strengthen the arguments for giving precedence to the principle of territoriality (residence) over the principle of nationality (citizenship) wherever possible. Residence rather than citizenship ought to be the major criterion for the attribution of rights and obligations by the state and for offering state protection.

110.    Meanwhile, it is important to provide that long-stay immigrants, especially those born in the host country, may acquire its nationality easily, if they so desire. This question has given rise to controversy in many countries, but in general the tendency of recent years in European countries has been strongly in favour of facilitating acquisition of nationality. In the  view of the Committee, this is one of the most effective means of helping immigrants to develop a sense of belonging to the society in which they live.

4.2    Combating discrimination

111.    Discrimination may be defined, for the purposes of this report, as treating people unequally because of their national or ethnic origin or race.  One way of combating discrimination is by trying to change people's attitudes, but this is clearly an uncertain matter which can only give results over the long term. This is why it is also necessary to make discriminatory behaviour unlawful.

112.    The question of whether discrimination on grounds of religion ought to be made unlawful is coming under discussion in several countries. The Committee considers that this issue is ripe for an exchange of views between experts from the member States.

113.    One of the difficulties in discussing discrimination is that it is often difficult to demonstrate. A person will not often say in so many words that he or she is discriminating against people on nationality, ethnic or racial grounds. Most acts of discrimination are performed without the true motivation being openly avowed; indeed, people may well not be consciously aware that their attitudes and pre-suppositions are such as to cause them to behave in a discriminatory manner. Discrimination can also be indirect. In other words, practices which are not themselves discriminatory may have a discriminatory effect (a common example is requiring a degree of language proficiency in excess of what is really needed for a particular job; whether intentionally or not, this has the effect of discriminating against applicants, such as migrants, whose command of the host country's language is imperfect). Finally, there is also the related problem of structural discrimination, which (see paragraph 67 above) refers to the fact that it is easier to gain access to the major institutions of society if one shares the dominant culture, because that culture has shaped the habits, rules and assumptions of the institutions.

114.    Because discrimination is often hidden or indirect its true extent is often underestimated. Where scientifically rigorous research has been carried out, discrimination has been found to be much more widespread than might have been expected. There is an urgent need in many countries for much more research to be carried out in this field both to provide a sound basis for policy-making and to demonstrate to public and political opinion the need for determined action to combat discrimination.

*Legislation against discrimination*

115.    The constitutions of most countries contain provisions which directly or indirectly declare discrimination to be unlawful, but more and more of the member States have found it necessary in addition to enact specific legislation against this social evil. In several countries new or revised legislation is planned or currently before parliament. The Committee considers that in view of the difficulties in making anti-discrimination legislation work effectively member States should make greater efforts to consult one another when preparing new legislation.

116.    Laws against discrimination may cover the following areas:

-    words, actions, publications and audio-visual material constituting incitement to racial hatred, violence or discrimination;

-    discriminatory behaviour (acts or omissions) by public officials in the performance of their duties;

-    discrimination by private individuals or institutions, in the following fields: housing and employment, education and training and provision of goods and services.

117.    In many countries, however, the number of cases brought under anti-discrimination legislation is relatively few and in some countries very few indeed. Moreover, in those countries where few cases are brought, only a very small proportion are upheld. This indicates the inadequacy of the legal protection currently available rather than a low incidence of discrimination.

118.    It can be clearly demonstrated that anti-discrimination laws have most effect in those countries which have introduced active measures to promote the use of the legal remedies available. Such supporting measures include: public information campaigns directed particularly at migrants and ethnic groups and their associations; information and training activities for the legal profession, members of the judiciary, and the police; ministerial circulars instructing public prosecutors to apply the law rigorously and energetically; giving publicity to court judgments; and providing advice and representation for persons complaining of discrimination. Measures of these and other kinds can make all the difference to the effectiveness of anti-discrimination legislation. Finally, bodies such as the Commission for Racial Equality (United Kingdom) and the Ombudsman against ethnic discrimination (Sweden), as well as immigrant and other non-governmental associations, can also assist migrants in litigation. The Committee recommends that in countries where such a body does not already exist, governments should consider setting up a body with specific responsibility for promoting and coordinating action on discrimination and equal opportunities for migrants and ethnic groups.

119.    The Committee notes that in certain countries civil remedies against discrimination can be more effective than the criminal law. They are initiated by the individual concerned; they may often lead to an agreed settlement out of court; and the standard of proof required is, in many countries, less onerous than that required for a

successful criminal prosecution (eg it may not be necessary to prove intention to discriminate).

120.    Even where the number of cases brought under anti-discrimination legislation is few, the Committee considers it very important that such laws should exist. In the first place, the very existence of a law has a declaratory effect whose importance should not be minimised, ie the enactment of a law penalising discrimination helps to create a climate in which discrimination is regarded as a reprehensible act of a serious nature. It also strengthens the resolve of people who do not wish to discriminate but who feel under social pressure to do so. Moreover, even when only a relatively small number of cases come before the courts this may have a deterrent effect on those who are tempted to act in a discriminatory manner.

121.    The Committee further stresses that anti-discrimination legislation will only be effective where the public understands that it is necessary, important and just. Governments need to convince the population as a whole that anti-discrimination legislation does not confer some kind of special privilege on migrants and ethnic groups but is, rather, a means of achieving genuine equality of opportunity and treatment for all sections of the population by eliminating certain obstacles which stand in the way of this.

122.    Some countries have developed codes of practice laying down standards for non-discriminatory professional behaviour for professional groups such as employers and estate agents. Another method of combating discrimination is by carrying out investigations into firms or professional groups liable to discriminate and publicising the results.

123.    Legal and quasi-legal methods of combating discrimination will only be effective if they are complemented by other forms of action designed to combat racist and xenophobic attitudes in society. The legal approach needs to go hand-in-hand with action in the fields of education and information. At the same time, education and information will be of little use if it seems to the population that the law is indifferent to racism and discrimination.

*International legal instruments*

124.    The protection afforded by national legislation is supplemented by a number of international legal instruments. Thus the International Covenant on Civil and Political Rights states (Article 26) that:

> "The law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any grounds such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

The United Nations Convention on the Elimination of All Forms of Racial Discrimination provides (Article 2(d)) that:

> "Each State Party shall prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any

persons, group or organisation."

Furthermore, Article 5 obliges States Parties to prohibit and to eliminate racial discrimination in all its forms and to guarantee equality in a wide range of situations.

125.    However, although 128 countries have ratified the UN Convention on the Elimination of All Forms of Racial Discrimination, only 14 have accepted the individual right of petition to the committee (CERD) established under it. The petition procedure is little known to the public anywhere, and rarely used. There is a need to educate lawyers. Similarly, the International Covenant on Civil and Political Rights has an optional Protocol providing for individual complaints to a committee, but the Protocol has been accepted by only 48 countries, and these do not include several Council of Europe member States. The committee can state a "view" on a complaint, but there is no court to execute these views. The committee receives regular reports from governments on their compliance with the Convention, but these are not necessarily published.

126.    The European Convention on Human Rights bars discrimination only with respect to "the enjoyment of the rights and freedoms set forth in this Convention" (Article 14), although the jurisprudence of the European Court of Human Rights has recognised that the protection from "degrading treatment" in Article 3 can encompass racial discrimination. It has frequently been suggested that the scope of Article 14 should be widened to cover other forms of discrimination, but governments have hesitated so far to take this step.

127.    Finally, it should be pointed out that European Community law has not developed to protect persons from discrimination on racial or ethnic grounds. There have been reports on this subject to the European Parliament in 1985 and 1990 and the Parliament has called for the "review and amendment of national legislation against political extremism, racism and racial discrimination". The 1990 report called for a whole range of measures. Moreover, in 1990 the Council of the European Community adopted a resolution on the subject of racism and xenophobia. There is, however, no Community legislation against racial or ethnic discrimination.

128.    The argument often advanced is that the Treaty of Rome and the Single European Act do not confer any competence on the Community in the field of racial or ethnic discrimination. There is, however, increasingly well-developed Community law against aspects of sex discrimination. There is no reason of principle why there should be better protection in Community law from sex discrimination than from racial discrimination.

129.    All things considered, however, the Committee is of the view that the need is not so much for the adoption of new international instruments as for full ratification of the instruments that already exist and steps to enable much fuller use to be made of the possibilities they offer.

4.3    Improving the employment situation of immigrants and ethnic groups

130.    It has become apparent to the Committee that not only the specific problem of discrimination in employment but also employment and unemployment questions in

general are highly relevant to the community relations situation in a given city, region or member State. The widespread unemployment of recent years has lent credence to the popular cry that "immigrants take our jobs". It can be demonstrated statistically that such cries are often thoroughly erroneous: nearly always, immigrants have been hit more severely by unemployment than members of the original population, even when they work in comparable circumstances. Besides, immigrants are often concentrated in those sectors of the labour market which are among the least attractive and where there is little or no direct competition from non-immigrants anyway. Particularly worrying is the tendency for the employment (or unemployment) situation of the first generation to be passed on to their children. Nothing alienates immigrant and ethnic youth so much as the prospect of a lifetime in dead-end jobs or no job at all. Where social integration of immigrant and ethnic communities is a primary policy goal, the labour market is perhaps the most important arena where this must be achieved. It may indeed be said that any action designed to improve the employment situation of people living in areas with large immigrant populations constitutes an indirect but very important contribution to the improvement of community relations.

131.    Among the main causes of migrants' poor employment situation are:
(a) inadequate qualifications and skills among immigrants and ethnic communities; (b) insufficient opportunities in the labour market, particularly at the skill levels of many members of these communities; (b) underemployment (ie employment at a lower skill level than that corresponding to the qualifications of the person concerned) resulting from discrimination, especially in post-colonial countries which tend to attract highly qualified migrants from ex-colonies, leading to waste of human resources and feelings of resentment; and (d) discrimination, both in more direct forms, by employers, and in more indirect forms, as a result of selection processes or habits and customs that are biased by culture or tradition. The latter form of discrimination has been referred to as structural discrimination. A good example here is the practice of many employers who, when there is a vacancy, ask their present staff to tell their friends and relatives. If there are no immigrants among the staff to start with, it is not very likely that this process will result in applications from immigrants. Such practices cannot be qualified as deliberately discriminatory, but if they are followed repeatedly the result is that immigrants have less chance of finding work.

132.    It is clear that education and training have a vital part to play in enabling immigrant and ethnic communities to compete more equally in the labour market. A variety of training possibilities needs to be offered in order to cater for the different needs of different categories. Newly arriving immigrants need language courses, courses in the culture and society of the receiving country (including training in the attitudes and conventions of the world of work) and supplementary vocational training to assist with their integration into the labour market. For these people, special attention should be given to the recognition of school and other diplomas. Many member States tend to underestimate the educational qualifications of newly arriving immigrants, which can easily lead to underemployment as mentioned above.

133.    Discrepancies between the qualifications in demand and the ones that immigrants have to offer is a problem that affects not only newly arriving migrants but also many members of ethnic communities born and brought up in the host country. To a large extent this is because the school systems in these States are insufficiently geared to the specific needs of young people of immigrant origin (see section 4.4). As a general rule, the number of early school leavers among them is very high. Many opt for

courses with limited outlets in the labour market. Matters could be improved by means of better forms of guidance and supervision. For those who are already above school age, vocational training courses should be developed that take account of the specific situation of these young people, both men and women. Special pre-training courses are needed to bring the

students rapidly up to the level they require in order to take part in the normal training provided for the population as a whole. The Committee proposes that governments review their training policies for members of immigrant and ethnic communities, especially for young people, and make sure that they meet their particular needs.

134. Another problem, mentioned briefly already, is that unemployment tends to be relatively high at those skill levels where members of ethnic and immigrant communities are over-represented. This problem is aggravated by discrimination, but even if there were no discrimination at all, the employment prospects for these categories would not be very hopeful. At these skill levels supply and demand are not in balance, partly because employers often prefer to have recourse to the informal labour market. Combating illegal employment would therefore be a first step towards improving labour market prospects for members of immigrant and ethnic communities who are legal residents. A next step would be to create more jobs at low skill levels. This is not an easy task for governments in market economies, but there are certain policy instruments that can be used for this purpose. Private enterprise, for example, can be encouraged with public funds and subsidies to encourage access to employment by groups which have difficulty integrating into the labour market. Clearly, the public administration should set the tone here by hiring larger numbers of employees from among the ethnic and immigrant communities. Their staffing ought to reflect the composition of the population as a whole.

135. Another channel that might provide better opportunities in the labour market for people of immigrant origin is the creation of ethnic businesses. Enterprises owned and run by members of immigrant or ethnic communities usually generate employment opportunities for other members of these communities. In a very visible way they also stress the recently acquired multi-ethnic character of the larger European cities where many immigrants have settled. At present, immigrants are often faced with additional difficulties when they want to set up businesses: non-recognition of diplomas, no access to suitable premises, additional requirements for obtaining loans, unfair competition from established firms, branches closed to newcomers, and other forms of direct or institutionalised discrimination. Public authorities should review their rules and regulations as well their practices in this field, so as to make sure that immigrants have exactly the same opportunities as non-immigrants to set up and develop businesses. Particular attention should be given to the needs of new entrepreneurs of immigrant and ethnic origin: more and better training courses are needed where the essentials of book-keeping, good management, attracting loans and capital and other relevant matters can be taught.

136. Immigrants' limited employment opportunities result not only from a shortage of jobs but also from the operation of allocation processes in the labour market. As we have seen, these processes tend to discriminate against members of immigrant and ethnic communities, often unintentionally, but also, at times, deliberately. In the view of the Committee, this is a very serious problem, which must be tackled by public authorities at all levels, in cooperation with employers and trade unions. There is a variety of measures and instruments that may be adopted in order to achieve this equality of opportunity. Such measures and instruments are commonly referred to as "positive action". They serve not only to promote equal access to the workforce, but also to ensure that promotion prospects are not determined by irrelevant considerations such as ethnic or immigrant origin. The Committee recommends that governments develop strategies for positive action aimed at achieving effective equality of opportunity for immigrants

and members of ethnic groups.

137.    One form of positive action which is in use or being considered in a number of member States is "contract compliance", meaning that government or local authority contracts may stipulate that firms must abide by an equal opportunities (i.e. non-discriminatory) personnel policy. In the United Kingdom in particular, contract compliance has proved to be a useful instrument in promoting equal opportunities. Even though the Committee is aware of the legal problems this may pose, other member States are nevertheless recommended to consider possibilities for introducing "contract compliance".

138.    The most direct form of government intervention to eliminate discrimination is the imposition of ethnic quotas on employers, as has been done on a fairly large scale in certain countries outside Europe. The Committee considers that quotas - implying that applicants of ethnic or immigrant origin might sometimes have to be given jobs even where they were less well qualified than applicants from the indigenous population - amount to an unacceptable form of reverse discrimination, which would be regarded as unfair by the large majority of the population. On the other hand, it would be possible, as is done in certain countries, to set targets for recruitment of people of ethnic or immigrant origin to the workforce - as long as the principle was maintained that at the time of selection applicants would be considered on their merits without regard to their ethnic origin. For obvious reasons, the same would have to apply in cases of promotion and dismissal.

139.    Positive action will be most successful in societies that have a positive attitude towards immigrant and ethnic communities. Unfortunately, this is often lacking and it is safe to suppose that employers and workers who belong to the majority population tend to share the attitudes of those around them.  Action is therefore needed to change people's ways of thinking, which implies adopting appropriate education and information policies (see, in this connection, sections 4.4 and 5.5 below).

140.    As has been pointed out earlier, positive action is not only the responsibility of governments and other public bodies. Experience shows that employers can do a great deal to promote equal opportunities within their firms. It can be very effective for a firm to make an explicit commitment to equal opportunities for members of immigrant or ethnic communities (as well as for other groups who may otherwise be subject to discrimination, such as women or the handicapped). Firms can, for example, adopt policy statements for circulation to all employees and job applicants. Moreover, employers or employers' associations can adopt codes of conduct in this field and personnel departments can be instructed to ensure that recruitment, promotion and dismissal policies are not discriminatory. In order to guard against indirect discrimination, it may be advisable to monitor the ethnic or nationality composition of the workforce on a continuous basis and, where it is found that certain groups are under-represented in recruitment or promotion, to seek actively to attract candidates from those groups and perhaps to arrange special training courses to bring potential candidates up to the necessary levels of skill. Under all circumstances, it is important to develop strategies for intercultural personnel management in order to maintain harmonious community relations at work.

141.    Generally speaking, employers are not obliged to adopt such measures, but they should be made aware of their value and governments should seek to encourage them to

move in this direction. As has been said, public agencies should themselves set an example of good equal opportunities policies. Moreover, government employment services

and labour inspectorates should be instructed to watch for discriminatory practices by employers. Entrepreneurs of immigrant origin also should not, of course, practise discrimination in recruitment or in personnel management, and they must respect all regulations governing working conditions.

142.	Equally, trade unions should play their part in combating discrimination. They can do this by ensuring that workers of immigrant origin are encouraged to become trade union delegates and officials. They can also provide advice for immigrants who are victims of discrimination and help them in pursuing litigation. Trade unions also need to review their own policies and practices in order to make sure that rules designed to protect the interests of existing members do not harm the chances of members of immigrant and ethnic communities. The effects of such restrictive practices are often unintentional, but they can be quite serious, in particular for women and young people of ethnic and immigrant origin.

143.	Finally, members of immigrant and ethnic communities should be encouraged to make full use of the opportunities open to them. If society as a whole is prepared to make a serious effort to improve the employment situation of these communities, it is reasonable to expect that individual immigrants should in turn do what they can to integrate successfully into society. It should be recalled here that immigrant and ethnic communities have much to offer; they can be a source of great enrichment to European economies and societies, and Europe cannot afford to waste their talents.

## 4.4	Education for a multi-ethnic society

144.	In seeking to prepare the ground for better community relations in the future, it is clear that the education system has a vital part to play. Equality of opportunity for all children, irrespective of their origins, should be a primary aim of education policy. This means that the particular difficulties faced in school by children of immigrant origin should be recognised and that appropriate measures should be taken to help them cope with them. In addition teachers need to be alive to the realities of a society characterised by ethnic and cultural diversity so that they can do their best to get young people to think positively about community relations and counteract racist or xenophobic attitudes and presuppositions. It is in the schools that young people of different ethnic origins come into contact with one another and everything possible must be done to ensure that their contact in school becomes the basis for harmonious relationships in the outside world. It is therefore essential to tackle openly the conflicts that may arise within the school population, and to use the educational process as a laboratory for building good relations between different groups.

145.	The activities of the community relations project in this field have been an extension of the past and current work of the Council of Europe's Council for Cultural Co-operation (CDCC), particularly its project no. 7 on the education and cultural development of migrants.

146.	In December 1989 in Strasbourg the CDMG and CDCC jointly organised a multidisciplinary conference on the educational and cultural aspects of community relations. At this conference renewed attention was drawn to the conclusions of project no. 7 which stressed that:

- studies in this field should be based on the individual human being as a culture-bearer, rather than on cultures viewed as systems or institutions;

- the idea of an antithesis between "host country culture" and "migrant culture" should be abandoned in favour of a broader conception of the cultural diversity and openness of contemporary societies which is a result of many factors of which migration is only one;

- intercultural education and intercultural teaching methods should be adopted so as to convey to all pupils the concept of the "other", to enable each one to accept his or her own particular identity and then to go beyond this and understand the universality of human values;

- recognition of an individual's membership of a given community does not mean that he or she should be wholly identified with that community;

- because of the progressive stabilisation of migrant populations in their host societies, it is necessary to move on from specific measures designed to help migrants to an overall approach designed to foster equal access for each individual - whether immigrant or indigenous - to the same social, educational and cultural facilities.

147.    Bearing in mind this broad approach, developed within the CDCC but very much in line with the Committee's own thinking, the following more specific recommendations can be made concerning the role of education in the promotion of good community relations. It is important to distinguish here between, on the one hand, education of members of immigrant and ethnic communities and, on the other hand, education for all pupils in a multi-ethnic and multicultural society. Both are needed, but they require different approaches.

148.    One of the major problems in the education of immigrants is under-achievement. Even though certain differences between member States and between immigrant and ethnic communities must be recognised, there can be no doubt that the aim of equal opportunity in the school system has not yet been achieved. Immigrants are under-represented in higher forms of education, and over-represented in less advanced forms. They tend to finish their education earlier, to obtain poorer results and to be over-represented among educational drop-outs. There is a real risk that the second-class status of many immigrants will be passed on to subsequent generations.

149.    There is no one particular cause for these problems, but a variety of interrelated factors. These include insufficient language ability, shuttling between school systems in different countries, and the difficulty experienced by parents in keeping control over their children's school career. Other important shortcomings are to be found within the school system itself: teachers incapable of dealing with multi-cultural situations, textbooks and curricula with prejudiced and ethnocentric messages, inadequate facilities at schools, concentrations of immigrant pupils that can form an obstacle to inter-ethnic contacts.

150.    In all these fields positive action has to be taken to improve the chances of immigrant students and to offer them more and better opportunities. These efforts should include the improvement of pre-school training so as to ensure that when

immigrant children reach compulsory school-age they are capable of speaking and understanding the language of instruction. This training should cater for children aged up to six as well as for their parents, especially their mothers. The aim should be not only to encourage both children and parents to become fluent in the language of instruction, but also to ensure that they understand the cultural prerequisites of a successful school career.

151.    The Committee is also of the opinion that, on the local level, public authorities and school authorities should pay more attention to out-of-school activities for primary and secondary school pupils. Experiments could be set up to encourage pupils, through their home, sports and cultural activities, to adapt to the requirements for succeeding at school. Increased involvement of immigrant parents in their children's education and in school management is also needed. Moreover, schools should, possibly with the assistance of volunteers, offer proper facilities for guiding immigrant children in their homework.

152.    Another very effective policy measure would be to encourage members of immigrant and ethnic communities to become teachers. They can serve in this way as role-models for immigrant pupils and they also know better than non-immigrant teachers the particular problems of young people from these communities and how they might be solved. It is also very important that community relations matters be given more attention in both initial and continuing training for all teachers.

153.    Adult education is also of particular relevance to immigrant and ethnic communities. Many newly arriving immigrants are well above the upper age-limit of compulsory schooling, but in their home countries they may only have attended a few years of very basic education. This is not always enough to enable them to function autonomously in a modern European society. For migrant women in particular this can be a serious handicap. Therefore, special courses for them are very much needed. It is also necessary to make further progress with the recognition of educational qualifications earned in countries of origin.

154.    Educational policies must take account of the fact that European societies are becoming increasingly multi-ethnic. This fact must be reflected not only in the ethnic composition of the school population but also in the contents of the curriculum. In a word, education needs to become more intercultural. In practice, intercultural education may take a variety of forms. Sometimes it is taken to mean paying more attention to the history, geography and culture of the countries from which immigration has taken place. Others see intercultural education as anti-racist education: making students aware of their inherent racist attitudes and beliefs. Others again prefer to see it in terms of human rights education; and there is also the view according to which the major aim of intercultural education should be to transmit a sense of the relativity of all cultures.

155.    The basic problem with intercultural education is that it clearly displays a tension between two major functions of education. One is to prepare young people for later life by transmitting the knowledge, skills and basic values they will need; the other is to contribute to the fuller development of the students' own personalities, making use of the foundations laid during the phase of primary socialisation. Where primary socialisation has taken place in a cultural environment that is very different from that of the school, problems are likely to arise. This may explain why intercultural education is not easy to implement, and yet it is a necessity if immigrant and ethnic students are

not to be alienated from the school system and so deprived of better opportunities in later life.

156.    A somewhat similar debate continues on the role of mother-tongue teaching in the school. Here too, there is little research evidence to help policy-makers choose between competing approaches. Some experts claim that an immigrant child should learn the mother tongue first, on the grounds that it can then serve as a sound basis for learning the language of the surrounding society. Others contest the reality of this link and doubt whether it is the school's task to teach immigrant children their mother tongue, especially when it is the mother tongue of their parents rather than their own. Others point out that, if the schools do nothing, the communities will create their own facilities for mother-tongue teaching, which would not be open to inspection by the education authorities. Practices in this respect vary greatly from one school system to another, and depend very much on the traditional character of each system.

157.    Educational systems in Europe vary quite substantially; traditionally some leave more room for cultural pluralism and diversity, whereas others tend to emphasise the importance of national unity. This makes it difficult to formulate more precise recommendations. The Committee would therefore like to see the CDCC continue its studies and encourage experiments in this field. The debate on educational responses to immigration and on the role of multi-culturalism in the school is far from finished. Perhaps there is no other field where the twin needs to promote integration and to recognise multi-culturalism come together so clearly. Education, therefore, must be a core element of any community relations policy.


4.5    Housing and town planning

158.    Decent housing and freedom to choose where one lives is a basic human right (Article 16 of the European Social Charter and Article 2 of the 4th Protocol to the European Convention on Human Rights).

159.    In most countries the problem which faces immigrant and ethnic communities is that of obtaining access to decent affordable housing in areas of their choice. One of the most important barriers to access is that of income; this factor affects poor people in general but given that immigrants are over-represented in lower income groups, it disproportionately affects their chances of obtaining decent housing.

160.    Market forces have not been capable of ensuring an adequate supply of low-cost housing to meet the needs of these groups and governments have been obliged to intervene. This has often resulted in large monotonous estates of public housing, badly planned and designed, with limited facilities and massive social problems. Some governments have been reducing their investment in social housing.

161.    The view of the Committee is that governments must continue to discharge their responsibilities for ensuring the provision and maintenance of adequate low-cost housing. This is particularly important when homelessness is a growing problem in many countries. New housing developments should be on a smaller scale than in the past and old properties should be renovated. Lessons should be learnt from past mistakes. As well as providing social housing directly, there are various other ways in which government and public authorities can intervene indirectly to ensure an adequate

supply of low-cost housing by means of granting subsidies.

162.    Self-help organisations of immigrants and ethnic groups can play a valuable role in building and managing low-cost housing. Governments can encourage and support the development of housing associations and co-operatives run by ethnic groups and immigrants themselves. As well as providing a valuable and appropriate service to the ethnic communities, such initiatives can help to build up positive self and community esteem, which are so often undermined by their experience of racism.

163.    Governments should also intervene to enable people on low incomes to buy into the owner-occupied housing sector.


*Discrimination in access to and allocation of housing*

164.    Empirical evidence suggests that housing discrimination on ethnic or racial grounds is very widespread in European countries. Discrimination has been proved to be a major barrier denying immigrants and ethnic groups access to housing and in determining the quality of property allocated to applicants from these groups, particularly in the social housing sector. There is an urgent need for more research to identify the particular forms which discrimination takes in different countries, the types of allocation policies and procedures which have discriminatory effects, and the types of action which can be taken to put matters right.

165.    The key to eliminating discrimination in public housing is to ensure that allocation procedures are conducted openly in accordance with objective, published criteria based on housing need. Policies must be monitored and reviewed to ensure that they do not discriminate. This can only be done effectively if the housing-provider, whether in the public or the private sector, has information about the ethnic or racial origin of applicants and can use this data to analyse the allocation process and its impact on ethnic applicants. The view of this Committee is that effective ethnic record-keeping and monitoring systems are essential if action is to be taken by housing-providers to eliminate racial discrimination.

166.    Discrimination in the private housing sector is also prevalent and perhaps more difficult to tackle. It is important that the agencies which act as intermediaries between the house buyer and seller and the landlord and prospective tenant, have non-discriminatory policies and do not discriminate on behalf of the landlord or vendor.

167.    The Committee believes that in order to have any success in fighting discrimination in housing a combination of legal (coercive) measures and social (preventive) measures is needed. The legal remedies against discrimination vary greatly in type and in strength from country to country. Indeed, further attention needs to be given to the comparative study of legislation in this field. Where legal remedies exist, they should be used rigorously, and where they do not, the State should be encouraged to legislate. Educational and promotional strategies against discrimination are equally important. Thus, codes of conduct can be negotiated with landlords' organisations or with professional associations of estate agents and solicitors.

168.     The Committee also notes with concern a growth in some places of racial harassment and violence with the avowed intention of preventing immigrants from taking up housing. Studies in the United Kingdom show that it is important for landlords, police and other agencies to introduce systems of support for victims of racial attacks and whenever possible to take legal action against the perpetrators. This phenomenon, which requires urgent study in other countries too, is referred to again in section 4.7 below.

*Concentration or dispersal*

169.     Dispersal policies are seen by many housing authorities as having a role in the allocation of social housing. Providers of social housing may see themselves as having a social engineering role, so as to ensure that immigrants and members of ethnic groups do not become over-concentrated in particular areas which are then seen as posing a problem. In the United Kingdom, however, such policies are unlawful under the Race Relations Act 1976.

170.     The Committee considers that, except possibly for the initial settlement of large population influxes, enforced dispersal of ethnic groups is  undesirable because it leads to the break-up of families and communities and also carries the unfortunate implication that migrants are an undesirable or problem element in the population. Moreover, dispersal policies have generally failed because people who wish to live in proximity to their own community move back later on. Enforced concentration of immigrants is even more unacceptable, amounting to a form of racial segregation.

171.     It often happens that the operation of the housing market and the existence of widespread discrimination have the effect of confining immigrants and ethnic groups to particular districts, usually the least attractive ones. Concentrations of this kind do not result from the free choice of the immigrants themselves but reflect rather the lack of choice open to them. Housing, town planning and anti-discrimination policies should aim to open up for immigrants the same degree of freedom of choice of residence as is enjoyed by the rest of the population.

172.     The question must also be asked whether the concentration of immigrant groups who choose to live in particular areas is necessarily undesirable. While not denying that community relations can be difficult in many such areas, such communities can nonetheless be supportive and vibrant, providing a stable and balanced community life for the immigrants concerned. They can also prove to be a positive asset to the wider community.

173.     A far more constructive approach is to concentrate on rehabilitating the run-down areas where immigrants have tended to concentrate, thus building on the positive aspects of the existing communities. Improving housing conditions and the environment makes such areas more attractive to the indigenous population as well, with the result that a more mixed population composition should develop naturally.

*Urban rehabilitation projects: issues for town planning*

174.    Urban renewal and rehabilitation schemes have often in the past been carried out without sufficient attention to their social consequences. Immigrants and other vulnerable population groups have suffered as a result. Schemes for urban rehabilitation, whether in inner-city areas or in run-down peripheral housing estates, should be carefully designed to meet the real needs of those living there. Town planners need to consider not only the architectural and traffic aspects of such schemes but should also carry out social impact studies aimed at working out in detail what their consequences will be for the existing inhabitants, including migrants. A social audit should be carried out to see who will benefit from such schemes, how migrants in particular will be affected and how to ensure that the benefits are equitably distributed among all concerned. Objectives of a social nature should be seen as a fundamental part of urban rehabilitation schemes and there should be effective arrangements for monitoring progress in achieving them.

175.    Urban rehabilitation schemes should thus be seen as wide-ranging programmes for integrated social development. This implies that effective arrangements will have to be set up to co-ordinate the input of all the different public authorities and private interests involved with a view to revitalising the districts concerned by promoting their economic and cultural development.

176.    A successful urban rehabilitation scheme will do more than simply provide adequate housing; it will also provide spaces where people can meet and the whole range of local services needed for a balanced community life. Both the housing and the social provision will need to take account of the needs of different ethnic groups.

177.    The Committee attaches importance to the participation of all the residents of the areas concerned in the planning process. It is well aware, however, that many past attempts at involving residents in the planning process have been unsuccessful: few people attend public meetings and those who do may be very unrepresentative. In particular, immigrants and ethnic groups may be less well placed than others to make their voices heard in consultation procedures. A combination of consultative committees and questionnaire surveys may be the best approach, but in any case the authorities need to take active steps to ensure that the more vulnerable groups in the population are able to express themselves. Where immigrants are concerned, it is necessary to ensure that information is made widely available in the appropriate languages.

178.    Whether or not it is the result of land speculation, the renovation of inner-urban areas leads all too often to the replacement of the original low-income inhabitants by better-off groups. While it would be vain to try and prevent entirely this kind of change in urban social geography, and while indeed in some cases the former inhabitants may genuinely wish to move to other areas, nonetheless, it is very often the case that improvements in the fabric of an urban area, together with office creation, lead to the involuntary exclusion of the former inhabitants. Renovated buildings, especially historic

ones, are often converted to luxury accommodation or offices with the result that the poor lose their former homes; urban rehabilitation may therefore be socially counter-productive. Part of the solution lies in guaranteeing the existing inhabitants a voice in the planning process; but it may also be necessary to make building renovation grants to property developers conditional on offering accommodation to the original inhabitants at prices they can afford.

179.    It is also worth pointing out that renovation schemes aimed at improving living conditions in areas with large numbers of immigrants sometimes create resentment when the building firms responsible for carrying out the work do not employ local people. Planning authorities should seek to ensure that work on rehabilitation schemes is offered to unemployed residents of the areas concerned.

180.    It must be stressed, however, that, despite all the problems involved in implementing successful housing and planning schemes in areas with ethnically diverse populations, there appear to be encouraging developments in many places. It is important to encourage the exchange of experience about such schemes and to spread knowledge of good practice. Finally, the Committee wishes to underline that the support and co-operation of political leaders at all levels is necessary if housing and town planning policies are to succeed in ensuring fair treatment for migrants and ethnic groups.

## 4.6    Adapting public services to the needs of a multi-ethnic society

181.    Everyone comes into more or less frequent contact with the officials of different public bodies, and foreigners have to deal in addition with immigration officials and the authorities responsible for issuing residence or work permits. The way in which migrants and persons of immigrant origin are treated by the different officials and authorities involved can have a major impact on community relations. If they are treated with suspicion, with hostility, or at least without a necessary degree of sympathy for the problems of their everyday lives or without making allowances for cultural differences and language problems, migrants and ethnic groups may come to feel that they are less than welcome in the host society. Over a period of years, deep resentments can build up which can seriously exacerbate community relations problems.

182.    In addition to failure to communicate, migrants and members of ethnic groups may experience discrimination based on ethnic prejudice, xenophobia or racism. Migrant or ethnic users of public services may be treated rudely or condescendingly, made to wait longer than necessary and in general given less considerate and efficient treatment than members of the majority community. Such discrimination may be intentional or unintentional, direct or indirect, but in any case it offends against the principle of equality of treatment for all. Moreover, it is damaging to people's self-respect and may discourage them from making use of public services in the future.

183.    It is therefore necessary for all public services, especially - but not only - those that deal particularly with migrants, to adapt so as to take account of the increasing ethnic and cultural diversity of the population they serve. The goal should be to provide equally efficient services for all. It should be pointed out that, in order to achieve this, it may not

be enough simply to treat everyone identically (ie to provide a service that simply ignores ethnic or racial differences). On the contrary, it may be necessary to take steps to make the staff of public services are made aware that because of the differences between ethnic and cultural groups it is not necessarily the best solution to try and treat everyone in exactly the same way.

*Training and recruitment*

184.    These considerations carry implications for the training of the staff of many public services organised by central, regional and local government agencies. The curricula of training institutions should include material on how to eliminate unequal treatment and racial discrimination and to promote responsiveness and flexibility to the particular needs of migrants and ethnic groups. Such training should be given to staff at all levels of public services including both managers and the officials who come into direct contact with the public. To be effective, training should be interactive, using role-playing methods, and should be carried out in small groups. Different styles of communication should be explained, as should the importance of socio-cultural background to an individual's perception. Likely difficulties over use of specific terms, technical and otherwise, should be explained but, above all, emphasis should be placed on the need for sensitivity and appropriate service provision in relation to migrants and ethnic groups.

185.    Probably the best means of ensuring that public services respond effectively to the varied needs of a multi-ethnic clientèle is to recruit staff who are themselves of immigrant origin. It is not a question, in most cases, of recruiting immigrants to deal specifically or exclusively with immigrants, but of ensuring that staff with an immigrant background are adequately represented in the general public services, and at all levels of responsibility. This means that the immigrant or ethnic viewpoint should naturally be taken into account in the normal process of management and day-to-day service delivery.

186.    A problem arises in countries where many public service jobs are restricted to nationals of the country concerned, thus excluding people of immigrant origin who have not acquired the host country's nationality. In some countries this restriction is very broad, including all kinds of jobs in any public agency. This has the effect of cutting off many immigrants from a very wide area of job opportunities. It is therefore highly desirable that jobs in the public service should, in countries where such restrictions still exist, be opened up to all residents; only senior civil service posts involving the exercise of authority need be reserved to nationals.

187.    Public agencies should, like private employers (see section 4.3 above), be encouraged to adopt equal opportunities policies under which they would commit themselves to recruit and promote an equitable proportion of people from different disadvantaged groups, such as immigrants. This would involve adopting a strategy of positive action through which applications from persons of immigrant origin would be encouraged and, where necessary, special pre-training courses organised so as to bring them up to a level of skills and education such that they can compete equally for vacancies. Positive action of this kind by public bodies conveys a powerful message to private employers and to society as a whole to the effect that permanent immigrants are fully accepted as members of the society for which the public services exist and that

integration does not just happen naturally; active steps need to be taken to achieve it.

188.    These principles apply to the whole range of public services in a multi-ethnic society, but there are some services where it is particularly important for the implications of a multi-ethnic society to be worked out carefully. Thus it has already been pointed out in section 4.1 above that immigration officers need to receive proper training to deal with migrants coming from all over the world. These officers are empowered to make decisions which have a fundamental effect on people's lives; it is vital that these decisions are made by officials who have skill in intercultural communication and are free from racist or discriminatory attitudes. Equally, the role of the police, who represent the authority of the host society in a day-to-day manner on the streets, is of crucial importance. Community relations conflicts have often been sparked off by poor relations between the police and migrants or people of immigrant origin, and this matter is given more extended treatment in section 4.7 below.

*A health service responsive to cultural diversity*

189.    The need for health and social welfare services, in both the private and public sector, to adapt to a multi-ethnic clientèle has also been the subject of considerable discussion. It is especially important for the health services to take account of cultural differences arising from such factors as language, gender, urban or rural origin, social status, educational level and religion. Migrants and members of ethnic groups may not share the norms and attitudes of the host society concerning the definition of sickness and health, attitudes to death, the human body, roles of men and women, childbirth, diet and religion, for example. All these differences may give rise to difficulties of communication between migrant or ethnic clients and health service personnel. While such difficulties may be of minimal importance in some areas of health care (surgery, physical injuries), they are much more important in areas such as health education, preventive health care and, above all, psycho-therapy. Cross-cultural misunderstandings have many costs: time (both of the patient and of the health personnel), unnecessary additional suffering by the patient and waste of resources consequent on mistaken diagnosis or inappropriate treatment. The problems resulting from cross-cultural misunderstandings are worthy of serious attention both from the point of view of the rights of the patient and from the point of view of efficient management of health services and public funds.

190.    It is therefore necessary, first, to provide adequate interpretation services, free of charge to the patient, in as many immigrant languages as possible. Of course it has to be recognised that interpretation between two different languages can never be an exact science and this is particularly true of medical interpretation. Patients who do not speak the language of the host society, or who speak it imperfectly, are dependent on interpreters in order to communicate with health service personnel. However, because of all the cultural differences which may exist, the interpreter may have to try and translate answers which have no exact equivalent in the host country's language, while the patient's method of communication (for example circular and allusive rather than direct and linear) may be very different from what the health personnel are used to. It may therefore not be enough for the interpreter to make a literal translation of the patient's or the doctor's words; he or she may also have to try and convey the patient's underlying meaning and to understand his or her feelings. This puts high demands on the interpreter's communication skills and the risks of misunderstandings are manifold.

It is clear that efficient interpretation services are not cheap to provide. They are, however, cost-effective since they make it possible to avoid the mistakes and delays which would otherwise occur.

191.    It should in fact be accepted as a basic principle that access to appropriate health services should be equally available to all sections of the population including migrants and ethnic groups, refugees and other disadvantaged groups. In order to achieve this equality it is not enough simply to offer the same services to everyone and hope for the best. In a society characterised by ethnic and cultural diversity, health service provision needs to reflect and to be sensitive to the varying needs of the different groups within society. The authorities responsible for health service provision need to study carefully the different needs of various groups within the society and then to adopt a strategy for meeting them. The health services need to become more flexible and responsive to the diversity existing within modern European societies.

192.    In order to achieve this goal, both in the health service and in public services as a whole, positive action is needed at all levels and it is recommended that the authorities responsible for service provision, both at central government level and at regional and local level, should adopt explicit strategies for achieving equality of access for migrants and ethnic groups. The kinds of specific measures outlined above would find their place in such an overall strategy. In order to ensure that a strategy of this kind does not remain a pious hope, it may be necessary to build into the management structures of public services systems for ensuring that such policies are effectively applied.

193.    In conclusion to this section as a whole, it may be said that providing more effective and appropriate public services for migrants and ethnic groups should not be seen as some kind of special privilege for these groups but simply as one aspect of providing satisfactory services on an equitable basis for all. It is probable, indeed, that by making these services more responsive to the needs of migrants and ethnic groups the population as a whole will benefit because public service staffs and administrations will become more sensitive to the varying needs of all individual clients and will understand better the relevance of their cultural backgrounds.

## 4.7    Coping with conflict

194.    It would be unrealistic not to mention that at times community relations become tense and problematic. In all societies competition exists at an individual level and between groups. Genuine conflict of interest may be at the root of such problems, but very often the conflict of interest is more apparent than real because of unfamiliarity with the habits and opinions of the other party. This is why the Committee considers it important to give immigrant and ethnic communities full opportunities for social integration and participation. This is the only way to develop creative inter-ethnic contacts at the level of the individual and so to minimise the risks of misunderstanding and conflict.

*Delinquency among immigrants*

195.    The Committee is well aware that this ideal cannot easily be achieved under all circumstances. Sometimes individuals of immigrant origin do enter into conflict with the

established order or with members of the original population, often because they have been rejected or discriminated against by the host society. Other conflicts stem from tense relationships between the generations in immigrant families. Immigrant parents and their children cannot always cope with the dramatic changes that many of them have to undergo within a relatively short period of time. Research and statistical data on such matters are not always easy to interpret. It is generally the case, however, in all member States, that delinquency is higher among those whose social integration is inadequate. As this is the case more often, relatively speaking, among ethnic and immigrant communities than among the population as a whole, it is not surprising that delinquency among those groups is also above average. This is especially so among young men from certain immigrant and ethnic communities, but only for certain specific forms of delinquency (petty crime, theft, etc.). There is also research evidence that immigrants are more likely to be apprehended by the police, and statistical data on these matters needs to be interpreted with great care.

196.    This is all the more necessary as many of the public consider delinquency to be a key problem of community relations. There is no evidence, however, to support the exaggerated and stereotyped images that often prevail, and governments must be extremely careful not to lose a sense of proportion in such delicate matters as delinquency among immigrant and ethnic communities. The media also have an important part to play here. Each time a person of immigrant origin is involved in a criminal act on which they report, they must ask themselves whether, for their audience, his or her origin is relevant for a proper understanding of the incident. Restraint in such matters should be part of a voluntary code of conduct for the media, as proposed in section 5.5 below.

197.    This matter has already been the subject of some investigation by the Council of Europe, resulting in the adoption by the Committee of Ministers, in April 1988, of Recommendation No. R (88) 6 on Social Reactions to Juvenile Delinquency among Young People Coming from Migrant Families. A strong emphasis is placed in this text on preventive measures, such as the provision of better educational facilities and the creation of equal opportunities. Attention was also given to the role of the police and to the juvenile justice and care system.

*The police and immigrants*

198.    The role of the police was also discussed by the Committee. As the day-to-day representatives of authority, the police often find themselves the focus of hostility felt by immigrants against society in general and it is therefore important that they make special efforts to adapt to the realities of a multi-ethnic society. All member States with immigrant and ethnic populations of any size need to give serious consideration to the implications of this for all kinds of police training. These may range from simply giving information about immigrant groups to attempting to change the attitudes of individual police officers towards members of immigrant and ethnic communities. The most effective approach may be to emphasise that sensitivity to the ethnic and cultural diversity of society and respect for all cultures are essential components of police professionalism, and that openness, tolerance and good inter-personal and inter-cultural skills are a necessary part of being a good police officer in today's world. Specific attention should be given to training of police officers so as to enable them to deal with delicate situations arising when community relations break down, for example in cases

of racial violence. One way of doing so is to create more opportunities for police officers from different cities and countries to exchange views and practical experience. More generally, the Committee wishes to underline the value of drawing up codes of professional conduct in which these specific aspects of the role of the police would be seen in a broader context.

199. It is also important to consider how the recruitment of police officers from immigrant and ethnic communities can be encouraged, on the basis that the composition of the police force should reflect the ethnic diversity of the society it exists to serve. As in other employment situations in the private as well as in the public sector, programmes of positive action are needed. In some countries, attempts to boost police recruitment from immigrant and ethnic groups have given good results in a number of cities.

200. Much of what has just been recommended about improving the capabilities of the police for dealing with conflict in multi-ethnic situations also applies to the professionals who operate the criminal justice and care system. It is often the case that a disproportionate number of young people of immigrant origin come into contact with that system for the reasons set out above and it is therefore very important that they should be treated in a fair and non-prejudiced manner. Without in any way seeking to deny the responsibility of the individual for his or her acts, those who are charged with the maintenance of law and order should be aware of the relevance of cultural and social factors in accounting for deviant behaviour. Moreover, where sentencing policy is concerned, all agents of the criminal justice and care system should see to it that due allowance is made for ethnic and cultural factors. Members of immigrant and ethnic communities should also benefit equally with non-immigrants from innovations in the justice and care system. They should, for example, be eligible for non-custodial measures as alternatives to placement and imprisonment in the same way as indigenous young people in similar situations. They should also be able to communicate in a satisfactory manner with the representatives of the system whom they encounter. This implies specialist training and the provision of interpreters as well as the recruitment of staff from the ethnic communities.

*Ethnically or racially motivated violence or harassment*

201. Immigrant delinquency is not the only type of conflict generated by multi-ethnicity. The Committee has also given a lot of attention to problems of discrimination and of ethnically or racially motivated violence and harassment of which immigrant and ethnic communities are victims. Ethnic or racial violence and harrassment is a form of behaviour that is racist in its motivation and effect, and that needs to be understood as part of the wider tendencies towards exclusion and marginalisation that are affecting European societies today. In this context, the term "racism" needs to be understood as incorporating also elements of "nationalism" or "xenophobia" - terms which may in some cases be more appropriate descriptions of the behaviour involved.

202. Ethnic or racial violence and harassment are not only or indeed mainly a matter of acts of extreme physical violence. Non-physical acts and threats which are ethnically motivated may be highly effective in their psychological impact on victims and indeed on entire ethnic or immigrant communities through the fear they induce. This is not therefore merely a crime problem, but also a serious social problem. It amounts to the

forcible denial of access to equal opportunities and it is highly damaging to community relations.

203. Across much of Europe, there still appears to be a serious lack of appreciation of the significance of ethnically motivated incidents of this kind, especially of the less immediately visible forms of harassment. This is coupled with a lack of awareness of such matters, or unwillingness to recognise them for what they are, on the part of the majority population and of official agencies of different kinds. In fact, outside the United Kingdom, the problem has scarcely been identified by the policy-makers. Incidents of ethnic violence or harrassment are either dealt with under the general provisions of criminal law or neglected completely. It must also be pointed out that extremist political groups have an effect on the occurrence of ethnic violence or harassment, not so much in a direct sense of provoking and causing incidents, but rather indirectly in that the existence of such groups tends to legitimise the climate in which such incidents occur. Adequate measures to deal with ethnic or racial violence and harrassment should be based on three components: supporting victims, tackling perpetrators and preventive action by means of legal and other instruments.

204. In conclusion to this section as a whole, the Committee recommends paying careful attention to conflict in community relations and responding to such conflict in a non-prejudiced and professional manner. Several important measures have been proposed in this section which could serve this purpose: a voluntary code of conduct for the media in reporting on ethnic and immigrant delinquency, better training and more exchange of views and experience for police officers, the recruitment of more police officers and more workers in the criminal justice and care system with an ethnic or immigrant background, and more adequate measures for dealing with ethnic violence and harassment. Delinquency and inter-ethnic conflict often find their roots in prejudice and lack of opportunities for integration. A good and effective community relations policy in other fields is therefore the best way of preventing problems of the type discussed in this section.

4.8 The role of local authorities

205. Many of the everyday problems of relations between different communities are essentially local problems connected with conflicts and misunderstandings which arise in the course of living together within a particular neighbourhood. This is why, irrespective of their differing competences in different countries, local authorities and other local agencies have a key part to play in community relations. Different local bodies are in direct contact with the public, both immigrants and the majority population; they are the first to know about problems concerning migrants and ethnic groups. They are familiar with the employment situation, and they know about the discrimination which may be experienced by the members of migrant communities. They have experience of applying practical measures to solve problems of ethnic and community relations where they arise. Moreover, local authorities have a key part to play in forming local opinion. They are also among the main providers of services, and often one of the main employers in a locality. For all these reasons they are well placed to take a leading role in developing good community relations.

206. In many countries there is a growing trend towards decentralising the implementation of social policies of many kinds to the local level. Often it has been

found that the best way of tackling the complex and interlocking problems of run-down areas of big cities is by means of integrated social action bringing together the efforts of many different agencies working in a single neighbourhood. By and large this trend is to be welcomed as a way of bringing policy execution nearer to the people, although it has to

be stressed that governments must not see decentralisation as a way of divesting itself of costly responsibilities. Rather it is a matter of developing a new mode of government action in partnership with a wide range of bodies and with the possibility of a much greater flexibility and responsiveness to a diversity of local situations.

207.     A key actor in coordinating action at the local level is of course the local authority itself, and indeed the role of local authorities in the prevention and solution of ethnic conflict may in some cases be decisive. They can create local agencies responsible for disseminating information, fighting discrimination, trying to provide migrant and ethnic groups with the services they need and in general promoting better relations. They can encourage and support private organisations or voluntary agencies engaged in building better ethnic relations. The Committee recommends that local authorities develop explicit policies and strategies for improving community relations and make available the necessary budgetary resources.

208.     Locally developed measures for better community relations can sometimes go further than national policies require and can indeed in some cases be more effective by being more realistic and more firmly based on the experiences of everyday life and day-to-day encounters between members of different ethnic communities. On the other hand, it can also happen, where community relations are difficult and conflictual, that local authorities, perhaps in response to anti-immigrant feelings in the majority community, drag their feet, in which case resolute efforts may be needed from central government to get them to play a more constructive part.

209.     The Committee therefore welcomes the fact that the Standing Conference on Local and Regional Authorities of Europe (CLRAE) has taken an interest in community relations questions, as shown by the adoption of Resolution 183 (1987) on foreigners in regional and local communities. There is much to be gained by a pooling of experience among local authorities. As the Committee has seen on its field visits, some authorities are playing a pioneering role by developing innovative policies on community relations which would be worth taking up more widely and for this reason the CLRAE organised a Colloquy in Frankfurt in May 1991 entitled "Multiculturalism in the City: the integration of immigrants in towns". The Colloquy, which was organised with the Committee's help, provided an opportunity for comparing the experience of a wide range of European towns and cities active in the field of community relations.

4.9     The role of immigrant and ethnic associations and other voluntary bodies

210.     The widespread establishment by ethnic and immigrant communities of associations designed to promote common aims and interests has to be welcomed. They reflect the dynamic character of the integration process and they are a  clear sign that immigrants are becoming actors in society, rather than mere objects of care. Immigrant and ethnic associations vary widely in character: from informal and temporary local groups to formal statutory bodies with a professional staff and government subsidies. Some associations unite immigrants from one commmunity, others recruit their members from various communities. Particular mention should be made of associations for migrant women and associations run by young people of immigrant origin.

211. The role of immigrants' associations varies from one country to another, in accordance with national traditions and practice. Thus, many functions which in some countries are performed by immigrants' associations may in other countries be performend by trade unions, churches, welfare organisations or similar bodies which act on behalf of all residents. Among the characteristic goals of immigrants' associations two may be noted in particular:

(a)     identity-maintenance, i.e. cultural, social and educational activities aimed at helping migrants to maintain the culture and identity they brought with them from their homeland;

(b)     interest-representation, i.e. legal, social and political activities aimed at promoting the interests and improving the situation of immigrant and ethnic communities in the country of residence.

212. Both types of activity should be considered necessary and valid. Some associations concentrate on identity-maintenance and some on interest-representation, but most are involved in both kinds of work. In some cases exclusive concentration on identity-maintenance could become a vehicle for a kind of cultural nostalgia which might not be very helpful to further integration. On the other hand, the identity-maintenance function is important as a way of enabling members of immigrant and ethnic communities to derive full benefit from their specific cultural heritage. The balance between these two aspects is rather delicate and may be not be the same for every individual.

213. It is beyond doubt that immigrant associations can play an important role in furthering the integration of immigrant and ethnic communities. One sign of developing integration is an increasing tendency to participate actively in the life of the society, and associations can often be the vehicle for such participation. Article 11 of the European Convention on Human Rights guarantees freedom of association and specifies a number of possible restrictions which may be "necessary in a democratic society". The Committee warmly welcomes the fact that practically all legal restrictions on freedom of association for foreigners have now been removed in the member Sates. It considers that while restrictions can on occasion be justified in cases where associations of any kind are engaged in unlawful activities, there is no justification for placing specific legal restrictions on immigrant and ethnic associations as such.

214. The question arises, of course, whether governments should actively support immigrants' associations, and, if so, how. It seems logical that where public authorities at any level of government choose to carry out certain tasks through the agency of non-governmental bodies, efficiently run immigrants' associations are suitable candidates for the receipt of grants for operational activities, eg in the sphere of housing, vocational training or social work or providing assistance to returning migrants. Through being given responsibility for spending public funds such associations can grow in self-confidence and maturity and at the same time become more integrated into the life of the society as a whole.

215. The desirability of public intervention aimed at encouraging the creation of immigrant associations is less evident. Such intervention might consist, for example, of

providing technical assistance or financial grants towards staff and infrastructure. In certain member States with a tradition of extensive partnership between governments and associations of all kinds, it is seen as a goal of policy to encourage the emergence of viable and representative associations, not least as participants in consultative machinery. Even in these countries, however, the dangers for the associations of an excessively close involvement with government are recognised. On the whole, the member States prefer to allow immigrants' associations to emerge of their own accord, and then work with them for specific purposes where this seems desirable. It is important to note that immigrant and ethnic communities are now beginning to organise their interests at the European level. The Council of Europe should welcome such developments, and encourage them wherever this may seem appropriate.

216.    Mention should also be made of the important role played by voluntary associations as well as professionally equipped non-governmental organisations set up in most member States to cater for the needs of immigrants and to promote good community relations. Many of these associations have a mixed membership or staff, consisting of both immigrants and non-migrants. They can often play a particularly effective role in building good relations between migrants and the original population. Their activities may cover a variety of aspects: advocacy, guidance, information, research, development of new educational methods, employment, social and health services. Some of these associations develop activities for young immigrants in particular, whose social and family situation is sometimes problematic. They may also provide shelter to young people who have left home as a result of family tensions. Public support for the different types of activities mentioned here should be seriously considered as they often help to prevent and to overcome the social isolation of immigrant and ethnic communities and to promote good community relations.

217.    The role of the churches is of particular importance. In the more established countries of immigration in Northern and Western Europe, they have often been among the first to take an interest in the needs of recently arrived immigrants, thus creating a basis of confidence for these newcomers. Many initiatives in the field of social work, guidance, advocacy and improving community relations have originated from among the churches and have subsequently been taken over by professional agencies and immigrant associations. At present, this process appears to be being repeated in the more recent immigration countries of Southern Europe.

## 5.    THE CULTURAL DIMENSION

### 5.1.    Cultural communities and the State

218.   Immigrant groups generally bring with them a culture differing to a greater or lesser extent from that of the host society. The Committee considers that this is a source of mutual enrichment for all concerned. It stimulates cultural diversity in the European countries, many of which already have a very long tradition of such diversity. In practice, however, members of the host society sometimes resent the presence of what they regard as "alien" cultures.

219.   Those who consider cultural diversity an asset and those who rather see it as a problem will all agree that the customs, practices and lifestyles of immigrant and ethnic groups sometimes enter into conflict with those that are dominant in the surrounding society. In such cases it becomes necessary to find a modus vivendi which gives due weight to the legitimate aspirations of all concerned. Obviously, public authorities at all levels of government have a role to play here. Perhaps their role in such matters is a particularly delicate one because of the strong tradition in Europe that public authorities should observe reticence in cultural matters.

220.   According to this tradition, which goes back to the Enlightenment and the French Revolution, individuals should be granted as much room as possible to arrange their own lives in accordance with their personal views and beliefs, as long as these remain within the limits of the law. This implies, for instance, that a person's religious beliefs are considered to be a private matter. The history of Western Europe has meant that this view of religion has been enshrined in law and institutions, although there are significant variations in practice in the concept of separation of religion and the State. Declarations and conventions on human rights proclaim the freedom of religious expression, but when that expression becomes collective or "political" it is soon limited by measures ranging from disapproval to outright prohibition. This situation is very different in other parts of the world. Understandably, migrants who originate from outside Europe do not always understand the feelings about these matters that are commonly felt by the peoples of this continent. On the other hand, Europeans often find it difficult to think of religion in more collective terms.

221.   In all member States individuals are also free to establish associations, although this right does not always apply to foreign residents in the same manner as to citizens. In other words, in accordance with a strong European tradition, possibilities for direct public intervention in what people believe, think or do and with whom they associate is relatively marginal.

222.   The limited possibilities for public intervention in cultural affairs are another reason why emphasis has been placed in this report on guaranteeing security of residence and a legal status for immigrants as well as on promoting their social integration. At first glance this may appear paradoxical because in the public debate on community relations the emphasis is more often put on cultural differences between immigrant and host communities than on differences in social and legal position.

223.   In the Committee's view, however, governments should resist the temptation of

over-emphasising the cultural aspect in their integration policies. If they do so, they might run the risk of having to enter into debates about the advantages and disadvantages of certain culturally inspired practices and expressions. This is a delicate issue even in a society which is relatively homogeneous from a cultural point of view, but in multicultural societies it is practically impossible. Governments that attempt to do so run a risk of alienating certain communities from their policies and perhaps even from society as a whole. The main task of public authorities should be to create the necessary preconditions for good and equitable community relations, through legal and social measures in particular. Needless to say, the State must ensure that the activities of all communities remain within the limits of the law and must be particularly attentive to any cultural practices that place restrictions on the individual's freedom to make fundamental choices. Nonetheless, the law can sometimes be adapted to newly emerging needs and practices stemming from immigration, and this has been done in several countries.

224.    The choice of this approach does not by any means imply that the cultural dimension of community relations is unimportant, or that governments have no responsibilities in this respect. On the contrary, the Committee recommends that the right of individuals and communities to maintain and develop their cultural identity should be re-affirmed and that it should be made clear that this does not have to be a barrier to integration. At the same time, the Committee considers a sufficient level of integration to be a prerequisite for a fuller development of ethnic and immigrant cultural identity and for harmonious community relations.

225.    One crucial element of the community relations policy as advocated by the Committee is the requirement that, in so far as the existing laws, policies and practices allow for a diversity of provisions, such diversity should also apply to ethnic and immigrant communities. It is from this angle that the following issues will be discussed below: the role of religion, family law and family relations, cultural life and the arts, and the media.

## 5.2.    A multi-faith society: the role of religion

226.    For many immigrant and ethnic groups cultural identity is very much bound up with religion. Coping with increasing religious diversity is rapidly becoming a central issue in most European immigration countries.

227.    As we have just seen, secularised European countries tend to assume that religion is a private matter for the individual and that religious questions are therefore not usually a matter for the State. Despite this, the Committee has had to recognise that in many cases community relations problems cannot be understood without taking full account of the religious dimension. In practical terms, most of the member States are now having to work out what is the proper approach to adopt towards the presence in their midst of substantial non-Christian and non-Jewish religious communities, in particular Muslim and, to a lesser extent, also Hindu, Buddhist and Sikh communities.

228.    Freedom of religion is a basic characteristic of European society, and it is beyond doubt that this should be preserved. It is guaranteed in principle by national constitutions and by the European Convention on Human Rights. Consequently, the new religious communities should be given exactly the same rights and opportunities to

carry out their religious obligations and practices as have been given to other religious communities, provided only that they remain within the limits of the law. There are many examples where existing legislation has been changed in order to accommodate religious practices, for instance to permit funerals and animal slaughtering in accordance with Muslim traditions. The principle involved is not a new one, as in earlier days many member States did the same on behalf of the Jewish community.

229. The Committee has noted that, in certain cases, respect for freedom of religion may create practical problems in the following areas:

- availability of places of worship;
- funeral customs;
- times of prayer, daily and weekly;
- times of fasting (e.g. Ramadan);
- recognition of religious festivals;
- dress;
- diet (e.g. halal meat);
- availability of appropriate and qualified religious personnel.

Such problems can often be solved without great difficulty if there is a degree of flexibility, mutual understanding and good will on the part of the groups concerned and society at large. Where this is lacking serious conflicts may arise. Therefore it is necessary to promote contact and dialogue between the majority community and the cultural and religious minorities. At present the different communities do not know each other well enough and often labour under misconceptions and traditional suspicions which are regrettably reinforced by extremist groups and movements. Governments should develop education and information activities aimed at breaking down these barriers, and set a good example by showing openness themselves to religious and cultural minorities.

230. The Committee is well aware of the delicate nature of such relationships. Over the centuries all European countries have had to work out some kind of institutionalised arrangement with the (predominantly) Christian churches, usually to underline their separateness. The Comittee recommends that, as a general rule, such arrangements, which may sometimes include forms of financial support by the State, should also apply to other religions. A complication here, however, is that in Islam in particular a rather different concept prevails of the relationship between State and religion. This means, among other things, that Islamic organisations carry out social and cultural activities which are not carried out normally by Christian churches. The solution which most West European States have found to this problem has been to subsidise such activities under "secular" headings, even though they may be carried out by religious organisations. In many cases this solution has proved to satisfy those concerned.

5.3.    Family law and family relations

231. In the area of family law the consequences of increased cultural and religious diversity have also become manifest. Islamic family law, in particular, has certain elements which are fundamentally contradictory to European notions about the inalienable rights of the individual and equality between the sexes. Here a compromise seems much more difficult to achieve. Some think that there is a basic clash of ideologies

in this field.

232. Islamic family law is based on quite detailed precepts in the Qur'an, believed to be the revealed word of God; in other words the family law is the command of God. Under the impact of nation-building and secular philosophies, unified legal systems have developed in Europe that are applicable to everyone living within a particular territory, usually the nation-state. Most people no longer immediately recognise the religious origins of these legal systems, but, historically speaking, religion and law are linked more closely, even in Europe, than is often understood today.

233. Those religious communities which took part in this centuries-long process, reluctantly or willingly, have devised ways of living with the family law system of the country. Such religious communities (like the Jews, Anglicans or Roman Catholics) remain free to exercise their own family laws, but normally they are not enforceable in the civil courts and have to rely on the consent of the parties for their effectiveness. In the final analysis, following the religious laws is a matter for the conscience of the individual.

234. For most Muslim communities in particular, the practice of Islamic family law remains important, and the legal systems of the member States do make space for it through the rules of international private law. Within this concept, citizens of a foreign country remain subject to the law of personal status of their country of citizenship. European family courts therefore find themselves often having to interpret and implement laws based on the Islamic tradition. European countries, however, retain the right to ignore aspects of the foreign law which are felt to be in conflict with basic principles, and against the public interest.

235. In the case of marriage and family custom and law, problems can arise in connection with:

- marriage not legally recognised in the host country (e.g. marriage of a partner below a minimum age);
- polygamous marriages;
- divorce pronouncements which have not been through a judicial procedure;
- custody of children in case of divorce;
- parental authority;
- adoption;
- inheritance.

236. One response to these problems could be to take the view that people may live as they wish, so long as they do not break the law of the land. It is not against the law of the land to live polygamously, only to formalise the relationship as a legal marriage. It would, however, be against the law to enter into a relationship with a minor. The problem with this approach is that it only works as long as the parties take part willingly. The moment conflict breaks out serious difficulties can arise because the courts cannot deal satisfactorily with the breakdown of a partnership which never had the status of a legal marriage. Inevitably, it is the weaker party, the wife and children, who tend to need the protection of the courts. Here, there is likely to be conflict between different conceptions of the family and different expectations of the role of the courts and the law. In extreme cases children are caught between two systems of law which provide contradictory answers, so that the deciding factor is no longer justice, family

harmony, or the interests of the child, but purely in whose control or jurisdiction the child happens to be.

237.	On the basis of these considerations, and in the light of European history, the Committee finds it impossible to conclude that a reconsideration of our understanding of religious freedom should go so far as to allow that any immigrant or ethnic community has the right to claim that its family law should become part of the domestic law. However, recognition of the cultural plurality of Europe, which includes a strong religious element, would seem to demand that the legal systems and political structures, and the professions which staff them and make them work, relax their insistence on the absolute and exclusive validity of inherited ways of operating.

238.	There are three areas where, in the Committee's view, this needs to take place. First, existing lacunae in international private law can be filled through multilateral treaties and conventions, or, perhaps more effectively, through bilateral agreements. This applies in particular to problems arising in connection with the recognition of marriage and divorce and the custody of and access to children.

239.	The second area is national legislation: legislators must take note of the much larger variety of family cultures which are becoming part of the developing European culture. The space needed for this can be created without going so far as to reintroduce the plurality of personal status legislation.

240.	Thirdly, it is sometimes possible for the courts to interpret the law flexibly enough to allow for minority practices, especially in a situation where European attitudes to marriage and the family are in a state of flux anyway. Such flexibility, however, will not be possible where fundamental principles of law or human rights are at stake.

241.	Finally, it should be noted that fundamentally different perceptions of family life and the role of the family are often at the root of inter-generational conflict within immigrant families and communities. This is an indication of the dynamic character of cultural and religious values and human behaviour. As in the past, in Europe and elswhere, a convergence often tends to develop between immigrant and established cultures, although this does not necessarily imply the complete disappearance or assimilation of these cultures. Of course, such processes require time, but they also require sufficient opportunities for mutual contact. Hence the Committee's strong plea for social integration as a means of preventing marginalisation and isolation.


## 5.4.	Cultural life and the arts

242.	The presence of more than twenty million immigrants in Europe has had a significant intellectual, artistic and spiritual impact on existing cultural values and forms of expression. Cultures, cultural patterns and artistic creativity develop and change when there is an interplay between plurality and homogeneity, generating new impulses and influences on stable and established cultural forms. Although, seen in an historical perspective, most European cultural traditions have been open to change, at least to a certain degree, at the present time an awareness of the cultural and artistic influences resulting from recent immigration is only just dawning. Cultural policies in most member States do not yet explicitly reflect this development, though there are certain exceptions to this observation.

243.  At the Sixth Conference of European Ministers responsible for Cultural Affairs, which took place in Palermo in April 1990, it was generally agreed that the influence of cultures from other parts of the world should be seen as a positive challenge to cultural policy. It was recalled that a significant feature of existing "European" culture is its openness to forms of cultural expression originating elsewhere. It was therefore considered to be of great importance that immigrant and ethnic communities should be enabled to take part in the cultural life of all the member States. Notwithstanding the principle that public intervention in the arts field should be as limited as possible, governments do have a role to play in encouraging immigrants to make use of exisiting provisions. If necessary, new arrangements should be made to encourage this process.

244.  Amongst immigrants, there are naturally a substantial number of individuals with great artistic talent. Some studied at universities or academies of arts in their home countries or elsewhere. In this category, well-known and internationally renowned artists can be found as sculptors, painters, authors, singers, dancers, actors, film-directors, composers, musicians, architects and so on. In most cases these artists are recognised as leading exponents of modern "western" culture. Only occasionally is reference made to their original ethnic or cultural origins. Their audience is large, sometimes even worldwide, and there is little or no need for public policies to encourage such people. The market for top quality artists is truly international, and amongst this category the number of migrants is high.

245.  In addition to this, there are also important cultural developments of a less elitist character, emanating from specific migrant situations. A considerable number of recent immigrants and their offspring have an important contribution to make to cultural life, often rooted in their personal experiences. What distinguishes these artists or groups of artists from many others is the fact that they encounter at least two different cultures in their own lives. At times these cultures may be conflicting, but they can also generate new cultural, artistic and intellectual syntheses. However, because immigrants may be unfamiliar with existing procedures and facilities, which may indeed be biased towards more dominant and traditional forms of cultural expression, artistic talents in immigrant communities can easily be overlooked.

246.  It is therefore desirable that public authorities and art institutions should be encouraged to diversify their policies so as to encourage the development of ethnic arts. To this end, the Committee recommends carrying out research and experiments to help develop suitable procedures for assessing artistic endeavours originating from a variety of cultural backgrounds on the basis of criteria that should be as objective as possible. In art schools and academies of art, more attention should be given to trends and developments in immigrant cultures as well as to certain techniques used by artists who originate in such cultures. This will be helpful not only in improving the command of such techniques by immigrant artists themselves, but also in making students of non-immigrant origin more familiar with forms and techniques of artistic expression that originate in other parts of the world.

247.  Public authorities and art institutions should also be more active in creating opportunities for members of immigrant and ethnic communities to show the products of their creativity to a larger audience. Governments should monitor their cultural policies so as to make sure that they offer sufficient encouragement and financial support to

exhibitions, plays, seminars, festivals, literature, poetry, film, dance, architecture, design, decoration and fashion produced by immigrants. In this way the quality of ethnic art will gradually improve and evoke a growing response from the public. The cultural products to which the Committee refers here need not be of an elitist character only. Almost by definition, popular culture reaches a much wider audience, and its positive effect on community relations can be very marked. Almost everyone, for instance, is aware of the strong impact of Afro-Caribbean music on Western popular music. Artists from immigrant and ethnic communities play an important role in promoting and developing this type of music. Also many European cities now organise annual street festivals in which the different communities present the products of their artistic creativity to a large number of spectators.

248. In conclusion, a truly multi-cultural society should offer sufficient opportunities to members of all communities not only to express themselves artistically, but also to have access to cultural life and artistic products of the other communities. In the arts, equal treatment of all cultures is a necessary condition for multiculturalism, but it is not enough. Multicultural societies will only flourish when sufficient opportunities for cultural exchange are available. The Committee recommends that more attention should be given to the role the arts can play in the integration of immigrant and ethnic communities. One reason is that, in the past, the arts have proved to be an important channel for upward mobility among immigrants. A second reason is that it counters the general tendency to associate immigrants with social problems. A third, and possibly even more important argument, is that taking immigrant artistic expression seriously is one way of signalling that immigrants in general are taken seriously.

## 5.5    **The media**

249. The mass media have an effect on all members of society. It is therefore necessary to consider how the media reflect the realities of a society increasingly characterised by ethnic and cultural diversity, and in particular what attitudes towards or images of immigrants and ethnic groups come across through the media. In a free society there are of course clear limitations on what governments can do directly to influence the media, although it may be possible to encourage them to become more responsive to the community relations implications of their activities.

250. Very often, it is the differences between the majority community and the immigrants which are stressed in the media rather than the things they have in common. It is the exceptional and the "exotic" which tend to draw people's attention, rather than the usual things of everyday life. This is not to say that the media create stereotyped images of ethnic and immigrant communities, but rather that they often help to strengthen them, without always being fully aware of the possible repercussions on community relations. Quite often the perception by the majority population of the situation of these communities only touches the surface of reality. Immigrants are frequently presented as "problems", and this confirms the beliefs that viewers, readers or listeners already have. The media tend to concentrate on "spectacular" events which attract public attention. Public airing by the media of the positions of certain extremist groups lends further credence to this negative image.

251. The member States should acknowledge two types of rights of immigrant and ethnic communities. On the one hand these communities should be able to receive through the media adequate information appropriate to their needs. On the other hand, they should be enabled to express themselves in the media. Without prejudice to the constitutional freedom of speech of the press, radio and television, governments should ensure that these rights are enshrined in legislation on the media and in the texts laying down the duties of the public sector media. These rights can be promoted by various policy measures, which were discussed at a Colloquy on "Migrants, Media and Cultural Diversity", organised by the Council of Europe in Noordwijkerhout (Netherlands) in 1988. The main recommendations of this colloquy are presented in the following paragraphs.

252. In order to encourage the public sector media to fulfill these tasks, governments should, in so far as flexibility is possible in the allocation of public funds to the media, earmark subsidies for those media organs that have a definite policy of offering professional opportunities to journalists and programme-makers of immigrant origin. Where possible, media run by immigrant and ethnic groups themselves should be regarded as suitable candidates for public subsidies, at the national and certainly also at the local level.

253. In order to eliminate stereotyped views of migrants and their countries of origin, and to ensure that the media do not give inaccurate information about them, journalists and broadcasters need to be made more aware of the cultures and living conditions in those countries. They also need to understand how members of immigrant and ethnic communities experience life in the host country. It should be stressed that such matters need to be dealt with in a highly professional manner. Institutions responsible for media education, together with journalists' professional bodies, should be well aware of these matters and should ensure that they are incorporated into training courses at different levels. Training institutions also need to ensure proper access for members of immigrant and ethnic communities. Governments could encourage this by making more funds available for scholarships and grants on behalf of these categories.

254. In addition, professional bodies of journalists may wish to draw up voluntary codes of conduct for their members. Such codes can recommend guidelines for good professional practice in an ethnically diverse society, thus helping to make journalists more sensitive to the delicate issues involved in reporting matters connected with community and ethnic relations.

255. Governments may also avail themselves of the possibilities offered by the media for making known their desire to promote good community relations. As a basic principle, the Committee thinks such initiatives to be useful and necessary. At the same time, however, it must be borne in mind that, just as the media do not create stereotypes, so governments cannot, through public relations efforts alone, alter public attitudes. Major press campaigns in favour of immigrants may even be counter-productive, especially if they sound paternalistic or condescending.

256. In order to give a proper reflection of the cultural and ethnic diversity of the populations of the member Sates, democratically run associations of migrant and ethnic groups should have access to the governing bodies of the media in the same way as

other interest groups.

257.  The Committee also recommends creating an annual European Media Prize for the news publication or broadcasting network which contributes best to
(a) giving a complete and balanced image of immigrant and ethnic communities, (b) promoting the participation of minorities in the media, and (c) improving community relations. It is suggested that the initiative might be taken by those countries where similar prizes already exist and that a European prize might be awarded under the auspices of the Council of Europe or the European Broadcasting Union.

258.  Another proposal, which was also made at the Noordwijkerhout colloquy, is to establish a European Production Fund to stimulate the production and distribution of multicultural programmes. The Fund should give grants in particular to freelance programme makers of immigrant origin, to independent migrant production companies and to international co-productions. The fund should be independent, with a governing body of media professionals, including migrants. The Council of Europe, the European Community and interested member States could be involved in launching and financing such a fund.

## 6. __SUMMARY AND CONCLUSIONS__

259.    Migration has always been a feature of European societies. We are now living with the consequences of the large-scale labour migration into the more industrialised countries of Europe in the 1960s and early 1970s. Since then, the immigration of workers into these countries has more or less come to an end but there have been continuing, and indeed increasing, inflows of other kinds of migrants such as family members and asylum-seekers. In addition the unforeseen developments in Central and Eastern Europe are leading to the arrival of a new wave of migrants looking for a better standard of living in the countries of Western Europe. At present South-North movements and East-West movements converge on the major urban areas of the member States. At the same time, the Southern European countries, formerly countries of emigration, are experiencing immigration from Third World countries in particular.

260.    *As a result of these various migration flows, substantial populations of different national or ethnic origins from those of the host society have come to live permanently in most of the member States of the Council of Europe*. This leads many to speak of an emergent multi-ethnic or multicultural society. Many people are concerned about how to respond adequately to these major new developments in society and some sections of public opinion have been openly hostile. This has led governments to re-examine both their immigration policies and their policies for the integration of immigrants.

261.    At the European level, the Committee of Ministers of the Council of Europe decided to launch a community relations project, a multidisciplinary intergovernmental activity which has taken place during the period 1987 to 1991. Under the overall responsibility of the European Committee on Migration (CDMG), the project has been carried out by the Committee of Experts on Community Relations (MG-CR). *For the purposes of the project, the term "community relations" is used to refer to the whole range of problems and opportunities resulting from the interaction between the majority or host population and the various migrant or ethnic groups of immigrant origin.* Community relations deals not only with the integration of migrants into their new country but also with how society as a whole needs to respond to the presence of large numbers of people of different ethnic and cultural origins from the majority.

262.    The approach to community relations questions varies from one member State to another in accordance with their differing historical experiences of  migration, different legal systems and different expectations about the nature of government intervention, but despite all this diversity most European countries are facing situations which in practice have a great deal in common. The justification for a community relations project at the European level is the conviction that there are enough resemblances between the problems arising in different countries to make it worthwhile carrying out an ongoing exchange of experience and ideas, even if the solutions adopted will have to be applied in different ways in different countries.

263.    Immigrants and members of ethnic groups of immigrant origin often find it difficult to become fully integrated into society, partly because they lack some of the means that enable people to function effectively in society and partly because of various forms of discrimination, which may be either deliberate or unintended. If, as a

consequence, such groups are relegated to the margins of society the risk of grave social tensions and conflicts will increase. ***The Committee of Experts believes that the problems of community and ethnic relations are potentially serious, but not insoluble, and that if we really want to solve them, governments and many other social actors will have to take concerted action across a broad front.***

264.    In the view of the Committee of Experts governments have a vital part to play in creating the conditions for good community relations. ***The Committee therefore recommends that the governments of member States adopt explicit policies on community relations questions and ensure that they are put into practice across the whole range of government action****.*

265.    ***The Committee considers that the basis of a good community relations policy is a sound legal status and equal opportunities for participation by people of immigrant origin in the different sectors of society****.* Only on this basis can equitable and harmonious community relations flourish. Therefore, a good community relations policy should:

-       be based on the assumption that most immigrants have come to stay and that they have much to contribute to the life of the countries in which they live;

-       accept that public authorities have a crucial part to play in promoting and monitoring the integration of immigrants and the development of good community relations;

-       provide a legislative basis for action to ensure equality of opportunity and to combat discrimination;

-       promote the social integration of individual members of immigrant and ethnic communities;

-       ensure that immigrants are eligible to benefit from existing government services and programmes open to the population as a whole and, wherever needed, develop additional measures to promote the successful integration of immigrants by means of "positive action" but not positive discrimination;

-       encourage immigrants to develop a sense of belonging to their new society;

-       consider immigrant and ethnic communities and their leaders as key partners in promoting good community relations;

-       be based on an awareness that integration and the development of good community relations are long-term processes that require long-term policy views.

These principles need to be applied in practice in many different fields of government policy.

266.    Although community relations policies are not primarily a matter for legislation, it is important to ensure that the general legal framework is conducive to the harmonious development of an ethnically diverse society. Thus, if immigrants are to be encouraged to integrate fully into the host society it is essential that they should benefit

from security of residence and the right to family reunion. The Committee also considers that long-stay immigrants, especially those born in the host country, should be able to acquire its nationality easily, this being one of the most effective means of helping them to develop a sense of belonging to the society in which they live.

267. The way in which immigration control is put into effect has important implications for community relations. ***The Committee recommends that governments should, without prejudice to their right to determine immigration policy in the light of labour market and other considerations, take steps to monitor the way in which immigration control is exercised, so as to ensure that immigrants receive fair and courteous treatment irrespective of nationality or ethnic origin.***

268. Discrimination on the basis of national or ethnic origin or race is widespread in ethnically mixed societies and this is why many member States have legislated against discrimination of various kinds. It is, however, often difficult to apply such legislation effectively and the Committee notes that anti-discrimination laws have most effect when accompanied by active measures to promote the use of the legal remedies available. ***The Committee recommends that member States take such measures and, in particular, that in countries where such a body does not already exist, governments should consider setting up a body with specific responsibility for promoting and coordinating action on discrimination and equal opportunities for migrants and ethnic groups.***

269. The Committee considers, however, that legal means of combating discrimination need to be complemented by other forms of action, particularly in the fields of education and information, aimed at combating racist and xenophobic attitudes in society.

270. Action to improve the employment status of immigrants and members of ethnic groups is of fundamental importance for their successful integration into society. ***The Committee recommends that governments review their training policies for members of immigrant and ethnic communities, especially for young people, so as to make sure that they meet their particular needs.*** More generally, governments together with employers and trade unions should take positive action to promote effective equality of opportunity for migrants and people of immigrant origin. Such positive action strategies need to cover such matters as recruitment, training, personnel management and promotion. ***The Committee recommends that governments develop strategies for positive action aimed at achieving effective equality of opportunity for immigrants and members of ethnic groups***. In this connection, the Committee considers that while it may be useful to set targets for recruitment of people of ethnic or immigrant origin to the workforce, the imposition of ethnic quotas for recruitment and promotion amounts to an unacceptable form of reverse discrimination.

271. ***The education system clearly has a vital part to play in preparing the ground for better community relations in the future, not only by means of specific measures to ensure that pupils of immigrant origin are enabled to achieve their full potential but also by ensuring that all pupils are prepared for life in a multi-ethnic and multicultural society***. The Council of Europe's work on intercultural education has helped to point the way forward but the Committee considers that more work needs to be done at international level to work out its full

implications for educational practice.

272.    Being over-represented in the lower income groups, immigrants suffer disproportionately from inadequacies in the supply of housing. ***The Committee considers that governments must continue to discharge their responsibilities for ensuring the provision and maintenance of adequate low-cost housing through a variety of mechanisms. It is also important to combat discrimination in housing by a combination of legal and social measures.***

273.    The Committee considers that policies leading to the enforced concentration of immigrants, which amounts to urban segregation, are undesirable. It also considers that, except for the initial settlement of large population influxes, enforced dispersal of immigrants is dubious in principle and of questionable value in ensuring a balanced social composition in urban neighbourhoods. A far more constructive approach is to concentrate on rehabilitating the run-down areas where immigrants have tended to concentrate thus making such areas more attractive to the population as a whole, which should mean that a more mixed population composition will develop naturally.

274.    Public services as a whole need to adapt so as to take account of the increasing ethnic and cultural diversity of the population they serve. Their staff should be trained in the need to eliminate unequal and discriminatory treatment and in developing responsiveness to the particular needs of migrants and ethnic groups. Probably the best means of ensuring that public services respond effectively to the varied needs of a multi-ethnic clientele is to recruit staff who are themselves of immigrant origin. ***The Committee recommends that the authorities responsible for service provision, both at central government level and at regional and local level, adopt explicit strategies for achieving equality of access for migrants and ethnic groups.***

275.    ***Relations between immigrants and the police, who represent the authority of the host society, are often tense. The member States need to give serious consideration to the implications of this fact for police training and recruitment.***

276.    ***Racist violence or harassment can be extremely damaging to community relations, and this problem needs to be given much more serious and sustained attention in the member States.***

277.    Many of the day-to-day problems of community relations are best dealt with at local level, and local authorities have a vital part to play, in partnership with central government agencies and non-governmental bodies of all kinds, in developing appropriate strategies for building harmonious relations between different ethnic and cultural groups.

278.    The growth in immigrant and ethnic group associations is an encouraging sign of growing self-confidence and a more active involvement in society. They are often appropriate channels for public funds for a variety of projects for the benefit of immigrants.

279.    Although in the Committee's view the new cultural elements brought by immigrant groups are a source of great enrichment to European society, it is clear that conflicts sometimes arise with the established customs, practices and laws of the host

society.

280.     In European countries religion is generally regarded as a private matter which the State should not get involved in, but it has become increasingly clear in recent years that community relations problems cannot be fully understood unless the bodies concerned take account of the religious dimension in so far as its public manifestations are concerned (eg availability of places of worship). *It is important to ensure that, within the limits set by the need to respect human rights, all religious groups are free to practise their beliefs*. Since problems may arise when the religious practices or sensitivities of immigrant religious groups are unfamiliar or run counter to the established practices of the host society it is important that governments do all they can to promote dialogue with and between representatives of the different religions.

281.     Particularly complex problems can arise in the field of marriage and family law. *The Committee does not consider that the family law of immigrant or ethnic groups should necessarily become part of the domestic law of the host countries; on the other hand, greater flexibility in the application of the existing law or custom of European countries can in many cases go a long way towards satisfying the legitimate expectations of immigrant groups.*

282.     European cultural and artistic life has always benefitted greatly from openness to the influence of cultures from elsewhere. It is therefore highly desirable, for this reason as well as in the interests of integration, that immigrant and ethnic communities should be able to take a full part in the cultural life of European countries. *Public authorities and arts institutions should be encouraged to adapt their policies so as to encourage the contribution of the artistic expressions of immigrant and ethnic groups.*

283.     Since the mass media can have a strong influence, for either good or ill, on people's perceptions of immigrant groups and of community relations issues, *the Committee considers that governments should, while fully respecting the independence of the media, encourage all activities to make media professionals more aware of the need for well-informed and sensitive handling of such issues*. Equally, access by migrants and ethnic groups to the media should be encouraged by all appropriate means.

284.     The recommendations contained in this report imply a sustained commitment by governments across many areas of public life over a period of many years. The Committee is convinced that the only satisfactory way of tackling the complex and interlocking aspects of community relations is by means of an integrated overall strategy. The Committee further considers that the Council of Europe should continue to put itself at the disposal of the governments of member States as they seek to work out appropriate national responses to community relations issues. *The project has shown that there is much to be learnt from exchanges of experience between European countries and the Committee urges the Council of Europe to develop suitable frameworks and programmes for enabling such exchanges to continue and develop further in the future*. To this end, a number of precise proposals are being made elsewhere. Here, it suffices to say that the problems of community relations, integration, and multiculturalism will surely continue to be among the great social issues which the Council of Europe will be called upon to help European countries come to terms with.

## APPENDIX 1

## TERMS OF REFERENCE OF THE COMMITTEE OF EXPERTS
## ON COMMUNITY RELATIONS

1.      Name of committee : COMMITTEE OF EXPERTS ON COMMUNITY RELATIONS (MG-CR)

2.      Type of committee :        Committee of experts

3.      Source of terms of reference :        European Committee on Migration (CDMG)

4.      Duration of terms of reference :        31 December 1991

5.      Terms of reference :

Under the authority of the CDMG, to examine community relations problems arising in the member States as a result of recent migration movements; to prepare and put into effect the multidisciplinary project on community relations.

6.      Terms of reference based on the annual intergovernmental programme of activities : See annual Programmes

7.      Terms of reference derived from a convention : -

8.      Membership of the committee :

a.      States whose governments are entitled to appoint members : all member States

b.      Number of members per State whose travel and subsistence expenses will be borne by the Council of Europe budget : France, Greece, Federal Republic of Germany, Italy, Netherlands, Norway, Portugal, Sweden, Turkey, United Kingdom (Reserves in order of priority : Belgium, Switzerland, Luxembourg, Spain)

c.      Qualifications desirable in members : Senior national officials or other experts in the field of community relations.

9.      Other participants : Commission of the European Communities

10.     Observers

a)      Non-member States :

Holy See

b)       International governmental Organisations : -

c)       International non-governmental Organisations :

Churches' Committee for Migrants in Europe (CCME)
International Social Service (ISS)

11.     Transitional notes : -

## APPENDIX 2

## LIST OF MEMBERS OF THE COMMITTEE OF EXPERTS
## ON COMMUNITY RELATIONS

Chairman : Mr Emil L. SAMUELS (Netherlands)


Belgium : Mrs Annemie DEGROOTE, Ministère de la Communauté Flamande, Administration de la Famille et de l'Aide Sociale, Markiesstraat 1, 1000-BRUXELLES

France : Mr Bertrand MAIN, Direction de la Population et des Migrations, Ministère des Affaires Sociales et de l'Intégration, 1 place Fontenoy, 75700 PARIS

Germany : Mr Alexander LANG, Bundesministerium für Arbeit und Sozialordnung, Rochusstrasse 1, 5300 BONN 1

Greece : Mrs Vassiliki-Silia NIKOLAIDOU, Assistant Professor, National Technical University of Athens, Ministry of Culture, General Secretariat for Greeks Abroad, 417 Acharnon Street, 11143 ATHENS

Italy : Mrs Vanna PALUMBO, Office Central pour les Affaires législatives et pour les relations internationales, Ministère de l'Intérieur, Palazzo Viminale, 00185 ROMA

Luxembourg : Mr Gaston RAUS, Commissaire à l'Immigration, Ministère de la Famille, Centre Bourbon, 14 Avenue de la Gare, LUXEMBOURG

Netherlands : Mr Emil L. SAMUELS, Head of Special Assignments Division, International Welfare Office, Ministry of Welfare, Health and Cultural Affairs, PO Box 5406, 2280 HK RIJSWIJK

Mr Adhish HALDAR, International Welfare Office, Ministry of Welfare, Health and Cultural Affairs, PO Box 5406, 2280 HK RIJSWIJK

Norway : Ms Eva HAAGENSEN, Head of Division, Royal Ministry of Local Government, PO Box 8112 DEP, 0032 OSLO 1

Portugal : Mr Joaquin do ROSARIO, Expert supérieur, Institut d'Appui à l'Émigration et aux Communautés portugaises, Ministère des affaires étrangères, Largo do Rilvas, 19 avenue Visconde Valmor, 1000 LISBONNE

Spain : Mr Gonzalo GARCIA PASSIGLI, Sous-directeur général de l'émigration, Ministère des Affaires étrangères, Calle Imperial 9, 28071 MADRID

Sweden : Mr Erland BERGMAN, Executive Secretary, Swedish Commission for Social Research, PO Box 2220, 103 15 STOCKHOLM

Switzerland : Mr Michael BRAUN, Section des Affaires internationales et de l'intégration, Office fédéral des étrangers, Département fédéral de justice et police, 3003 BERNE

Turkey : Mrs Bengü YIGITGÜDEN, Third Secretary, Ministry of Foreign Affairs, Department for Social Affairs, Balgat, ANKARA

United Kingdom : Mr Dev SHARMA, Director of Field Services Division, Commission for Racial Equality, Elliot House, 10-12 Allington Street, LONDON SW1E 5EH


CONSULTANT FOR THE PREPARATION OF THE FINAL REPORT

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OBSERVER

Holy See : Rev. Père Antonio PEROTTI, Directeur, Centre d'Information et d'Etudes sur les migrations internationales, 46 rue de Montrueil, 75011 PARIS

SECRETARIAT

Mr John F. SMYTH, Director of Social and Economic Affairs

Mrs Claudine HODGENS, Head of the Population, Employment and Migration Division

Mr John L. MURRAY, Principal Administrative Officer, Population, Employment and Migration Division, Secretary of the Committee


**NB**: The above list gives the membership of the Committee at its twelfth meeting (18-20 March 1991) when the final report was adopted. Mention should also be made, however, of the following persons who participated regularly in earlier meetings : Mr Okan GEZER (Turkey, Vice-Chairman), Mr Michel MARTY (France, Vice-Chairman), Mr Michel TAVERNIER (Belgium), Mr Errol STOOVE (Netherlands), Mr Sander GURBUZ (Turkey), Mr David WRIGHT (United Kingdom) and Mr Paul BOATENG, MP (observer for the Churches' Committee for Migrants in Europe).

**APPENDIX 3**

**ACTIVITIES CARRIED OUT AS PART OF THE COMMUNITY RELATIONS
PROJECT OR IN CONNECTION WITH IT**

**List of meetings and conferences, together with documents
and publications available to the public**

Notes

1.      Except where otherwise indicated, all meetings were held in Strasbourg.

2.      The documents listed here are available on request from the Secretariat. Please
apply to:

Population, Employment and Migration Division
Council of Europe
BP 431 R6
F-67006 STRASBOURG Cedex
Tel: 88.41.21.67
Fax: 88.41.27.85

Seminar on community relations: "Making multi-ethnic societies work" (7-9 November
1984)

MG-Sem (84) 10              Ways of tackling community relations problems in
ethnically mixed societies, by Han Entzinger

MMG-3 (87) 12              Final report
(MG-Sem (85) 1)

Meetings of the Committee of Experts on Community Relations (NB: The reports of
these meetings are not publicly available)

First meeting          29-31 October 1985
Second meeting              12-14 February 1986
Third meeting              9-12 September 1986 (Birmingham)
Fourth meeting              4-6 February 1987
Fifth meeting          20-23 October 1987 (Berlin)
Sixth meeting              16-18 February 1988
Seventh meeting              27-30 September 1988 (Lyon)
Eighth meeting              21-23 February 1989
Ninth meeting              17-20 October 1989 (Barcelona)
Tenth meeting              29-31 January 1990
Eleventh meeting              11-14 September 1990 (Stockholm)
Twelfth meeting              18-20 March 1991
Thirteenth meeting              28-29 November 1991 (The Hague)

Study visits

MG-CR (86) 7  Report on the Committee's study visit to Birmingham
MG-CR (87) 9  Report on the Committee's study visit to Berlin
MG-CR (89) 16   Report on the Committee's study visit to Lyon
MG-CR (91) 7  Report on the Committee's study visit to Barcelona
MG-CR (91) 13   Report on the Committee's study visit to Stockholm

Meeting of organisers of community relations projects (in the field of youth employment (23-25 September 1987)

MG-CR (87) 6  Report of the meeting

Meeting of persons responsible for information and public relations activities in the field of community relations (23-25 November 1987)

MG-CR/Coll 1 (88) 6 Report of the meeting; discussion papers by Charles Husband and Michel Bourdeau

Meeting of persons responsible for combating discrimination on nationality, ethnic or racial grounds (9-11 December 1987)

Addendum to
MG-CR (87) 13   Conclusions of the meeting

Meeting of experts on discrimination on nationality, ethnic or racial grounds in the field of employment (7-9 September 1988)

Addendum to
MG-CR (88) 18   Conclusions of the meeting

Colloquy on Migrants, Media and Cultural Diversity (Noordwijkerhout, Netherlands, 29 November to 1 December 1988)

MG-CR/Coll 1 (88) 3 The image of immigrants in the media,
   by Anne Remiche-Martynow

MG-CR/Coll 1 (88) 4 Aspects of the participation and integration of immigrant minorities in the media,
   by Michael Phillips

MG-CR/Coll 1 (88) 5 Memorandum addressed to participants at the Colloquy, by Rob Heukels

MG-CR/Coll 1 (88) 9 Migrants and the media in the Netherlands

MG-CR/Coll 1 (88) 10  Emigrants and the mass media in Spain

MG-CR/Coll 1 (88) 11  Migrants and the media in Denmark

MG-CR/Coll 1 (88) 12  Proposals for further action

<u>Meeting of experts on migrants, ethnic groups and the police</u>
(7-9 December 1988)

Addendum to
MG-CR (88) 25           Conclusions of the meeting

MG-CR (88) 20           Swedish police training concerning migrants and ethnic groups, by Türker Soukkan

MG-CR (88) 21           Police training for a multi-ethnic society: the British experience, by Robin Oakley

MG-CR (88) 22           Police and positive action: the Dutch experience, by Jan van Kooten

MG-CR (88) 23           Police training in a multi-ethnic perspective, by
E A R Sinester

<u>Meeting of experts on the cultural and religious practices of migrants and ethnic groups</u>
(26-28 June 1989)

Addendum to
MG-CR (89) 11           Conclusions of the meeting

MG-CR (89) 5           The cultural and religious practices of migrants and ethnic groups, by Jorgen S. Nielsen

MG-CR (89) 8           Community relations: the case of Muslims in French society, by André Costes

<u>Meeting of experts on the role of national legislation and international instruments in combating discrimination on nationality, ethnic or racial grounds</u> (4-6 October 1989)

Addendum to
MG-CR (89) 18           Conclusions of the meeting

MG-CR (89) 14           Discussion paper, by Ann Dummett

MG-CR (89) 15           Racial discrimination: United Kingdom national law and international conventions, by John Whitmore

MG-CR (89) 17           Racial discrimination and the European Convention on Human Rights

MG-CR (89) 20           Combating discrimination based on nationality through the International Labour Organisation, with special reference to migrant workers, by W R Böhning (ILO)

MG-CR (89) 21           The role of national legislation and international

instruments in combating discrimination on nationality, ethnic or racial grounds, by
A Kruyt

MG-CR (89) 22          The role of (inter)national legislation and national machinery in combating discrimination on grounds of race in the Netherlands

MG-CR (90) 5          Summary of the discussions, by Ann Dummett

Multidisciplinary Conference on the educational and cultural aspects of community relations, jointly organised by the European Committee on Migration and the Council for Cultural Co-operation (5-7 December 1989)

New minority groups in the citadel of Europe, General Report by Jacques Berque (Strasbourg, 1991)

**Theme 1:     Education for citizenship in a situation of diversity**

CC-MG-Conf (89) Misc 12   Reason, Freedom and History, by Alain Touraine

CC-MG-Conf (89) 5        Actions and attitudes that will need to be fostered in order to build new community relations,
by Albert Bastenier

CC-MG-Conf (89) 3        What can agents in the educational and cultural fields do, in their own sectors or in co-operation with others, to improve social relationships? by Boel Westerberg

CC-MG-Conf (89) 6        How can social, cultural and educational institutions take account of the development of languages, cultures and religions of communities of foreign origin? by Ali Merad

CC-MG-Conf (89) 4        What new educational models are needed for the emerging intercultural society? by Pieter Batelaan

Meeting of experts on the impact of housing and town planning policies on community relations (20-22 June 1990)

Addendum to
MG-CR (90) 9          Summary of conclusions

MG-CR (90) 6          The urban integration of immigrant populations: assessment of theory and practice in the field of urban policy, by Jacques Barou

MG-CR (90) 7          Planning for ethnic minority housing in Britain, by Martin

MacEwen

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| MG-CR (90) 18 | The status of immigrants within the community structure of the City of Stuttgart, by Klaus Kaiser |
| MG-CR (90) 19 | The impact of housing and town planning policies on community relations, by Luz Valente Pereira |
| MG-CR (90) 20 | The impact of housing and town planning policies on community relations, by Mauro Sbolgi |
| MG-CR (90) 23 | Immigrant housing: comparative European approach, by Jacques Barou |
| MG-CR (90) 24 | The impact of housing and town planning policies on community relations: some comments from the Swedish point, by Roger Bernow |

Meeting of experts on the response of the health services to the needs of an ethnically and culturally diverse population (29-31 October 1990)

| | |
|---|---|
| Addendum to MG-CR (90) 15 | Summary of conclusions |
| MG-CR (90) 16 | Discussion paper, by Bengt Erik Ginsburg |
| MG-CR (90) 22 | The health of ethnic communities in France - proposals for improving the response of the health services to the needs of these communities, by François Bourdillon |

Studies by consultants

| | |
|---|---|
| (out of print) | Research into community relations problems in Europe: an overview of research in progress and recent findings, by Robin Cohen |
| MG-CR (90) 2 | Anti-discrimination legislation: Belgium, France, Netherlands, by Jacqueline Costa-Lascoux |
| MG-CR (90) 4 rev. 2 | The contribution of migrant/ethnic groups to the economic viability of urban areas through the setting up of small and medium-sized businesses in Western Europe, by Ali Najib |
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Recommendation 1089 (1988) on improving community relations

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Multiculturalism in the city - the integration of immigrants (Frankfurt-am-Main, 29-31 May 1991)

Coll Fr (91) 7        Frankfurt Declaration: Towards a new municipal policy for multicultural integration in Europe

Directorate of Human Rights

Colloquy on "Human Rights without Frontiers", 30 November - 1 December 1989

DH-ED (89) 20          Proceedings of the Colloquy

# APPENDIX 4

## ORGANISATIONS AND PROJECTS SEEN BY THE COMMITTEE OF EXPERTS DURING ITS STUDY VISITS

Birmingham, 9-12 September 1986

-       Midland and Wales Regional Office of the Commission for Racial Equality
-       Birmingham Community Relations Council
-       Race Relations Unit of Birmingham City Council
-       Central Mosque
-       Community Roots Resource Centre
-       Afro-Caribbean Association for Economic and Social Security (ACAFESS)
-       Afro-Caribbean Resource Centre
-       Methodist Church Music Centre
-       Centre for Research in Ethnic Relations, University of Warwick

Berlin, 20-23 October 1987

-       Berlin Senate Commissioner for Foreigners' Affairs
-       Turkish Community in Berlin
-       Turkish Equal Rights Association
-       Schlesische Strasse Intercultural Centre
-       Nürtingen primary school
-       "Otur ve Yasa" housing project
-       Vocational Training Centre, Geneststrasse
-       Yugoslav radio programme of Sender Freies Berlin
-       Representatives of the Polish community

Lyon, 27-30 September 1988

Lyon:
-       Lyon Action Group for Integration through Housing (ALPIL)
-       Notre Dame Shelter for the Homeless
-       Social housing area, Vénissieux-les-Minguettes
-       Associations for defence of migrants' rights and combating racism:
        - CIMADE (Protestant church organisation)
        - SOS RACISME
        - CRARRDA (Committee for the reception of foreigners and asylum-seekers)
        - Accueil et Rencontre (Welcome and Encounter)
        - Ligue des Droits de l'Homme (Human Rights League)
        - COE (Council of Churches)
        - JALB (Association of Young Arabs of Lyon and District)

St. Etienne:
-       Vocational training project, CIEDIL
-       Women's group, Severine housing area
-       Association des jeunes pour l'initiative et la responsabilité de la Dame Blanche (AJIR)

Grenoble:

- ADCFA (cultural centre for North African women)
- Parfum de la Terre (women's cultural centre)

Barcelona, 17-20 October 1989

Vic:
- Municipal Welfare Department
- Centre for children
- Training workshop

Barcelona and district:
- Bayt Althaqafa Centre (Spanish Association for Friendship with the Arab Peoples)
- Centre for immigrants run by the Commission for Integration of the Diocese of Barcelona
- Bellvitge infant and youth club
- Reception centre for Africans in Mataro (run by the Catholic parish)
- Rui-Sec gypsy encampment

Stockholm, 11-14 September 1990

- Deputy Mayor of Stockholm
- Ombudsman against Ethnic Discrimination
- Latina (Centre for refugees and asylum-seekers from Latin America)

Botkyrka:
- Hallunda Folkets Hus (community centre)
- Meeting with Head of the Immigrant Office and local politicians of immigrant origin
- Swedish Immigrant Institute and Museum

Södertälje:
- Vocational training programme for illiterates
- Small businesses managed by immigrants
- Special programme for young immigrants with integration difficulties
- Syrian Orthodox Metropolitan of Sweden and Scandinavia

Rinkeby:
- Information on Social District 18
- Day-care centre
- School
- Turkish Association

**APPENDIX 5**

**RECOMMENDATION N° R (92) 12**

**OF THE COMMITTEE OF MINISTERS
TO MEMBER STATES
ON COMMUNITY RELATIONS**


The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that as a result of migration flows during recent decades, substantial populations of different national or ethnic origins from those of the host society, and who initially came as temporary migrants, have now settled down permanently in most of the member States of the Council of Europe;

Convinced, therefore, that the integration of lawfully resident migrants and populations of immigrant origin must be an important objective of government policy;

Convinced that governments have a vital part to play, in co-operation with regional and local authorities and non-governmental organisations, especially immigrant associations and solidarity organisations, in creating the conditions for good community relations;

Considering that the Council of Europe has carried out a comprehensive multidisciplinary project on community relations;

Having regard to the final report of the community relations project entitled "*Community and ethnic relations in Europe*";

Having regard to the Resolution adopted at the Fourth Conference of European Ministers responsible for migration affairs;

Recommends that governments of member States adopt explicit policies on community relations questions and ensure that they are put into practice across the whole range of government action, it being understood that such policies should be based on the following principles:


1. security of residence for lawful migrants, especially those who have lived in the host country for many years;

2. determined action to bring about real equality of opportunity, especially in the fields of training, employment and housing, and to combat all forms of discrimination;

3. the taking of effective measures to combat racism and xenophobia, including both well-designed measures in the field of information and education and the enactment of appropriate legislation;

4.     the encouragement of the fullest possible participation of migrants and persons of immigrant origin in the life of the society of the country in which they live;

5.     an attitude of openness towards the cultures and customs  brought by migrants in so far as they are compatible with national law.