

The assessment of the implementation of ECCAR's Ten-Point-Plan of Action and recommendations

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The City of Bern



United Nations
Educational, Scientific and
Cultural Organization

Organisation
des Nations Unies
pour l'éducation,
la science et la culture

Table of Contents

I.	Aim of the report	3
II.	Overall assessment	3
III.	Evaluation and recommendations	4
A.	Understanding discrimination – the Planning	4
B.	Putting the Ten-Point Plan into action.....	5
1.	Victim support and conflict management	6
2.	Language	6
3.	Housing	6
4.	Employment.....	7
5.	Education	7
C.	Cooperation with national and regional level	7
IV.	Conclusion.....	8

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I. Aim of the report

This preliminary report assesses actions taken by members of the European Coalition of Cities against Racism pursuant to its Ten-Point-Plan of Action. The Action Plan sets out ten central fields of action in which cities are encouraged to undertake measures and activities to help prevent and prohibit racism and discrimination. The Plan is intended to support the member cities in setting out priorities, optimizing their strategies and intensifying their co-operation in relation to: 1. Greater Vigilance Against Racism, 2. Assessing Racism and Discrimination and Monitoring Municipal Policies, 3. Better Support for the Victims of Racism, Discrimination, 4. More Participation and Better Informed City Dwellers, 5. The City as an Active Supporter of Equal Opportunity Practices, 6. The City As An Equal Opportunities Employer and Service Provider, 7. Fair Access to Housing, 8. Challenging Racism and Discrimination Through Education, 9. Promoting Cultural Diversity, and 10. Hate Crimes and Conflicts Management.

This report focuses on the analysis of actions undertaken and planned by the city of Bern pursuant to the Ten-Point-Plan of Action. The aim is to evaluate the plans and measures adopted by the administration of the City in the fight against racism and discrimination, bring to their attention areas where there is potential for a more extensive involvement of different levels of society, and help identify successful ‘best practices’ through which they can achieve best results in the future.

This report as well as examples and recommendations contained therein are based on the forthcoming report of “Good Practices” that will be published by UNESCO in the next year.

II. Overall assessment

The City of Bern has undertaken an extensive effort to combat racism and discrimination. On the municipal level the most important is the strategy to promote diversity and to fight discrimination within the Integration policy (2010).

The Kompetenzzentrum Integration is the specialist bureau for all questions on anti-discrimination in the municipal administration. As such it places its services and know-how at the disposal of the public administration.

Bern correctly notes that without extensive awareness and information provided to the potential and actual victims of discrimination, vigilance against racism is extremely difficult. Victims often do not report different treatment either out of fear or ignorance that the different treatment is unwarranted, inappropriate and constitutes discrimination. Only by establishing an effective reporting system can the City assess racism and discrimination in its area and start to develop policies to promote equality and provide support for the victims.

Bern's commitment to eradicating discrimination is evident precisely from the numerous venues created by the City to raise awareness about racism and discrimination and promote diversity. The actions that the City of Bern undertakes in order to help migrants to integrate in the society are especially welcomed.

The Ten-Point-Plan of Action has served the City of Bern as an instrument to establish anti-racism and anti-discrimination as an integral part of their integration policy. The City of Bern has targeted a four-year period (2009-2013) for the implementation of the measures in their Plan of Action. For 2013 they plan to elaborate a Plan of Action to continue certain measures and to create new ones. At the moment of writing of this report, 23 of the 37 measures of their Plan of Action were implemented or in progress. Implementation of the rest of the measures was planned for 2011-2013.

III. Evaluation and recommendations

A. Understanding discrimination – the Planning

Traditionally, discrimination is defined by law as a different treatment of particular vulnerable groups, the groups being defined by law as gender, age, the less able, ethnicity, religion, sexual orientation, etc. This categorisation is useful to draw people's awareness to the typical groups that are most commonly treated differently and to guide cities' commitments in helping to protect those groups, which are specifically protected on the national level. By the end of 2010, 131.702 persons from 159 different countries lived in the City of Bern. Although the City has data about the exact number of foreign inhabitants in the City and their countries of origin, there is no documentation on racists' acts on municipal level. The collection of such data is crucial if the City is to define concrete objectives, target figures or even indicators.

In order to understand how discrimination works in practice, it is important to set up an effective system of reporting on the municipal level through which the City can understand where discrimination happens and why. Namely, law can prohibit discrimination, but it does so on an abstract level and often remains silent as to the nuances that are crucial on the ground to redress discrimination. For example, women may be paid differently at work, they may be treated differently because they are single parents, they may be abused by their partners at home, or they may be afraid to leave their employment because they are without legal documents, etc. These are all examples of gender inequality, but they may not become apparent merely by a commitment to protect gender. A city needs to set up its own reporting system to identify all these different forms of discrimination within a particular vulnerable group. And even then, victims may be hesitant to report their situations out of fear of repercussions. This fear prevents them from seeking help and from reporting the different treatment. It is essential therefore that cities identify such groups of people as particularly vulnerable even in the absence of reports and use more than just the traditional measures to redress their situation. If, for example, a woman employed by the city receives a different pay

from her male counterpart, this can be easily redressed by awarding her the same salary. If, on the other hand, a woman is prevented from leaving her place of employment because she is under constant surveillance of her employer (eg in cases of human trafficking), then cities need to provide a more specific means of protection, namely, by providing the woman psychological help preferably by a person who once found herself in a similar situation. It is only by involving people who have previously been discriminated that the city will be able to collect information about examples and types of discrimination that occurs in their jurisdiction and then in consultation with the victim find ideas to redress it.

It is essential therefore that cities think about discrimination as something concrete that is happening on the ground and not as something defined by the law or dictated by the reports received. Instead, cities should approach their fight against discrimination strategically. They should first consider the particularities of their demographic situations, analyse the specific vulnerable groups in their area and then the types of discrimination that may be most common given the location and composition of the city. For example, a city like Bern, the capital of Switzerland, may identify foreigners as a particular group that could be discriminated and should then proceed on to identify the different forms of discrimination that foreigners suffer upon coming into the city. Measure 11 of their Plan of Action that aims to improve migrants' access to information and to possibilities of participation is especially welcomed. The elaboration of an Information concept that concretises the duties of the different government in providing information to migrants and the cooperation with other organizations to improve the representation of migrants in city activities and programs are effective mechanisms to achieve this goal.

The involvement of different levels of society will enable the city to understand and appropriately define discrimination in their area and then act to prevent and prohibit it. That is why it is recommended that the City conducts a yearly citizen survey amongst its residents to establish the trends and treatments of individuals in Bern.

B. Putting the Ten-Point Plan into action

In the context of its Plan of Action, the City of Bern in the first place commits to make discrimination visible by raising awareness and drawing the attention of concerned groups and individuals to the legal norms and available structures through which they can seek help, and through which they can highlight different treatment and injustice. On the second level, the city has put in place the different methods and measures of addressing this discrimination. A clear strategy is necessary if the fight against discrimination and racism is to be successful. The focus on providing information, raising awareness and ensuring education to those who may be discriminated is crucial. Only a high degree of awareness can lead individuals to reporting instances of discrimination – either if they are victims or if they are witnesses. Without information about the different discriminatory treatments, individuals may not know that they are victims of discrimination or indeed that they are being discriminatory themselves. They may simply accept this different treatment as normal and thus help continue

the vicious circle of discrimination. In this context, Bern's decision to commit itself to establish an annual event or action on the International Day for the Elimination of Racial discrimination is a good mechanism to raise awareness.

1. Victim support and conflict management

Residents of a community have diverse identities, histories and experiences. For this reason, providing appropriate and adequate support to vulnerable and victimized individuals and groups can be a challenge. It requires not only a deep understanding of their experiences, but also expertise in the best ways to provide resources and support.

The City of Bern acknowledges that potential victims and witnesses of racism and discrimination do not adequately know where they can turn for information and counseling. Therefore it is important that the City improves their access to the competent bodies and establishes a good contact with the Ombudsman. The cooperation with the NGO ggghon is essential as the City and this NGO conduct public events raising awareness of racism and discrimination together.

The elaboration of a checklist and a bulletin on racial discrimination at the entrance of clubs, bars and discos is an interesting measure developed by the City of Bern which addresses discrimination in the admission to night clubs.

2. Language

When immigrants arrive in a city, they may have a very limited knowledge of its official working languages. A lack of language proficiency affects all areas of daily life, and can have significant impact on new residents' ability to integrate into the community and contribute to its social and political life.

One example of an effective practice to fight discrimination through learning the language is the example of the City of Barcelona which provides free Catalan lessons for immigrants and interpreter services. The promotion of the Catalan language skills to immigrant groups was one of the key objectives of the municipality of Barcelona since the knowledge of the language can greatly facilitate their social integration, their access to employment, etc.

3. Housing

At the moment of writing of this report to UNESCO, the City of Bern was working on the design of measures with the goal to prevent racial discrimination on the housing market. Reporting on the progress would allow us to have a clear idea of the activities chosen to strengthen policies against housing discrimination within the city.

There are several ways that cities can address the challenges of effecting change in housing. Depending on the types of issues and discrimination faced by residents, the city authorities

may engage in any number of beneficial relationships with housing organizations, local community groups, finance and insurance actors, builders and renters. It is very important too that the City shares information with its residents. This is a way to build the capacity of residents to understand and participate in housing markets.

An example of good practice is the one made by the City of Bologna. The City created a multilingual guide to welcome foreign citizens to the City. The guide contains information about the different housing contracts and rents, about low income housing (public housing), about state financial aid for rent, etc.

4. Employment

The City of Bern is a clear supporter of equal opportunities employment practices and diversity in the labour market. The actions undertaken by the City concerning migrants and employment are clear examples of “best practices”.

One very effective practice to fight against discrimination in employment is the “mentoring project” organized by the City of Bern. It is a project that intends to improve the access of migrant women to information and networks of the labour market by connecting them to professional women (mentors), coming from the same branch as the migrant women.

Another good example is the prize that the City of Bern awards every year for the integration of migrants in Bern’s labour market. Since the City has to attract the attention of the private sector for this prize each year, this action at the same time improves its network with the private sector and with individual companies directly.

Through the mentoring-project and the Forum of Migrants 2010, the City intends to improve the access of migrants in the labour market. It is very important that the City also serves as an example of equitable employer after which other employers can model themselves.

5. Education

The City of Bern reported to UNESCO that three different measures were to be implemented in the schools of Bern. These three measures (financial support for projects of violence prevention, the creation of an award for school-initiatives against racism and a charter against racism for all the schools on the municipal level) were scheduled for 2011-2013. At the time of writing this report, the information as to whether these actions have been implemented was not available.

C. Cooperation with national and regional level

Cities may not be able to do everything on their own and indeed such action is not desired since discrimination and unequal treatment knows no boundaries. Only by strengthening social cohesiveness on a regional level can strategies that provide people the opportunity to lead more productive lives be put into practice. In the long term, the implementation of the Ten-Point-Action plan will be more successful if tackled on the regional level or indeed by consulting the national authorities.

The effort to foster dialogue between its residents and the municipal administration and adapt the municipality's initiatives to the particular area involved.

IV. Conclusion

Bern's commitment to fight against discrimination is evident and its enthusiasm apparent from the actions planned on the municipal level. It is clear that due to the time constraints Bern was unable to provide us with all information available to portray its endeavours taken pursuant to the Ten-Point-Plan of Action. For a thorough analysis to be undertaken, it would be beneficial to have more information about the actions undertaken by the Municipality under the different commitments. Yet, even from the activities undertaken so far, it is clear that the City of Bern promotes a multicultural society and seeks to improve communication among different cultures. In the end, it is recommended that the City of Bern continues to work with the same drive and determination it has shown thus far in helping to prevent and eradicate all types of discrimination.