

Cultural Diversity and Mainstreaming in Employment

FINAL REPORT

Berliner Institut für Vergleichende Sozialforschung e.V.

Mitglied im Europäischen Migrationszentrum

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Executive Summary

In January 2001 the *Berliner Institut für Vergleichende Sozialforschung (BIVS)* was commissioned by the *European Monitoring Centre on Racism and Xenophobia (EUMC)* to carry out a study on cultural diversity and mainstreaming in the workplace in the 15 EU member states. The main aim of this study is to identify and describe good practices in the field of promoting cultural diversity in the workplace in each member state through a country-by-country approach. On this basis, the variety of approaches and policies existing in the different member states is presented here in a comparative way in order to allow for a better understanding of the different strategies implemented for promoting cultural diversity in the workplace and in society at large. The concept of the workplace used in the context of this study not only includes the workplace as such, but also employment in general, the access of migrants to the labour market, working conditions, promotion of employees, etc. All these shape the overall situation of the workplace as a wider concept. Furthermore, the study intends to give insights into the roles and impact of the different actors in the field and in the different member states. The results of the study aim to provide for a basis for drawing up a typology of measures that can be used to improve cultural diversity in the workplace as well as to review whether these measures can be used in other areas such as housing, media, etc. Lastly, another task of the study is to give recommendations on the improvement of strategies that promote cultural diversity and to identify indicators that could be used for evaluating the success of these measures and strategies.

The results of the study are based: on a review of literature, documents and materials published by relevant organisations in the field; a review of legislation pertaining to anti-discrimination in the labour market; and the results of more than 100 interviews with experts.

The measures that were identified to promote cultural diversity in the workplace were divided into four groups:

- Measures focussing on the improved access of ethnic minorities to the workplace;
- Measures focussing on the concrete working conditions in the workplace;
- Measures focussing on anti-discrimination policies in the workplace; and
- Measures outside of the workplace that establish a framework for cultural diversity activities in the workplace.

The following sixteen indicators were developed and found helpful in order to evaluate the different measures:

Participation of target group
Participation by a group of actors or institutions
Cross-organisational approach
Leadership involvement and backing
Accountability and definition of clear aims
Multilevel approach
Awareness-raising elements
Anti-discriminatory elements
Learning from each other
Visibility and publicity
Cost-effectiveness
Quantitative and qualitative changes
Evaluation
Sustainability
Potential for mainstreaming
Community outreach and impact outside of the workplace

Based on these indicators, individual measures from all EU member states have been chosen and analysed, thus giving examples for measures that are – and can be – used to promote cultural diversity. Based on this analysis and on the results outlined in the individual country reports (see Part II), the following conclusions can be drawn and recommendations given:

The discussion on cultural diversity in the workplace is not new. It was discussed in the 1970s and early 1980s under the label of equality in those countries that had experience with immigration over longer periods of time, such as Great Britain, France or even, to a lesser extent, Germany. Today, discussions on diversity and, more specifically, on cultural diversity in the workplace have spread all over the European Union and are being debated by a wide range of institutions. In general, institutions working in the field of anti-discrimination, anti-racism and the integration of ethnic minorities in the member states of the European Union have understood that the workplace is a powerful shaper of behaviour and attitudes. When individuals or groups of individuals experience a positive working environment, in which their abilities and capabilities are fully recognised, respected and utilised, then it is far more likely that relationships within diverse groups in society will be harmonious.

Despite the great variety of measures that have been taken up to promote cultural diversity in the workplace and a growing interest in the different member states for this issue, the implementation of projects is still limited and their success is ambivalent or not easily accountable due to a lack of evaluation and due to the fact that institutions

and actors usually focus only on a small number of measures. Until now, no overall comprehensive approach towards the promotion of cultural diversity in the workplace has become visible, neither at the national level nor at the regional and local levels.

However, there has been a clear shift from a deficit-orientated or negative approach, which looks at ethnic minorities as groups of persons lacking qualifications, etc., to an approach valuing their positive resources, intercultural competencies and capabilities. This has also had an impact on the workplace, where immigrants and members of ethnic minorities are viewed in a more positive way and their capabilities taken into account regarding job profiles, etc.

Especially within the scope of the implementation of Article 13 of the Amsterdam Treaty – and the programmes and directives implemented in the framework of this article – the concepts of diversity or cultural diversity are being directed in most EU member states towards different discriminated groups (e.g., disabled, women, gays and lesbians, ethnic minorities, etc.). There is still, though, an overall emphasis of measures concerning only one group at the level of implementation.

Private and public sector employers drive the discussion process concerning the promotion of cultural diversity in many member states of the European Union. The main focus here is on diversity management. This means that many measures are implemented by a top-down approach. Furthermore, the measures and projects that have been established do not actively promote co-operation with ethnic minorities or their representative organisations in and outside of the workplace. Affirmative action tools and clearly defined anti-discriminatory measures play only a subordinate role in the current debate and in the activities concerning the promotion of cultural diversity in the workplace. Thus, individual and structural discrimination, which can be found within the workplace, are often only randomly tackled.

Until now, the sustainability of the measures is not guaranteed. There is also seldom a long-term perspective behind the measures implemented. There is still the idea that the promotion of cultural diversity is a temporary task that can be abandoned after certain - often economic or quantitative - objectives have been reached. Furthermore, practices focussing on the promotion of cultural diversity in the workplace are only directed at the formal labour market and legal workers. Therefore, in most cases, illegal workers are not protected by anti-discriminatory measures nor can they directly benefit from other practices. Measures promoting cultural diversity do not necessarily have the potential of changing these circumstances, but they should be combined with other strategies and practices which focus on the prevention of undocumented workers, irregular contracting and related issues.

What would be needed, therefore, is a comprehensive approach towards the promotion

of cultural diversity in the workplace, which not only takes into account the various measures focussing on the entry of ethnic minorities into the labour market, diversity management and working conditions, but also includes the context in which these measures occur (e.g., laws, public discourse, etc.). Cultural diversity in the workplace should not be reduced to a concept merely looking at the economic or qualification value (e.g., perceiving persons with ethnic minority backgrounds as a simple resource), but should be based on the notion of equal rights and equal opportunities.

What is needed is a discussion on cultural diversity in the workplace that involves all actors engaged in this area as well as the target groups at which such practices are directed. It is necessary not only to have a view from the top, but to also include the perspective from below. However, there is still a lot of testing and research needed in order to establish which practices and strategies are best suitable for promoting cultural diversity in the workplace. It is also too early to draw a conclusion in this respect, as many practices have only begun in the last years and there is still a lack of in-depth evaluations.

Based on these considerations, the following aspects should be taken into account when establishing and implementing practices promoting cultural diversity in the workplace:

- 1) The aforementioned indicators should be used in the process of designing and implementing a practice. In this context, especially those indicators play a crucial role that refer to the participation of target groups, the participation and support of a large number of different institutions, clear objectives and the accountability of the practice. However, all other indicators are also important and should not be neglected.
- 2) Initiatives taken by different actors on all levels should be actively promoted. This includes groups that have not yet been active in this area, but could play a decisive role. Examples of these are small businesses, ethnic businesses, chambers of trade and commerce, cultural institutions, universities, etc. These should become interested in these topics and should also be asked to become active.
- 3) Specific resource centres pertaining to cultural diversity should be set up within the public or private sectors. They should collect and analyse experiences in the field as well as document and make relevant data and literature accessible. These resource centres should produce interactive tools, handouts and manuals on the topic of cultural diversity in the workplace.
- 4) Reference and advice points should be set up at the regional levels. In order to provide advice on all questions concerning cultural diversity in the workplace, these should be funded and established under the responsibility of regional governments. They

should be run in close co-operation with all social partners, anti-discrimination boards, ethnic minority organisations and the like. Besides advice and support regarding the implementation of practices in the workplace, they should work as think tanks for new practices in this area and develop, for example, model projects.

5) Special efforts should be made by all actors involved in promoting cultural diversity in the workplace, but especially by the public sector, to increase the number and quality of evaluations on practices implemented so far. These efforts should be made alongside an improved and continuous monitoring process of improving cultural diversity in the workplace. To ensure monitoring, specific committees or boards should be established including representatives of all engaged institutions.

6) Overall standards for the promotion of cultural diversity in the workplace should be developed for the promotion of cultural diversity in the workplace. These serve as a reference framework for the implementation of individual measures. In this context, existing standards and model codes should be harmonised and brought together in a common form. In some EU member states, there exist such diverse sets of standards and codes that often confusion is produced instead of the promotion of a comprehensive approach. In many EU member states standards do not exist at all.

7) Last but not least, special consideration should be given to measures creating an adequate framework for the introduction of measures promoting cultural diversity in the workplace. These measures (e.g., education and public campaigns) have an important impact on the workplace and should be strengthened, improved and understood in direct relation to an improvement of cultural diversity in the workplace. In this context, the empowerment of ethnic minorities and the securing of equal rights and opportunities are particularly important.

Part I

1. Introduction

In January 2001 the *Berliner Institut für Vergleichende Sozialforschung (BIVS)* was commissioned by the *European Monitoring Centre on Racism and Xenophobia (EUMC)* to carry out a study on cultural diversity and mainstreaming in the fifteen European member states. It was agreed upon by the contracting body and the BIVS that the study should focus on the improvement of possibilities of improving cultural diversity in the workplace and then, on this basis, analyse the chances for mainstreaming regarding other sectors of the society.

The target groups of the study are migrant workers, ethnic minorities and the majority society. Ethnic minorities have been included as they often face similar problems and discrimination as non-national workers. Cultural diversity and protection against discrimination concerning irregular or unauthorised migrant workers are not addressed in the study. The same is applied to seasonal workers, workers tied to specific projects and similar other groups of workers.

The main aim of the study is to identify and describe good practices in the field of promoting cultural diversity in the workplace for all EU member states on a country-by-country approach. On this basis, the variety of approaches and policies existing in the different EU member states is presented in a comparative way. This will allow for a better understanding of the different strategies implemented for the promotion of cultural diversity in the workplace and in society at large. Furthermore, the study intends to give insights into the roles of the different actors in the field and the impact that they have in the different member states. The results of the study aim to provide for a basis for drawing up a typology of measures that can be used to improve cultural diversity in the workplace as well as to review whether these measures can be used in other areas such as housing, media, etc. Lastly, another task of the study is to give recommendations on the improvement of strategies that promote cultural diversity and to identify indicators that could be used for evaluating the success of these measures and strategies.

Apart from the two researchers at the *Berliner Institut für Vergleichende Sozialforschung*, members of the *European Research Forum on Migration and Ethnic Relations (EuroFor)* network contributed to this study by providing documents, data and other written information. *EuroFor* is a network of research institutions active in the field of migration and ethnic relations, which was founded in 1990 and is co-ordinated by the *BIVS*.

Its main aims are to co-operate on research projects, to organise academic conferences and to publish books on migration and ethnic relations. Different members of the *EuroFor* assisted the researchers in preparing for and carrying out expert interviews in the respective countries. Some *EuroFor* members have in-depth knowledge on the subject and were, therefore, also interviewed for this study in the framework of the expert interviews.

The final report of the study on cultural diversity and mainstreaming is divided into three parts. In the first part of the report, the methodology and the working process are outlined. Furthermore, an introduction to the theoretical concepts concerning the debate on ethnicity and culture, multiculturalism, intercultural relations and cultural diversity is given. In this context, the European and international debates on these themes are taken into account and reviewed. The last chapter introduces the subject of cultural diversity in the workplace.

The second part of the final reports presents the empirical findings concerning each member state. For each of the 15 member states an overview is given regarding the development of migration and population and the situations of immigrants and ethnic minorities with regard to the labour market. Furthermore, relevant legal provisions and laws concerning the promotion of cultural diversity and anti-discrimination in the workplace are outlined. In the next chapter the institutional developments concerning the promotion of cultural diversity in the workplace in each individual Member State are described. This chapter only takes into account some of the more prominent actors in the field of promoting cultural diversity in the workplace. Therefore, it does not include all actors engaged at the local, regional and national levels in this area in a representative way, nor does it provide an in-depth analysis of their work. However, a rough overview of the institutional developments in each member state was deemed necessary because such an overview lays out the context in which the practices and strategies identified have been developed and implemented. The same applies to the presentation of the good practices in the next chapter. The good practices identified here are not thought to be exclusive nor representative. They only give an indication of the good practices found in the field and provide some valuable examples. Finally, the second part includes a list of addresses of relevant actors in the field as well as country-oriented literature on the promotion of cultural diversity in the workplace.

The third chapter of the report provides an analysis of some examples of good practices and failures that have been identified, and gives some recommendations on how to improve these measures and their implementation. To this end, the first chapter of the last part of the final report contains an overview of the categories of actors engaged in the field. After this, the types of measures that promote cultural diversity in the workplace

are displayed. Following this review, different indicators that can be used for evaluating the success of a good practice or in consequence the failure are developed. They are used in the same chapter for analysing why certain measures that have been identified succeeded and why others did not. In this context, good practices and some failures are evaluated. Furthermore, this chapter outlines the possibilities for mainstreaming with regards to the activities of local authorities, housing, arts, education, the media and other sectors of society. Finally, some proposals are made in an answer to the questions pertaining to which conditions have to be met and what has to be taken into account if measures focussing on the promotion of cultural diversity in the workplace are to succeed. At the end of the third part an overall bibliography is included.

2. Methodology

The study concerning cultural diversity and mainstreaming in the EU focuses on the identification of good practices in the field of promoting cultural diversity in the workplace and on the possibilities of transferring these good practices to other areas, such as the activities of local authorities, housing, media etc. The results of this study are based on a review of the literature, a review of documents and materials published by relevant organisations in the field, a review of legislation concerning anti-discrimination in the labour market, and expert interviews. In the framework of the study the following approach was chosen:

Expert interviews:

In the first phase of the project all members of the *EuroFor* network in the different EU member states were contacted and informed about the project. They were requested to inform the *Berliner Institut für Vergleichende Sozialforschung (BIVS)* about relevant agencies and actors in the field. Furthermore, researchers who had worked on similar questions in the European Union were contacted and also asked for experts in the field. An attempt was made to identify the relevant organisations and actors in the following nine categories:

- 1) Employers organisations and private enterprises;
- 2) Public employers and state administrations involved in the topic;
- 3) Trade unions;
- 4) Anti-discrimination boards, ombudsmen dealing with anti-discrimination;
- 5) Migrant organisations and ethnic minorities associations;
- 6) Welfare organisations;
- 7) Media;
- 8) Cultural institutions; and
- 9) Educational institutions;

The main focus, however, was placed on interviewing experts in the first three categories. As social partners, they are the most relevant actors for all activities concerning the promotion of cultural diversity in the workplace. Experts concerning the next three categories (3 to 5) were considered because they often critically reflect the activities of the social partners and, in some cases, are the agencies that set up, lobby for, and promote measures promoting cultural diversity. Experts in the last three categories (7 to 9) were considered to a much lesser extent in the study. However, it seemed interesting in some

countries to look at these institutions as places where employers and organisations socially interact. Furthermore, all three areas - media, culture and education - have an impact on the wider society. Therefore, they go beyond their roles as employers and often have the capacity to promote measures concerning the improvement of cultural diversity in the workplace and in society at large in a much stronger way.

Altogether, more than three hundred organisations and individual persons were identified and contacted. Out of these, 150 experts were chosen for interviews. The number of interviews varies country by country, as some member states of the European Union have not yet begun to implement a wide range of measures concerning the promotion of cultural diversity in the workplace. Furthermore, the researchers usually could not stay longer than four days in one particular country; therefore, it was often not possible to organise meetings with all organisations of interest. Therefore, additional telephone interviews were conducted with organisations that did not receive visits during the fieldwork and with other organisations that were identified during the first phase of the expert interviews. Altogether, 153 expert interviews were carried out within the framework of the study.

Before the expert interviews were carried out, a standardised grid for information collection was developed. This grid included different sets of questions concerning the different types of organisations and also included certain initial categories that were used while interviewing each expert. The grid also allowed for the identification and collection of measures pertaining to the promotion of cultural diversity in the different areas of the workplace. The main questions of the grid were related to the following categories:

Specific activities of the organisations in the area of promoting cultural diversity: Here, questions were asked concerning the routine activities of the organisation with regard to immigrants, ethnic minorities and the majority society. Special consideration was given to anti-discrimination activities and measures promoting cultural diversity.

Labour market entry of immigrants and ethnic minorities: As cultural diversity is often linked to the question of whether immigrants work at a specific workplace, it was important to ask about the possibilities for immigrants and members of ethnic minorities when it comes to entering a certain workplace. In this context, it was also established how the organisations monitored the entry into the labour markets and if they had set up special measures facilitating such entry. Furthermore, enquiries were made into the recruitment process. This is often a discriminatory obstacle for immigrants and ethnic minorities who want to enter the labour market. In this category, information requiring the level of representation of immigrants and persons with an ethnic minority background was asked for.

Working conditions: In this context, the questions asked covered specific work condi-

tions that facilitated the promotion of cultural diversity and the existence of practices improving the co-operation between the majority society and ethnic minorities.

Existing anti-discrimination procedures and legislation in this area: This set of questions refers to existing legislation, legal and quasi-legal provisions within a workplace and on the overall level concerning discrimination in the labour market.

Policy framework: Under this category questions were posed concerning the overall policy of the actors themselves and the national, regional or local policy frameworks promoting cultural diversity.

Efforts outside the workplace: Here activities of the actor and other agents outside workplace but having an impact on anti-discrimination and the promotion of cultural diversity in the workplace were considered

Impact of measures and negative experiences failures concerning the implementation of measures: Here, the questions covered the impact of the measures taken up so far and for the preconditions and necessities regarding the successful implementation and positive results of the measures. Furthermore, the questions addressed the measures that could not be implemented, did not have a positive result, or failed completely. In this context, also the possible reasons for the failure were inquired.

Evaluation techniques and analysis of measures: This category deals with existing evaluation techniques and existing efforts of measures that were implemented in regards to the promotion of the cultural diversity by an actor or external actors. In this context, it was also asked for evaluation done regarding the practices implemented so far.

Further action proposed: Here it was asked for measures that the actors would want to implement in the future, and measures and strategies that are found useful in general by the interview partner for the promotion of cultural diversity in the workplace.

Of course, these categories and sets of questions were not exclusive. Within the interview process, further questions and themes were brought up by the interviewers. The interviews with researchers in the field and experts from NGOs and immigrant organisations concentrated much more on the general policy level and measures and strategies that they knew of, than on their concrete activities. Concerning the questions referring to the evaluation of strategies and measures, many interview partners were reluctant to answer. On one hand, this has to do with the fact that, up until now, few evaluations have been undertaken that review the impact and success of measures promoting cultural diversity. On the other hand, this information was often seen as internal material, which is not available for analysis (an exception here were public agencies). The same applies to the set of questions referring to the impact and failure of measures taken. Often, the experts were not sure about the impact of measures, or felt that it was too early

to give an opinion on the impact. In other cases, they lacked accurate information. Regarding the failures, many interview partners were hesitant to speak about measures that did not succeed and, even if they mentioned an example, it proved difficult to inquire more about the reasons of failure. Here, the information provided by external experts, such as from anti-discrimination offices, researchers in the field and representatives of state institutions, proved sometimes to be more valuable.

The interviews were conducted in the form of open interviews, thus allowing the interviewees to pose questions and discuss certain points in depth. The grids were used as a rough guide and mainly used as a reference for including all relevant areas and for the later summary of the interview. The interviews were not recorded, but the researchers took rather detailed notes. These were transcribed shortly after the interviews in order not miss out on relevant information. In cases where questions arose from the interview notes, the experts were contacted again for further clarification. The duration of the interviews varied between one and two hours, the telephone interviews normally lasted not more than 45 minutes. The interviews were usually carried out in the offices of the experts, which also allowed the researcher to gain insights into the working premises of the interview partners.

Review of Literature and other Material and Data:

During the review process of the relevant literature, not only books and other scholarly literature were taken into account, but also brochures, leaflets, material in the internet and other material published by the different organisations in the field were considered. Journals and newsletters of trade unions and employers' organisations were also taken into account, as were leaflets and information from migrants' self-organisations and anti-discrimination offices. Furthermore, an extensive Internet search was carried out. The reviewed scholarly literature not only concentrated on the European literature and specific country studies concerning the member states of the European Union, but also on relevant literature from the United States and Canada.

Apart from the literature review, information on the legal framework concerning anti-discrimination and the promotion of cultural diversity in the workplace was collected and analysed. Finally, statistical data on the development of the population, migration, labour market integration and the unemployment of immigrants and ethnic minorities in all fifteen member states were collected and put together as background information for the individual country studies.

Interpretation and analysis:

On the basis of the review of the documents and documents collected, as well as on the

summaries of the expert interviews, a country overview concerning each member state was drawn up. As it was not possible to look at all actors and institutions involved in the field of promoting cultural diversity in the workplace, relevant institutions were selected from the nine different interview categories outlined above. This means that, for example, in the case of trade unions, the work of all the different trade unions was not considered. Instead, a central trade union working on the national level, and sometimes a second one working on a more regional or local level, was chosen. By this approach, as many different kinds of actors as possible were taken into account while, at the same time, an insight on actors working at the national, regional and local level was given. However, there is a bias towards actors on the national level and towards the main social partner institutions. Especially the immigrant self-organisations and welfare organisations are only randomly taken into account in the analysis. Above all, this has to do with the availability of material on the individual organisations and their activities and with the specific outreach of these institutions. Furthermore, within the specific scope, it was not possible to include all agencies in the field. Thus, the institutional development presented in the individual country overviews (Part II) is neither representative nor inclusive, but rather gives indications of the main developments taking place.

Before analysing the success or failure of individual measures and qualifying them as good practices, a list of more or less abstract measures promoting cultural diversity in the workplace was drawn up. This was done on the basis of all good practices identified in the framework of the study and in conjunction with the work of the ILO in this field. The list of abstract measures or good practices is helpful for understanding the wide range of actions that can be taken in order to promote cultural diversity in the workplace (see Part III.7). These were divided into the four following categories for a better overview:

- Measures focussing on the improved access of ethnic minorities to the workplace;
- Measures focussing on the concrete working conditions in the workplace;
- Measures focussing on anti-discrimination policies in the workplace;
- Measure outside of the workplace that establish a framework for cultural diversity activities in the workplace;

In order to evaluate the measures, indicators were developed that focuses on the development process, the implementation process and the impact of the individual measures. These indicators were necessary in order to have a common standard for looking at the measures. However, it was not possible to sort the indicators by their importance or influence of the final success of a measure. The indicators can be understood as a set of

testing variables for good practices. However, it would still be necessary to empirically examine their reliability. While, for example, the participation of a larger number of different actors and target groups in designing and implementation process may seem to be an important indicator for measuring the success, it could be that, in another example, a measure brought up and implemented by a single person is just as successful. Therefore, what seems to be more important is that a number of indicators developed for the evaluation of a good practice are positively scored. This means that not only one indicator, but rather a variety of indicators has a positive score in regard to a particular good practice (see Part III.8).

Above all, the problem concerning the reliability of the indicators has to do with the lack of existing evaluations on measures that have been implemented by the different actors while promoting cultural diversity in the workplace. Only a very small number of evaluations have been undertaken in this field up until now. They usually focus on measures in the legal sphere. There are no common indicators or standards used in these evaluations and it often seems that they merely take into account quantitative criteria, e.g., by examining how many persons with ethnic minority backgrounds have been recruited since the implementation of a certain measure. This has also to do with the fact that it is much more difficult to evaluate changes of attitude than to set up indicators regarding the satisfaction of employees. Furthermore, in many cases, the few evaluations that could be obtained in the framework of the study were undertaken with specific objectives, e.g., to outline the fact that activities had started, to demonstrate their cost effectiveness etc. Therefore, these did not prove to be very valuable. The terminology of good practice or best practice, even the concept of successful measure, has to be treated with caution. It is still too early and there are still not enough studies or empirical data to develop indicators that could analyse whether a measure is truly successful and can, therefore, qualify as a good practice. The terminology “good practice” used in this report has to be understood within this restriction. Apart from this, it was not possible to evaluate the in-depth success of individual measures within this particular study. Nor was this the main objective of the study. In any case, for this to be possible an entirely different approach would have been necessary.

Regarding the perspectives for mainstreaming, the individual measures analysed were examined with regards to their usefulness within the activities for promoting cultural diversity in other areas, such as housing, media, education, etc. Similar problems can be observed here. While the possibilities for the transfer of measures can be assessed in theory and some indications about their impact can be given, only by an implementation in practice can it be proved how far this is really possible. The same applies to the transfer across different member states or even within different regions in one country. In order to mainstream good practices, it is always necessary to adapt them to the specific

context. Therefore, it seems more important to grasp the abstract idea and mechanism behind such measures and to outline general favourable conditions regarding the implementation and success of these, than to concentrate on the actual potential of mainstreaming.

3. Theoretical Concepts and the State of the Art

Since the 1980s, the intellectual debate has been dominated by the term "cultural turn". A new definition of culture and cultural activities dominated all rational discourse. The classical ideas concerning arts and cultures were forced from the centre stage by new ideas. Terms, such as post-modernity, multi-culturalism, inter-culturalism, post-colonialism, multiple identities, etc. appeared as the central catchwords of intellectual debate. In the background, however, a continued source of enlightened, rational debate remained in the universities and academic institutions. What changed were the new openness towards – and the visibility of – diversity and relativism.

The paradigm of "cultural turn" has its roots in the 1920s with existentialist philosophy and new epistemological thought. Ernst Cassirer published between 1923-1929 his theoretical book on symbolic forms (see the new English edition: Cassirer, E.: 1998) – a book that has been rediscovered in the last two decades and, in turn, has been discussed widely. "Culture" became a term for symbolic formations. Before this, "culture" had other meanings: Firstly, it was solely the opposite to "nature". With "culture", everything was implied that was not "nature". This concept varied with the definition of nature; as the interaction between man and nature is complex and far-reaching. The idea of "pure" nature was more or less a construct: Since the nineteenth century, man has been searching for natural areas untouched by mankind. Nevertheless, there was the division between so-called pure and cultural sciences (Geisteswissenschaften) that draws a line between both areas. "Culture", therefore, was more or less understood as the contents of civilisation. In fact, Max Weber and other social scientists defined "culture" as a synonym for "society". "Culture" became another word for the system of human beings' interactions with one another.

It is obvious that this definition of "culture" was born in romantic times – when the ideas of a "Volksgeist", of a nation with a homogenous culture – were central philosophical notions. "Culture" was understood as the mutual sum of activities inside such a "Gesellschaft" or nation. Each nation was in the process of changing its cultural diversities into one national culture. Social sciences and the "Geisteswissenschaften" were dominated by such a definition of "culture" until the late twentieth century. Only recently has the term "society" been used independently of its nationalist roots.

The most common use of the term "culture", however, has its origins in the definition of a certain sector of society that concentrated on intellectual and artistic work. From Renaissance and absolutism until late capitalism or Bolshevism, the arts were the expres-

sion of culture and the collection and performance of arts the main activities for ministries for culture, etc. Another aspect to this was the traditional idea that education shapes persons into a “civilised” realm with an understanding of both arts and sciences.

Until the beginning of the last century, this understanding of "culture" was simple and widely accepted. But the main achievement of artists was the destruction of such concepts pertaining to culture and the arts. With this aim, through Dadaism and Cubism, the artists were more or less successful, but history needed more than sixty years to make the "modern" idea of culture and arts widely accepted. Since the 1920s, cultural critics were central features in literary circles, and a wide group of academic and non-academic cultural critics arose and dealt more or less with the lost paradise of beauty and arts. However, there were still many philosophers, art critics, art dealers and entrepreneurs writing about aesthetics with an exclusive idea of arts and culture.

Nevertheless, this does not hold true today, since the acceptance of a new idea of culture took place in the 1970s. This began with the formation of a group of academics specialising in literary criticism and sociology. They established the *Institute for Cultural Studies* in Birmingham. This institute formulated two perspectives for dealing with culture: First of all, they came from a critical social science background, so that they understood the arts and its activities in terms of social borders, class distinctions, differences between generations, regional dissimilarities, etc. Football was understood as a cultural activity as much as reading or performing theatre. The other paradigm was the definition of "culture" in terms of a variety of activities. All expressions of social lives in terms of symbols were understood as "cultures". Arts were only the specialised products of artists.

The cultural investigations were soon liberated from a transcendental cage, which used terminologies such as “beauty” or “truth” as ingredients for the debate about culture. Furthermore, the relativism of arts in crossing lines of class distinction destroyed the idea of one body of arts, which was produced and understood only by an elite, educated in Western institutions of the middle and upper classes. Now, everybody had their own realm of cultural symbols and these symbolic formations were even understood and received by everybody from different perspectives.

The outcome of this academic development was varied. First of all, the academia dealing with these cultural facts reshuffled and organised anew around a new perspective. The crises, however, was covered by a discourse called post-modernism, based on the assumption that rationality included cruelties and inhumanity and that the inclusion of dictated symbolic formations into new arguments might make people happier, and that illustrations are more important than explanations, etc. This discourse made it easier to reorganise academic reasoning.

Secondly, the accepted view has changed to what culture and arts are. Persons developed a new perspective in their daily lives and drew new pictures of the world, which took into consideration the diversity of cultural activities world-wide and in their respective countries. Last but not least, the idea of what culture is was not understood in terms of boundaries between cultures, but in terms of cultural change.

The view of cultural change took into consideration the merging of all cultures of the world into a variety of symbols and symbolic formations that might be combined or not. The catchword for these developments was the post-modernist conception of cultural hybrid (for the construction of the term see the reader of Pnina Werbner and Tariq Modood: 1997). The idea of a cultural hybrid excluded academic scientific concepts, such as cultural diffusionism, inter-culturalism or national culture. It was a term that showed that culture must be understood as a problem of fluidity and inconsistency.

Beyond the Nationalist Paradigm

Culture became a central term during the nineteenth century when "Volksgeister" (national spirits) were active in performing culture. Of importance was the discovery that a common language was the precondition for acting as a sovereign nation. Nations were conceived as culturally uniform populations that expressed commonality through the arts and historical reasoning. Historiography became the central activity in academia outside of the natural sciences. The construction of a collective memory pertaining to a common national history was the basis for cultural activities, literary expressions and other artistic areas.

Since the persons involved in cultural productions were cosmopolitan, cultures began to reflect this cosmopolitanism. However, the perspective here was nationalistic and cultural production was understood as a basis for a national culture. The nation-state building processes of the nineteenth and twentieth century were based on the idea of a unifying national culture. This was, however, an ideal, since most nation states (with one or two exceptions) were societies consisting of various cultures, both regional and social. Nevertheless, the idea of a national culture was strong and it pressed persons into a corset of cultural unity. This corset was the central idea of state sovereignty in the nineteenth and twentieth century. It was the basis for fighting against cultural minorities and for developing nationalistic, educational and cultural unitarianism based on the military training of a national army. The idea was even changed into an ideology by arguing that the large nation-states are based on their national culture and have, therefore, the right to segregate by redefining cultural, territorial and political boundaries.

However, the development became uncontrollable. In the nineteenth century and lastly in 1918, with the US-American President Woodrow Wilson and his idea of the "freedom

of peoples", each minority became able to differentiate itself by cultural boundaries and were given the right to establish their own states. From then on, the nationalist ideal of cultural unity became the dominant political idea. All political classes in nation-states defined themselves as representatives not only of one political structure, but also of a national culture: Not only the state, but also national cultures had to be defended against inducers and artistic destructionists. National culture turned to be a hegemonic institution.

The faculties of arts at the universities (Geistes- und Sozialwissenschaften) became institutions for stabilising the idea of a common history and a common culture in one nation. Most institutions were based on this cultural commonality, such as academies for language and literature, national theatres and operas, etc. With such an idea of national culture, those people with different cultural legacies were either able to develop their tradition-based cultures and became a minority, or were destroyed. The destruction was then based on the nineteenth century idea of "people without history". Immigrants were excluded or pressed into the national cultural frame during violent political conjunctures.

In those states, which defined themselves as immigration countries, the melting pot idea drew the background of pressing cultural minorities into the furnace of national cultural development. In terms of political theory, one might even argue that this US-paradigm of the 1960s marked the most developed nation-state ideology of a unified national culture.

For around thirty years, the "melting pot" idea has been superseded. Many US-Americans now speak of a "salad bowl". In Europe, there is a large discourse about the variety of cultures in the countries caused by immigration. A new political theoretical debate has begun worldwide, which is in the process of deconstructing the nationalist paradigm and is developing a new idea of politics in its cultural variations. This debate started in the 1970s with struggles between immigrant and cultural groups and between such movements and state institutions in many countries of the world. It was at this time that the idea of the "cultural turn" began.

From the 1980s onwards, a new debate on the state of various cultures in nation-states took place. Some of the first protagonists were American researchers like Daniel Bell (1973) or Nathan Glazer and Daniel P. Moynihan (1975). They argued that the idea of the melting pot of US-American unity was not consistent with the social condition of the USA.

John Rex was the first theoretician who took over the debate in terms of possibilities and of scientific and political tasks of the future. He quoted colonialist experiences (see for example his monographs in 1973 or 1986), which were described by Michael G. Smith (1974) and J.S. Furnivall. Smith wrote a book on the social system in which one cultural

group dominated the market. Furnivall's book (published in 1944) dealt with an economy run by various cultural groups and the state being dominated by one. Out of these patterns of "multi-culturalism", John Rex stated that it was important to discuss again the relationship between the private and the public spheres and what belongs to the one or the other, whilst opening a debate on the role of state institutions and the diversity of cultures in one nation.

The second response was the state ideology in Canada under a liberal regime. Canada tried to define itself as a multi-cultural state (directed mainly at the French Quebecois) in which each immigrant group might form its own community (see, for example, important publications on the ethnic mosaic by John Porter: 1965 and later by Leo Driedger: 1978). For these communities, political and public institutions had to be developed, new services in terms of providing aid and state-based goods and in terms of serving the society with infrastructures, such as multi-cultural radio, multi-cultural education, etc. Furthermore, Canada's multi-cultural policy included an awareness of difference, a policy of tolerance against minority groups and a respect towards minority cultures under what was called in the Canadian political discourse.

In the USA, the response to the destruction of the melting pot idea was multi-cultural policy, which had its main social field in education. Here, in schools, colleges and universities, a policy of positive discrimination was institutionalised, a debate about political correctness was initiated, and all forms of discrimination of minorities were understood as offences against the institution of education and the state. The outcome was a variety of new academic subjects studying the history of various minority populations, the roots movement, which stressed the family history of immigrants and of black people brought to America as slaves and the construction of intellectual institutions, such as museums, theatres, etc. that served as platforms and stages for multi-cultural performances.

Cultural Diversity versus Ethnic Boundaries

Migration and ethnicity studies arose out of the rising numbers of migrants and refugees during the 1970s and 1980s and from the increase of ethnic and national conflicts starting in the 1970s. In academia the political and social changes were reflected in a variety of disputes.

The first dispute dealt with social facts and others with culture. The debates between culturalists and anti-culturalists were dominated by the term ethnicity. This term was introduced to social sciences again by Frederick Barth (1969) in the late 1960s and developed later by various social scientists, especially by Abner Cohen (1974). The idea of ethnicity is quite simple. Ethnicity is the expression of political, economic and other conflicts between people by defining the boundaries between them. The main issue of the

ethnicity debate in the 1960s and 1970s was the contents of what the ethnicity discourse was about. This debate was controversial, but in the end, a very simple system survived.

First of all, the definition of culture was important. Culture was understood as a formation of symbols that can be interpreted by each institution and individual in a different way due to the perspective that the interpreter has towards this formation. The formation might be interpreted similarly, but the symbols are never contingent. So, it is not only a process of developing symbols, presenting a diffusive activity and performing them, but of interpreting them. The discussion of cultures and dealing with them is a widespread activity. The formation of symbols is, therefore, quite arbitrary: Geographical aspects are correlated with language and dialects. Even the distribution of types of trees might be used to define a cultural boundary - like the different distribution of the alder in the construction of a Vorarlberg ethnic identity in today's Austria by Theodor Veiter (1985, p. 28).

Ethnicity is not only a social fact based on the level of an idea, but it is an ideological tool, since the use of that term goes back to nationalist idealism (for example: Kraus, H.: 1927). However, the nationalist idea of ethnicity was essentialist and not empirical: The new definition of ethnicity has no direct roots in traditional discourses of culture, people and state. The concept is rather mechanical, but due to the fact that the interpretation of cultural formations is not a mechanical process, this link between culture and ethnicity is not of such an analytical importance.

The debate between researchers defending a pure social analysis and culturalists has its more traditional base in the struggle between anti-racists and anti-capitalists, a debate, which was subsumed under the topic "Race and Class" (the programmatic subtitle of the famous journal of the Institute of Race Relations was "Journal for Black and Third World Liberation"). Central to this was the traditional Marxist idea of class dualism – and the problem that it could not function while analysing conflicts in modern societies, since cultural diversities and racism were interpreted as more important for modern societies in the 1970s (see, for example, publications of the founder of the Institute of Race Relations, A. Sivanandan: 1976). But, these racist discriminations have to do with class distinctions, since race conflicts are closely related to the class system. Together with an extensive debate about the terminology of race, this was finally understood as a cultural expression of a still dominant discourse about cultural diversities in modern societies. Furthermore, the class paradigm is used by a variety of scientists, but the close relationship between race and class is still the central argument of Post-Marxists, who developed a school of thought based on early ideas of Robert Miles (1984). The catchword "ethnicity" was deconstructed from the early 1980s onwards as a nationalist term in it-

self (which is not true with regard to the researchers who developed it in the sixties and seventies). It was taken as a contradiction to terms like race, since race, so goes the arguments of the followers of Robert Miles or Annie Phizacklea (see for example both: 1982), would express the conditions in modern society more than ethnicity. However, "race" was defined by the same group of researchers as a cultural phenomenon - a definition grounded in the belief, that people were "ethnicized" and culturally stigmatized by power institutions.

The term "ethnicity" was used in the framework of social science theory. Most people, who were involved in agencies dealing with immigrants and cultural minorities, however, had a popular psychological or socio-psychological idea of human beings in mind. This idea pressed people to use the word "identity" - a term used in the nationalistic political science discourses of the sixties as national identities that express a "healthy" national consciousness of a "people". It is a term that was also used in social systems theories and by socialisation theorists in order to understand the stages of socialisation of individuals. Moreover, it was being used as a term to define social situations (one of the first theory-oriented studies was published by Dashefsky, A.: 1975).

In the beginning, identity was quite easy to understand. It meant the collective consciousness of a certain group of people. Later, it was turned into a purely individualistic understanding of social action. People have multiple identities that are adapted to various kinds of situations. So, one identity is the cultural identity, another identity is the national identity, and these individually are of importance in certain areas of conflict and interaction. The identity approach is the most popular due to the fact that, especially in university milieus, the majority of people are acting from a narcissistic perspective of self-definition. And, in a defined and narrowly academic discourse, the individual perspective can be brought easily in into the haven of multi-cultural debates.

Last but not least, there was – especially in Germany – a popular debate concerning what was called, "Multi-Culti". The term, originally developed as "multiculturalism" in the early seventies in North American discourses (see for example Issajiw, W.: 1975), was used in a variety of essays and debates (for example Leggewie, C. 1990 or Radtke, F.-O.: 1994, English presentation: 1997). It expressed confusion between empirical statements and a proposition for further politics and political activities. Multi-Culti, in the German sense, was understood as a political project that was not as clear as the nationalist project itself. There is some level of reality to this project, because the nationalist idea of national cultures and the national political class, as the formulators of culture, are becoming more and more the all-embracing ideology. This is clear when one looks at television, the media and other activities.

The Agreement about the State of the World

The destruction of the term "Multi-Culti" is based on an agreement concerning the state of the world. First of all, there is the general agreement that the world is globalized, which means that all cultural settings world-wide have a closer relationship and that cultural activities are understood in themselves – in opposition to the cosmopolitan world view – as global activities. This is the case in most artistic and entertainment areas. Nevertheless, globalism is reflected by local consumption of global symbol formations expressing local diversity, which is then understood by people as a real local idiom. This might be expressed by internationally produced popular forms of folk culture, by a new understanding of what "Heimat" might be or by just translating international discourses into the milieu of people living in communal networks. Globalism and localism are closely related.

There is a world-wide tendency of regional co-operation, originating in economic agreements and developing new political systems such as the European Union. Here, expressions of national cultures, especially languages, meet each other and give the impression of a cultural diversity on a continental level. This is a diversity that fits into the traditional framework of nationalism. However, due to the idea of these new political systems, the confrontation of national cultures should be transferred into a system of cultural diversities, in which all people will communicate with each other beyond the variety of cultural symbol formations.

Cultural minorities are protected world-wide, especially in Europe. So, the nation-state is not understood anymore as a political umbrella protecting a homogenous national culture. The conservation of cultural minorities is one activity of the state itself. The state has to develop means and measurements to protect cultural minorities, to develop their diversity and to finance the education and infrastructure of its language and cultural expressions.

The most debated issues, however, are the waves of immigration since the fifties, which have brought bridgeheads of population groups from most countries of the world into most cities, but also into the countryside of modern nation-states. In the big transatlantic cities, more than three hundred minorities have settled over the last half-century. Some of these settlements have populations of more than 100,000 people (like the Turkish community in Berlin), others are fragmented, but sometimes well organized with structures that cross state boundaries (like the Armenian communities in Western Europe, for example). This metamorphosis of most European countries to immigration societies forced governmental and non-governmental institutions to incorporate a system of projection of cultural diversity.

Cultural Diversity

Cultural diversity, however, does not mean "eo ipso" the varieties of cultures in a country, but the possibilities for each group to distinguish culture for the establishment of ethnic boundaries: for ethnic politics and for the fight for resources. Most European states, transatlantic states and many other states of the world are not nation-states, but culturally diverse political systems. This is the case in terms of macro-social perspectives painting new pictures of the social world, and also with everyday life in most industrial institutions, all entertainment institutions, most administrations etc. now containing cultural diversities, have "intercultural openings" or are searching for "intercultural competence".

The outcome of this culturally diverse situation is, first of all, the necessity to reflect the theoretical position of such a term in a wider social and culturally scientific framework. Here, however, cultural diversity has not been the central point of debate. Moreover, classical terminology, like identity, ethnicity, race and class is still the main focus of the debate. On the other hand, due to considerations of administrators, politicians and of human rights workers, cultural diversity is a term being debated in the social sciences.

First of all, business studies have developed various agendas for cultural diversity management. This is necessary due to various facts: globalization has intensified relationships with other countries. These relationships are based on adoptive behaviours towards the organisations they are dealing with. Furthermore, inside firms, administrations and businesses, the capacities of people from other cultures have to be used to their full extent. So, a new personal management in cultural diversity is in the making. (Stchichting, Anne Frank: 1993; Eastman, Wayne: 1999; Fägerlind, Gabriella: 2000; Wilson, Trevor: 1996).

Many members of the political world have discovered that the return to nationalism is quite an easy path towards conformity in political affairs. However, the variety of culture in most social settings does not allow anymore for such a political strategy. Therefore, multi-cultural politics is debated in various sectors of society with regard to business development, secularism and religious cohabitations, with regard to norm politics, etc. (Hagan, J.: 1998; Higham, J.: 1998; Warnier, J-P.: 1999).

Most important, with regard to multi-cultural politics today, is the idea of cohesion (following the US discourse of the early nineties by Etzioni, A.: 1993 and others). Many migrants and many cultural minorities have developed their own framework of institutions and social networks on the community level. They have developed ethnic and cultural milieus and have struggled in terms of ethnic politics. Here, a new policy of dealing with such communalism and a policy of respect and tolerance towards such groups will be one of the most important activities in the future.

With regard to the workplace itself, the scientific and political debate has only just begun. Only a few books have appeared. All of them look back to European initiatives that study cultural diversity in the workplace comparatively. All of them are more or less based on empirical data taken up in comparative research. But there is nothing until now that can be called a theoretical reflection in the area. (Bovenwerk, G.: 1995; Business in the Community; ILO: 2000; National Inst. For Working Life: 2000; Taran, P.: 1992; Wrench, J.: 1997).

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4. Cultural Diversity in the Workplace

In spite of the fact that during the last ten years ethnoplural societies have developed in all member states of the European Union, strategies in these societies that promote tolerance and a peaceful living together still lack. The term cultural diversity that came up in the middle of the 1980s refers, first of all, to the existence of different cultures, which are reflected in different worldviews, different symbol formations or different traditions. Cultural boundaries exist between the different groups; however, the groups as such, as well as the cultural symbol formations, are in a constant transformation process. Starting from this perspective, cultural diversity can be perceived as the existence of a poly-ethnic society in which different groups with different world views, symbol formations, traditions, social and economic backgrounds and social activities live together. In other words, the empirical reality of a poly-ethnic society already exists. This fact is today commonly accepted in all EU member states. It is, however, important to make a clear distinction between the already existent poly-ethnic society and a political and social strategy of multiculturalism or cultural diversity.

A poly-ethnic society has the potential of tensions or even conflicts between the different ethnic groups. There are problems of misconceptions of the other, discrimination of specific groups, a lack of understanding and acceptance of other groups and a tendency towards promoting only one national culture. In this context, multiculturalism and policies of cultural diversity are social and political strategies with the aim of reducing and overcoming these conflicts between different ethnic groups or within a group itself. There are strategies to fight racism, to give added value to the other, to promote the acceptance and recognition of the other. Especially the principle of recognition of the other is central as only what we recognise can be integrated in our life and in our own Lebenswelt. Therefore, questions about how we achieve this recognition of the other, how we treat other groups, and how different groups treat each other become important. Here, the strategies of cultural diversity and multiculturalism play a crucial role.

The discussion on cultural diversity in the workplace as such is not new. It was already discussed, under the label of equality, in the seventies and early eighties in countries with long immigration experience such as Great Britain, France or even, to a lesser extent, Germany. The old discussion focussed mainly on the successful integration of labour migrants in the workplace in order to increase productivity and profits. Concepts related only to a small number of ethnic groups and were tailor-made to improve their integration process and avoid conflicts between ethnic minorities and autochthonous workers. For example, language courses were organised for the foreign work force, intercultural parties organised and solidarity campaigns were set up. However, there was

no systematic approach towards promoting cultural diversity and initiatives were often set up on the basis individual engagement.

Today, the discussion on diversity and more specifically cultural diversity in the workplace has spread all over the European Union and is debated by a wide range of institutions. The reasons for this are manifold.

Due to the positive economic development and restructuring procedures and falling unemployment in most countries of the European Union (see the individual country reports), there is a growing demand for foreign labour force. In particular, it is argued that in certain areas of the economy, such as in the IT sector, there is a shortage in the work force that can only be met by facilitating the immigration of highly skilled migrants. This labour market shortage is not only restricted to the IT sector, but also to areas such as health care or even industrial production. The labour market needs vary among the different member state of the European Union depending on their specific economic, industrial and demographic structure.

The question of labour shortage – especially concerning highly skilled professions – is linked to the European-wide political debate on the future demographic developments, which argues that Europe will need an increasing number of immigrants in order to sustain its population growth and allow for the social security of its aging population. On this background, new immigration laws are prepared, quota systems for qualified immigrants set up and new gates of entry created. Furthermore, integration and qualification programmes for newly arriving, and already present immigrants, are established. In a situation where immigrants, especially young qualified ones, become a kind of "good" to compete for on the international level, states and enterprises are interested in creating conditions favourable for immigrants. The promotion of cultural diversity is one of the strategies to improve the conditions for ethnic minorities already staying in the country and for immigrants still to come.

Not only in countries with a low percentage of unemployment is there an increased discussion on cultural diversity, also EU member states with a high number of unemployed migrants and ethnic minorities - which is true for the majority of EU member states - (see the statistical overview in Part II of this report) are interested in this issue and perceive measures to promote cultural diversity as one tool for reducing the unemployment of these groups. This has to do with the fact that the question of cultural diversity is closely related to the issues of labour market entry of immigrants and the obstacles and discrimination many immigrants and persons with an ethnic minority background face when entering the labour market. In this context it is acknowledged (mostly by public agencies) that discriminatory barriers and other obstacles preventing the recruitment and entry of immigrants and ethnic minority members can be removed by promoting

cultural diversity (see, for example, the case of Finland). The capabilities of unemployed immigrants and newcomers are increasingly seen in a positive way and the resources and intercultural experiences have become of more interest to employers within an ethno-cultural society.

Apart from this, most EU member states, even countries such as Germany, which tried for a long time to deny the fact, have acknowledged that they are immigration countries. Traditional countries of emigration such as Italy, Spain and Portugal have changed from emigration into immigration countries. Therefore not only future societies but also more visible work forces will be poly-ethnic. Whereas polyethnicity prior to the nineties often meant five or six different ethnic groups, today we deal with over two hundred ethnic groups living in the European Union. Based on these developments there is a growing awareness by businesses in the private and public sector and the political classes that cultural diversity should be promoted in order to deal with this polyethnic work force.

This is also linked to the fact that migrants and ethnic minorities, which on the European level amount to more than twenty million people, make up a valuable clientele for the European market. Studies (see *Business in the Community Race for Opportunity*: n.d.) carried out indicate the purchasing power of ethnic minorities and immigrants. They are perceived as a specific segment of the market, which has not been specifically targeted up to now. In an increased competition for customers and clients, specific strategies to reach migrants and ethnic minorities are thought about. The promotion of cultural diversity in the workplace is seen as one tool to enhance the market position of companies concerning this specific group. The issue of service provision and being labelled as a diversity employer is not only a topic discussed in the private economy, but also plays a role for public administrations, welfare organisations and other organisations providing services for migrants and ethnic minorities. This has to do with a general debate on the quality of service provision and the question of interculturality appearing in this area. For example, hospitals or social welfare administrations are trying to identify the specific needs of migrants and ethnic minorities and integrate them into their mainstream agenda.

Besides this, NGOs and welfare organisations in the area of migrant support, and immigrant self-organisations themselves have more actively brought up the theme of cultural diversity and equality of opportunities over the last years. Here the second and third generation of immigrants play an important role. In particular, well-established ethnic communities are no longer willing to accept discrimination or negative treatment in the workplace. They have lobbied political institutions in their respective country, and more importantly on the European level concerning the question of discrimination and equal treatment. This has also been a reaction to the growing right-wing extremists' activities

and latent or structural racism and discrimination becoming more visible in all member states of the European Union. Cultural diversity in this context is perceived as a strategy to fight discrimination and to promote tolerance. Furthermore immigrant organisations and anti-discrimination bodies believe that not only ethnic minorities have to integrate into the host society, but also that the autochthonous society has to respect and tolerate the other in order to make this integration process possible. The strategy of cultural diversity looks at both ethnic minorities and autochthonous groups and tries to find the reasons for a lack of tolerance and respect for the other by analysing the conditions and finding structural solutions. Valuing labour market insertion and the satisfaction with work, its conditions and environment, as a central element for successful integration, various pilot-projects trying to improve cultural diversity in the workplace have been set up by NGOs, welfare organisations and in some case immigrant self-organisations. This also had an impact on the overall discussion of cultural diversity.

The activities of NGO networks on the European level and interest of the European Parliament in issues of anti-discrimination and anti-racism have also intensified the discussion on these topics inside the European institutions and led to initiatives such as the European Year Against Racism in 1997 and the implementation of Article 13 in framework of the Amsterdam Treaty in 1999. Already in 1995 the common declaration on the prevention of racial discrimination and xenophobia as well as the promotion of equality in the workplace were signed by the European Trade Union Organisation and the European Employers Association. The European Year Against Racism has served to confirm the role of the European institutions in the fight against racism and led to a wide range of programmes fighting racism in all European Member States. On the basis of Article 13 various European programmes have been set up funding pilot and model projects in the Member States fighting and preventing racism, xenophobia, discrimination and social exclusion. Some of these programmes had a specific focus on the labour market or labour market integration and allowed to establish projects concentrating on cultural diversity in the workplace. Without this EU funding the concrete activities regarding the promotion of cultural diversity in the workplace could not have been started, as there was a lack of money for this kind of activities. In this context programmes such as INTEGRA, HORIZON and NOW played a crucial role as they mainly focussed on the labour market but also allowed the inclusion of activities promoting equal chances, cultural diversity and anti-discrimination.

On the other hand, in order to enforce Article 13, two important directives have been passed in the year 2000. These are the Council Directive establishing a general framework for equal treatment in employment and occupation, and the Council Directive to combat discrimination on grounds of racial and ethnic origin. These directives have now to be implemented into the legislation of all European Member States and bodies over-

seeing complaint procedures and co-ordination of anti-discrimination measures have to be established accordingly. Currently all European Member States are preparing the implementation of the directives, which has led to an increased debate about anti-discrimination measures and active promotion of equality as well as cultural diversity. Based on the second directive these activities concentrate especially on employment and the labour market.

Furthermore, after the coming into force of the Amsterdam Treaty an Action Programme to Combat Discrimination was agreed upon by the Member States of the European Union. The main aim of the programme is to encourage concrete measures to combat discrimination and supplement the activities of the Community. Within this programme, which came into force on the 2nd of December 2000 special attention is paid to develop the capacity of target actors (such as local authorities, social partners, NGOs etc.) by improving the exchange of information and good practices.

In general, institutions in various fields working in the field of anti-discrimination, anti-racism and integration of ethnic minorities in the Member States of the European Union have understood that the workplace is a powerful shaper of behaviour and attitudes. If individuals, or groups of individuals, experience a positive work environment, one in which their individual abilities, skills and capabilities are fully recognized, respected and utilized, it is far more likely that relationships within diverse groups in society will be harmonious. Respect for difference, equal opportunity and treatment then become not only an important business strategy, but also a powerful tool in promoting positive race relations within the workplace and the wider society.

However, besides this discussion on cultural diversity and favourable developments, several studies carried out in the past at the national and local level indicate that ethnic minorities and migrant workers are still disproportionately discriminated against in the labour market. The rates of unemployment and underemployment for this group are usually much higher in most European Member States than for the rest of the population. Discriminatory practices are not only common for the gatekeepers of the labour market, they continue inside employment and are often reflected in the working conditions and environment. The combination of these discriminatory practices and often unequal starting points or disadvantages are the reason that migrant workers and members of ethnic minorities often face more problems than the majority population in the labour market. Regarding discrimination in the labour market the future will show what is the concrete impact and success measures that promoting cultural diversity are having in this context, as it is still too early to draw up an evaluation concerning this respect.

As outlined there is a strong link between cultural diversity, anti-discrimination and the concept of equality and equal rights. Of course there are different approaches towards

cultural diversity, be it the business approach which is mainly focussing on diversity management, be it the approach used by NGOs and state bodies which are focussing more on the anti-discriminatory potential of cultural diversity or other agents which put the emphasis on measures strengthening the cultural aspect and trying to promote by this the tolerance and the acceptance for the other. In this report a wide concept of cultural diversity is used trying to bring these different perspectives together.

Part II

Country Overviews of the 15 European Union Member States

Belgium

1. Developments of Migration and Population

The Kingdom of Belgium is in itself a highly heterogeneous country, not least due to the different autochthonous communities, which have, over the years, acquired a certain degree of autonomy. Belgium operates under a superimposed federalism, acknowledging its composition of different communities and regions. However, the three communities (Flemish, Walloon and German-speaking) do not coincide with the three regions (Brussels, Flanders and Wallonia).

A brief view on the development of immigration in Belgium shows that certain landmarks are noteworthy. Whilst in the period between 1840 and 1930 the proportion of foreigners increased from two percent to 3.9 percent, it was only after WWII, that their number grew more rapidly. In 1946 a protocol agreement was proliferated under which Belgium would accept as many as 50000 Italian workers and provide employment for them in the coal mining industry. The final total was set to be 70000. This substantial flow of migration from Italy began to cease in 1956 and thereafter following the Marcinelle pit disaster, during which a large number of Italian miners died. To compensate for the lack of labourers, the Belgian government turned to Spain and subsequently to Greece, Turkey and Morocco. Bilateral arrangements were agreed with these countries, governing work and residence permits and social security for the foreign workers. During the sixties the shortage of unskilled workers peaked, affecting other sectors beside the mining and metal industries. A vigorous recruitment campaign then took place in North Africa and Turkey, while migration from Spain, then Portugal, Greece and Italy continued, from the latter in modest numbers.

With the economic crises in the seventies, and more specifically the freeze on immigration for unskilled jobs, which was announced in 1974, mass immigration came to an end. From then onwards, the increase in the foreign population in Belgium was almost entirely due to the birth rate and family reunification. For the immigrants of the sixties

and seventies the process of integration into the Belgian society began gradually.

Over the past twenty years, demographic trends have been characterised by a stabilisation of the foreign population around the level of nine percent of the total number of residents. Many of the previous short-term foreign labourers have become permanent residents. Meanwhile, the nineties were characterised by substantial net migrations gains, which averaged slightly over 19800 between 1989 and 1998. The influx of foreigners was largely due to the arrival of EU nationals. This type of flow is largely attributable to Brussels' role as a host to European institutions. On the whole, French and Dutch nationals were the largest groups in total inflows, followed by Moroccans. Turkish nationals accounted for thirteen percent net migration flows.

In 1998, the total number of residents living in Belgium was 10204 million (see Table 6). Of these, around 900000 were foreign born (8.7 percent of the total population), a figure which has been relatively stable since 1990. Between 1985 and 1998, twelve nationalities accounted for more than 85 percent of the foreign population resident in Belgium. Some sixty percent were EU nationals. The largest non-EU communities were the Moroccans (125000) and Turks (71000). Overall, during the 1990s, the five largest groups of foreign residents were the Italians, the Moroccans, the French, the Turkish and the Dutch (see Table 6).

TABLE 6: STOCK OF FOREIGN POPULATION IN BELGIUM BY NATIONALITY [THOUSANDS]

	1990	1991	1992	1993	1994	1995	1996	1997	1998
Italy	241.2	240.0	217.5	216.0	213.5	210.7	208.2	210.7	203.0
Morocco	141.7	145.6	145.0	145.4	144.0	140.3	138.3	132.8	125.0
France	94.3	94.9	95.2	97.1	98.7	100.1	101.7	103.6	105.0
Turkey	84.9	88.4	88.3	88.3	86.0	81.7	78.5	73.8	70.7
Netherlands	65.3	67.7	69.7	72.6	75.0	77.2	80.6	82.3	84.2
Spain	52.2	51.1	49.5	49.4	48.9	48.3	47.9	47.4	46.6
Germany	27.8	28.5	29.3	30.2	31.0	31.8	32.7	33.3	34.
United Kingdom	23.3	24.2	24.9	25.4	25.9	26.0	26.2	26.1	25.9
Portugal	16.5	17.8	20.5	21.9	23.0	23.9	24.9	25.3	25.5
Greece	20.9	20.6	20.0	20.3	20.1	19.9	19.5	19.2	18.8
Zaire	12.0	12.8	14.6	15.9	16.5	12.2		12.1	12.4
United States	11.7	11.7	11.8	11.7	11.7	12.0		12.6	12.4
Algeria	10.7	11.0	10.4	10.2	10.0	9.5		8.9	8.5
Former Yugoslavia	5.9	6.5	7.5	7.4	7.7	8.1			
Tunisia	6.4	6.4	6.2	6.0	5.7	5.3		4.7	4.2
Poland	4.9	4.8	4.8	4.9	5.2	5.4		6.0	6.3
Luxembourg	4.7	4.7	4.6	4.6	4.6	4.6			
Japan	3.1	3.1	3.1	3.3	3.6	3.7			
China	2.4	2.6	2.9	3.2	3.3	3.4			
Ireland	2.4	2.5	2.8	3.0	3.2	3.2			
Denmark	2.6	2.6	2.8	2.9	3.1	3.2			
Sweden	2.7	3.0	3.1	3.0	2.9	3.1			
Canada	1.6	1.7	1.7	1.7	1.8	1.9			
Other countries*	90.5	70.4	73.2	75.6	76.7	105.6	153.4	109.2	110
Total	904.5	922.5	909.3	920.0	922.3	909.8	911.9	903.2	892
Of which: EU	551.2	554.6	536.7	543.5	547.1	554.5	559.6	562.1	563

Note: In 1985 and in 1992, following changes in nationality laws, which granted Belgian nationality to a significant number of foreigners, the stock of foreign population dropped sharply. The decrease in 1995 can be explained both by the continuation of the effects of the change in nationality laws and the removal from the register of almost 11.000 asylum seekers awaiting a decision.

* Including refugees whose stock is not broken down by nationality. In 1997, 19700 refugees were registered

Source: SOPEMI 2000.

In 1998, some 48 percent of the foreign resident population were women, which was slightly lower than the percentage of women in the Belgian population. The annual average increase in the total population over the last ten years has been 0.2 percent. In this respect, the foreign population makes an important contribution to three factors: the natural increase in foreigners (which accounts for 38 percent of the total natural increase), positive net migration and the number of naturalisations. Between 1995 and 1998, more than a third of the latter were granted to Moroccans, 23 percent to Turks and six percent to Italians.

The foreign population is not distributed equally about Belgium. Thus, around thirty per cent of the foreigners live in Brussels alone, accounting for thirty percent of the city's inhabitants. Another thirty percent live in Flanders and make up 4.7 percent of the population there. The remaining forty percent of the foreign population live in the Wallon, accounting for 10.7 percent of the total population. However, more than forty percent of the foreigners in Brussels are of non-European origin, whilst the number for Flanders is 29 percent and Wallon only 16 percent. The overall rate of foreigners in Belgium was ten percent of the total population (cf. Martens and Sette 1997).

TABLE 7: MAIN FOREIGN NATIONALITIES IN BELGIUM AND ITS REGIONS AT 01-01-1995

Nationality	Belgium		Flemish Region		Brussels		Walloon Region	
	number	rank	number	rank	number	rank	number	Rank
Italy (EC)	213526	1	24632	4	29784	3	159110	1
Morocco	143969	2	46117	2	76424	1	21428	3
France (EC)	98731	3	12608	5	30215	2	53025	2
Turkey	85981	4	43215	3	21828	5	20938	4
Netherlands (EC)	75029	5	64111	1	4771		6147	9
Spain (EC)	48937	6	9907	8	23737	4	15293	5
Germany (EC)	31041	7	10691	7	5798	10	14552	6
United Kingdom (EC)	25862	8	12608	6	7999	8	5255	
Portugal (EC)	23033	9	4075		14474	6	4484	
Greece (EC)	20112	10	3857	10	10397	7	5858	
Zaire	16542		2826		7295	9	6421	7
USA	11735		4239	9	2929		4567	
Algeria	10001		1514		2333		6154	8

Source: NIS (National Institute for Statistics) 1996

1.1 Labour market developments

In 1998, the total labour force in Belgium was approximately 4.3 million of who 381000 were of foreign origin, accounting for nine percent of the total. In the last ten or so years, the Belgian labour force has grown by 3.5 percent, as compared with 28.9 percent growth of the foreign labour force. The overall participation rate in 1998 was approximately 50 percent. More than two-thirds of foreign workers were from EU countries, the largest groups being the Italians (27 percent) and French (15 percent). Among non-EU nationals, Moroccan workers were the largest group (twelve percent). The desegregation by nationality of those in salaried positions closely mirrored these proportions. In 1998, there were more than 2.8 million Belgian and 236000 foreign wage earners.

TABLE 8: STOCK OF FOREIGN LABOUR (THOUSANDS)

Nationality	1995				1998			
	Salaried workers	Self-employed	Unemployed	Total	Salaried workers	Self-employed	Unemployed	Total
Italy	69912	12279	26976	102167	66271	12721	23534	102526
France	34414	7494	9858	51766	40304	7775	9558	57637
Morocco	23986	1844	18708	44538	23662	1899	18924	44485
Netherlands	18633	9032	2943	30608	20867	10519	2234	33620
Turkey	16442	1620	12332	30394	16208	1742	11994	29944
Spain	16735	1783	4440	22848	17469	1989	3779	23237
Portugal	7355	1678	1579	10612	8448	1748	1825	12021
Germany	5289	1839	1314	8442	5880	2057	1116	9053
United Kingdom	5446	2105	805	8356	5796	2176	657	8629
Greece	3744	1433	1778	6955	3916	1499	1625	7040
Zaire	2303	273	1030	3606	2373	345	1606	4324
Algeria	1717	226	1468	3411	1674	233	1385	3292
Tunisia	1319	283	751	2353	1241	253	654	2148
Luxembourg	876	366	278	1520	901	364	3219	1484
Other nationalities	20287	7605	7889	35781	21374	7932	12256	41562
All foreigners	221458	49860	92039	363357	236382	53252	91366	381000
of which: EU	157473	42695	50023	250191	172000	46851	44745	263796

Source: SOPEMI 2000

Of the approximately 500,000 people who were unemployed in 1998, nearly 82 percent were of Belgian origin. The proportion of foreigners unemployed has risen by two percentage points over the last ten years. However, foreigners have the highest unemployment rate standing at 24 percent in 1998 as compared with eleven percent for nationals. Italians (26 percent), Moroccans, (21 percent) and Turks (13 percent) were the communities suffering from the worst unemployment.

The economic activity rate is much the same for both Belgian (51.7 percent) and foreigners (50.4 percent). However, a greater difference can be discerned in terms of sex in that for both population groups women are much less likely to be economically active (cf. Martens and Sette 1997). Regionally, the economic activity rate varies only marginally for Belgians (in 1991: 52.4 percent in Flanders, 50.7 percent in Walloon and 50.2 percent in Brussels), whilst for foreigners Walloon is the region with the highest rate, exceeding that of Belgians, whilst in both Brussels and Flanders the rate is lower and below the Belgian equivalent (48.5 percent and 49.4 percent).

The harmonious picture of an overall similar economic activity rate for both Belgian and foreign workers is further relativised by pointing to the unequal distribution of members of both aforementioned groups amongst different types of jobs. Thus, Martens and Sette (1997: 3) point out that foreigners are mainly to be found in industry, where they are employed in manual jobs for which few or no qualifications are required. Foreigners

usually occupy disadvantageous positions, whilst Belgians and foreigners from neighbouring countries work in more favourable positions. Italians, Greeks, Spaniards, Turks and Moroccans are over-represented in the lower income echelons. They are working mainly in the construction sector, agriculture and service sector.

With respect to the distribution across sectors, sex is an equally important factor. A comparison of paid wages reveals that women receive the lowest level in every sector.

Concerning the self-employed population, the non-national population in Belgium is quite fairly represented (10.6 percent of the self-employed in Belgium). At a closer look though, inequalities show up within the group of the foreign self-employed. Whereas non-EU citizens represent 27.2 percent of the total foreign salaried workers, they account for only 1.1 percent in the self-employed population (own calculations from table 8, Martens 1995). There is a sectorial concentration in the hotel and restaurant sector and geographical concentration on the Brussels region (Martens 1995).

2. Anti-discrimination Legislation with regard to the Labour Market

Belgium has ratified the Convention on the Elimination of all Forms of Discrimination in 1975. Furthermore it is signatory to different other international standards prohibiting discrimination such as the ILO Convention 111.

Article 10 of Belgium Constitution states that all Belgians are equal before the law, however this provision on equality and non-discrimination does not prohibit all difference in treatment. Such differences are lawful if they have a reasonable and objective base in relation to the purpose and effects of the law. Article 11 of the Constitution grants the protection from discrimination. According to Article 191 of the Constitution, foreigners present on the territory of Belgium enjoy the same protection to goods and persons if not otherwise regulated by law. That means in fact that foreigners enjoy the same rights and duties as Belgian citizens.

In 1981 Belgium adopted a law sanctioning certain acts motivated by xenophobia and racism. Art. 2bis of this law prohibits discrimination in employment based on race, colour, descent, origin or nationality. This includes the area of job-advertisement, recruitment procedures, contract performance and the dismissal of employees. By this also the third-party liability of employers for the payment of fines imposed on their employees or agents is introduced. However the discriminatory intention needs to be proved by the person discriminated against. This law was supplemented by two laws: the act providing for the establishment of the Centre for Equal Opportunities and the Fight against Racism in 1993 and the law on the definition of discrimination from 1994, which also added a special provision on racial discrimination in employment.

On April 12, 1984 the law against racism was complemented by an article 2bis, which applies to discriminations in the workplace and on the employment market in general. It enables trade unions to take juridical actions in case of its violation. This quickly gave rise to conventions of co-operation between the Centre for Equal Opportunities and the Fight against Racism and three trade unions, namely the *Fédération Générale Du Travail de Belgique (FGTB)*, the *Confédération des Syndicats Chrétiens (CSC)* and the *Centrale générale des Syndicats libéraux de Belgique (CGSLB)*. According to those conventions when an act of discrimination is reported to a trade union, the latter can pass it on to the Centre, which then can play the role of a mediator or act as defending party in Court. (Cf. *Egax et Reconnus, bilan 1993-1999 et perspectives de la politique des immigrants et de la lutte contre le racisme*, pp.70-71). Apart from this there is currently a new anti-discrimination law focussed on all grounds of discrimination as outlined in Article 13 of the Amsterdam Treaty discussed, which only needs to be voted by the Chamber of Representatives.

Furthermore different collective agreements in Belgium include anti-discrimination and anti-racism clauses. In 1983 the National Labour Council concluded that collective agreements are covering immigrant workers and an anti-discrimination clause referring to race, colour, descent and national or ethnic origin was added. In 1991 the *CSC/ACV* and *CGSLB/ABVV* trade unions took a joint stand on combating racial discrimination. The 1991 collective agreement No 38 stipulates that employers may not treat candidates in the process of recruitment in a discriminatory way. The provision has, however, not been declared binding and prosecutions cannot be brought in respect of violations.

At the inter-ministerial conference on immigrants' policy on April 29, 1998 the Minister for Employment expressed her wish to make collective agreement No 38 legally binding. This was done through the additional collective agreement No 38ter entitled "Equality of Treatment" on July 8, 1998 and its official endorsement on October 8 1998. (Cf. *Egax et Reconnus, bilan 1993-1999 et perspectives de la politique des immigrants et de la lutte contre le racisme*, pp.72-73)

Furthermore the revised Collective Agreement enables work councils to collect information on nationality and on patterns of employment and ways in which they have changed.

The public service sector is still closed for third country nationals and even for other persons from the EU it was only opened up when Article 48 of the European Treaty came into force. EU nationals are permitted to exercise public office unless there is good ground for reserving the post for Belgian citizens. These grounds must relate to "State security". Therefore in the postal service, telephone company, railway etc. that are still all public, third country nationals can only work in exceptional cases. The Centre for

Equal Opportunities lobbies for the opening up of the public sector even for third country nationals. Especially on the local level it is important to give access to third country nationals in the administration etc.

Until now there is no specific body of anti-discrimination legislation in Belgium. The main shortcoming of the existing anti-discrimination legislation in Belgium is its limited implementation. Discrimination in employment is still severe, which can be seen in the fact the most complaints filed fall under the category of employment. The provision prohibiting discrimination in employment, which was introduced in 1994, has not proven very effective, as it is in most cases very difficult to prove the discriminatory act. Furthermore a certain kind of reluctance on the part of the persecuting authorities to deal with these cases can be observed (cf. Council of Europe 2000). Finally it has to be mentioned that there is no registration of ethnic violence.

3. Institutional Development in the Area of Cultural Diversity in the Workplace

Following a course of four Constitutional changes Belgium became a federal state in 1993. Since then Belgium has been divided into three regions, Flanders, Walloon and Brussels Capital, and into three communities, the Flemish, the French and the German language community, that have their own institutions, competences and funding. The three regions have their own competences in a series of areas such as territorial development, accommodation, economy etc. The three communities have their own competences regarding cultural matters, education, social aid, language use and similar issues. Therefore there is nearly no state institution at the national level that deals with cultural diversity in the workplace. The promotion of cultural diversity, especially in the area of employment but also in other areas, falls within the responsibility of the regions and individual communities. However at the national level already before 1998 there had been a working group at the governmental level that discussed anti-discrimination in employment. The new Belgian government has paid special attention to anti-discrimination and the promotion of cultural diversity. This might also be an outcome of the study published by Bovenkerk (ILO), which revealed a high level of discrimination in the labour market in Belgium. This study showed that 39 percent of all employers in Belgium did not want to hire persons of immigrant origin, even if they proved to be highly qualified.

The *Centre pour l'égalité des chances et la lutte contre le racisme* (Centre for Equal Opportunities and the Fight against Racism) was established in 1993 and is the most important institution at the national level supporting the implementation of cultural diversity and measures with which to fight racial discrimination in all areas. The Centre re-

placed the Royal Commission for a Policy on Immigrants, which was established in 1989 in reaction to the rise of the far right wing party in Flanders, the Vlaams Blok. The Centre for Equal Opportunities and the Fight against Racism has a consultative status with the government concerning all issues in the field of immigration, asylum and ethnic relations. The Centre is consulted in these questions and can give recommendations on these issues to public and private institutions. The Centre is directly overseen by the government and reports back to them.

In the area of training, the Centre has held various intercultural training seminars for the police and other sectors of the public service. Concerning these training courses, they follow a top-down approach, first of all concentrating on the higher level of the management. In most cases the Centre is only asked for a training course if problems already exist. The Centre for Equal Opportunities has set up special contracts with the police, the Army and the border control services, providing them regularly with training. Due to the specific system of federalism in Belgium, the influence of the Centre for Equal Opportunities and Fight against Racism is only limited. However the Centre is co-operating with the regional employment office in Brussels (ORBM) on a programme concerning cultural diversity at the work place.

On the level of regions there are various state organisations dealing with anti-discrimination and the promotion of cultural diversity. Only some will be presented here. The *Office Régional Bruxellois de l'Emploi (ORBM)* (Employment Office of Brussels Capital) has within its Territorial Employment Act set up measures for "Combating discrimination in recruitment". The employment office of the Brussels region is responsible for one million people. In the Brussels region 30 percent of the population are foreigners, but they only make up 20 percent of the overall labour force. The Brussels region is bilingual with French and Dutch spoken. The Territorial Employment Pact was set up in 1998 by the industry, private sector, trade unions, education sector and the Employment Office and Employment Ministry of Brussels. This Territorial Employment pact goes back to the initiative of the European Community, which has set up 89 territorial pacts all over Europe, of which five have been installed in Belgium. These pacts emphasise the local needs of a given territory, based on isolated needs. As a result, they are meant to evolve constantly.

The Employment Office in Brussels (*ORBM*) has set out tools to fight discrimination in the workplace. A "charter of the employer" and a "charter of the employee" have been subscribed to by the interlocutors of the *ORBM*, hence ensuring them the absence of discrimination. Furthermore the *ORBM* operates at the advertisement level, that is to say suspicious employment advertisements will be checked.

Awareness raising and communication seminars are organised for the staff of the

ORBM so that they are more likely to offer appropriate service to a multi-cultural public. Finally the ORBM has set up a service of socio-professional guidance, which operates within the framework of two wider-ranging programmes, namely *young migrants* and *objective 3* of the Social European Fund. Whereas the former aims at integrating young people who are either foreigners or of foreign background, the latter is directed towards long-term unemployed people, young people or anyone excluded from the employment market as well as foreign populations or populations of foreign origin.

Since 1992 an organ of the financing institute *Fonds d'Impulsion à la Politique de l'Immigration (FIPI)* (Initiative Funds for immigration policies) has been integrated in the above-mentioned socio-professional guidance program. The *FIPI* deals with three tasks: preliminary information, guidance and the actual employment process of young people aged 18 to 25. The project works on a one-to-one basis and proceeds through several steps. In 1999 successful achievements have been recorded: 525 people found a job - among them 37 percent originated from outside the European Union - and 339 unemployed people had access to various trainings - among which 47 percent came from outside the European Union.

Although objective three goes beyond mere socio-professional guidance, it is also associated with local missions working towards professional re-insertion. Therefore overseas workers also benefit from those measures.

The situation in the public sector of the Brussels region is still quite problematic, due to very restrictive requirements regarding language knowledge. Many posts are still reserved for Belgium nationals. For example, in the employment office the percentage of employees with ethnic origin is only 15 percent. Until now there exist no concrete measures and ideas on how to improve the overall situation in the public sector. Intercultural training in the public sector is still rare, with exception of the education sector and the police.

In 1998 the Flemish government in co-operation with the Social partners signed an agreement to fight racism, combat discrimination and improve the qualifications of immigrants and ethnic minorities. The *Begeleidingscel Werkgelegenheid Migranten (BWM)* (Flemish Centre for Integration of immigrants), which was a kind of independent organisation, was the main co-ordinating institution of minority politics in the Flemish part of Belgium. It mainly had the tasks of supporting immigrant self-help organisations, raise awareness concerning the issues of discrimination and racism and improving the chances of immigrants in the labour market. Five persons were working for the Flemish Centre for Integration. The *BWM* in 1998 became integrated into the regional Flemish administration and the staff rose up to 16 employees. There are persons working in all sub regions in the Flemish part of Belgium. The overall aim of this team is to increase

the participation of immigrants in the labour market up to the level of their presentation in society in general through the implementation of Positive Action Plans in the public and private sectors. In co-ordination with the Social partners (trade unions and employers associations) and state authorities at the regional and sub-regional levels, members of the team employed by the Flemish government, so-called positive action managers, are approaching companies which have been pre-selected by the social partners asking them if they are interested in promoting cultural diversity by writing up a Positive Action Plan. Until now most companies which have implemented a Positive Action Plan have only concentrated on one specific issue or problem as for example only recruitment, only training of personnel etc. However an integrated plan focussing on as many areas as possible would be much more successful. Therefore the Positive Action Managers are trying to promote this kind of integral plan. There are already around 20 companies that have opted for this kind of integral approach. Especially the insertion programmes for immigrants have proven very positive. The team of Action managers have prepared a special manual for employers and job stewards explaining the concrete things, which have to be done in the first weeks of the employment of an immigrant. A special coach of the newcomers is set up, who is a kind of mediator between the newcomers and the already established workforce. The overall focus of this and other measures is to promote respect for others.

In the Flemish part, four percent of the labour force are of ethnic minority backgrounds. In the last years the Flemish government, employers and trade unions have tried to develop instruments in the area of human resources to prevent discrimination and prevent intolerance. For many years now, the Flemish government has been the most active, especially when compared to the other two regions: the Walloon and the Brussels regions.

In the Walloon in general there are fewer problems, as the politics in this region are based on a different integration strategy, which mainly focusses on assimilation. Apart from this, the percentage of the immigrant labour force in the Walloon is much higher and racist tendencies are much smaller. However, there is a general tendency to ignore differences. Therefore there are nearly no efforts to promote cultural diversity, as this would directly contradict the idea of promotion assimilation. The overall percentage of the labour force with ethnic minority backgrounds is twelve percent.

In the Walloon there are six integration centres altogether for the integration of immigrants and ethnic minorities, all of which are run by the government. These integration centres concentrate on the social and economic integration of immigrants. This includes the organisation of alphabetisation courses, language courses and school training. In general there is the approach of seeing only one homogenous culture. These integration

centres are also responsible for carrying out intercultural training courses with civil servants working for the local administration.

As part of the devolution process the Walloon region passed a decree on July 4, 1996 regarding its integration policy. Regional integration centres were created in the following towns: Charleroi, La Louvière, Liège, Mons, Namur and Verviers. Those six integration centres are equally composed of local representatives and civil societal actors. They articulate around seven axis: social activities, training, statistics, guidance, assessment of local initiatives, broadening of civic participation, especially of people of foreign origin, and promoting intercultural exchanges and respect.

On March 13, 1998 regional centres brought the co-ordinating body *Fédération des Centres régionaux d'intégration (FECRI)* (Federation of regional integration centers) into existence.

In practice the centres are engaged in different projects, which are simultaneously important for the carrying out of their goals as for their legitimisation towards both institutional and civil societal actors. These projects fit into five categories.

First, the Centres work together with the *FOREM*, regional missions, sub-regional committees for Employment and Training as well as private professional training agencies towards socio-professional integration. Second, seminars are organised with civil servants, hospital staff and various local actors in order to improve understanding of a multi-cultural society. This will sometimes be carried out in partnership with the Centre for Equality of Chances or with relevant local organs. Third, the Centres will act as mediator between local authorities and communities (writing of letters, logistical help in the elaboration of projects, etc.) Regarding the fight against racism, the Centres host the Local Services against Racism conducted by the Centre for Equality of Chances and Fight Against Racism. Finally the Centres publish a review titled "osmose" which deals with topics related to integration and immigration issues. On top of that, each Centre conducts individual projects relevant with the area they cover. (Droits de Cité, Dossier: A propos d'intégration: un portrait)

Within the trade union movement, especially the trade unions active in the Flemish part, have been concerned with issues regarding cultural diversity and anti-discrimination. The *Algemeen Christelijk Vakverbond (ACV)* (Christian Trade Unions) and *Confédération des Syndicats Chrétines (CSC)*, which co-operate closely and are in addition to the *ABVV/TGTB* the biggest trade union confederation, are mostly active in the Flemish part of Belgium. Based on the information of *ACV/CSC*, a high number of foreign workers is affiliated with their trade unions, however no exact figures exist as ethnicity or nationality is not registered. The *ACV/CSC* have established a special unit in the research and study department, which is dealing with cultural diversity and the fight against racism.

The activities of the trade union in this area already started 15 years ago, however only in the nineties have the issues of cultural diversity and anti-discrimination become relevant. When they began their work, the *ACV/CSC* offered special services to specific groups of labour migrants such as Moroccans, Turks, Italians, Portuguese etc. These advice services were offered in the native language of the clients, however with an improved integration into Belgium society this system was ended. In 1998 the trade unions signed an agreement focussing on three main targets:

- 1) improving the access for ethnic minorities to the labour market
- 2) fighting discrimination, especially in the education and training sector
- 3) improving the qualification of immigrants and thus improving their chances for recruitment and promotion

Above other things the *ACV/CSC* has actively supported the work council's in individual companies to establish Action Plans, which are promoted by the Flemish government (see above). The trade unions are in regular consultation with the staff of the Flemish government implementing these Action Plans.

While in the beginning the trade unions focussed their work mainly on migrant workers, this has changed now and awareness-raising activities concerning the Belgium workers and members of the trade unions have become more important. To this end, special training programmes for shop stewards and other trade union members have been set up which not only deal with questions of integration and problems of foreign workers, but also touch on the question of cultural diversity and discrimination. Furthermore the *ACV/CSC* organise study visits within Belgium and internationally to enterprises and work councils, which have been very active in promoting cultural diversity and fighting racism in the workplace.

While individual companies, especially in the Flemish part of Belgium, have begun to actively promote cultural diversity, their representative bodies, such as the different confederations, have not been very active in this area.

Apart from state organisations, employers and trade unions, there are numerous well-established immigrant self-organisations, especially in the Flemish part dealing with the question of cultural diversity. However they do not much contribute to concrete measures but rather are active in lobbying for cultural diversity and anti-discrimination in the workplace and have been supporting the implementation of these measures by the social partners. There are eleven officially recognized immigrant associations in the Flemish part of Belgium. There are Turkish, Moroccan, Southern European and Black African associations. Most are working at the local and regional levels. In the Walloon the situation is very different. Here immigrants are less organised as the French part in general is

working towards homogeneity rather than diversity. In the Brussels region the issues of integration and support immigrant self-help organisations only is discussed since the beginning of the nineties. A newly established umbrella organisation is the *FORUM* of cultural and ethnic minorities. They are still in the process of establishing their structures and it is not yet quite clear on which kind of activities they will concentrate. The *Vlams Minderheiten Centrum (VMC)* (Flemish Minority Center) in Brussels is another meeting point for immigrant groups, refugees and ethnic minorities. Furthermore there is the Focal Point for Social-Cultural projects, which is funded by the Ministry of Culture. They are also advising groups regarding questions of funding, setting up projects, management etc. The focal points have only a supporting function; they do not have a political voice. The *FORUM* in contrast has a political voice. Therefore the government wants to support the *FORUM* more actively as it is deemed important that immigrants articulate themselves. However finding appropriate funding is still a difficult issue for many immigrant self-help organisations. In general it is easier to obtain funding from the Flemish government, which is much more open in this area. There are also specific organisations of the support of migrant women such as the *Steunpunt Allochtone Meisjes and Vrouwen* (regional Focal point for foreign girls and Women). Until now in the French part of Belgium there is no network of immigrant self-help organisations, but there are some contacts between the better-established groups, especially in the Brussels area. For five years the *Centre Bruxellois d'Action Interculturelle (CBAI)* (Intercultural Action Center Brussels) was running a solidarity network with the aim to bring together all NGOs working in the Brussels region in order to develop a common approach to intercultural issues. This has been a very difficult task and the *CBAI* did not really succeed. Now there is a much stronger focus on security projects, which are trying to fight insecurity and exclusion. The *CBAI* is a private NGO, which is funded by the local government. The *CBAI* is not focussing on immigrant groups only, but on all excluded groups. The first activity of the *CBAI* is information and documentation on intercultural issues, integration, immigration and ethnic relations. They are a kind of reference centre for teachers, students and practitioners in this field. Furthermore they organise seminars and conferences on these issues. These activities are also used for raising more awareness about the question of intercultural relations and cultural diversity. Second, *CBAI* has set up a specific training course for multicultural mediators. Already today there are cultural mediators working in schools and hospitals, but they are mostly working in the area of translation and do not try to create a deeper understanding for the cultural background of the other group. Cultural mediators only work in areas with a high percentage of immigrants and with socio-economic problems. There are currently 28 mediators working in the Brussels region. In the Walloon there are about 14 cultural mediators. They are working on a very flexible scheme and only intervene when there is a need. It is a kind of a crisis intervention approach. The third main activity of the *CBAI* is the support of

immigrant self-help organisations. The *CBAI* is giving advice how to set up an association and are helping with all legal steps. The fourth main activity of the *CBAI* is the organisation of cultural and artistic activities. They are involved in the organisation of "Brussels in Colours", a multicultural festival organised for the past eight years in Brussels. This festival takes place in ten different parts of Brussels with the objective of showing the artistic expression of migrants to the wider society. This festival intends to bring the people together on the local level and convince them to them join in. Usually the festival takes place in May and June and ends with a big intercultural concert. During the festival all immigrant self-help organisations are given the possibility to present their work. The festival is financed by the Flemish Ministry and by the local government of the Brussels region. Furthermore the *CBAI* is currently publishing a guide concerning immigrant artists, cultural activities by immigrant groups and on cultural groups and associations. This guide will be covering the whole French part of Belgium. The guide will be also included into the Internet site of the *CBAI*. Besides this the *CBAI* also tries to finance cultural activities of other associations.

There are two main intercultural magazines in Belgium, the *CBAI* magazine and the *Nouvelle Tribune*. Furthermore the integration centres in the Walloon publish a kind of newsletter, which reports on their activities. There are different private Radio stations such as the Mediterranean Radio (Greek, Italian, Portuguese and Spanish community) or Radio Si focussing on specific immigrant communities. Furthermore there is one Arabic radio and a French/Arabic radio, which have a very good reception. Radio Panik, an alternative radio, is cooperating with *CBAI* for some intercultural emissions and programmes. The *Radio Télévision Belge de la Communauté française (RTBF)* (French television) has a weekly emission called *Sindbad*, which is trying to promote cultural diversity. They also have a special programme for the Muslim community. Besides this, *RTBF* does not have a special strategy regarding cultural diversity. Some young people working in immigrant associations have established a programme called *Cotbus* with the local TV station in Brussels. The Centre for Equal Opportunities and the fight against racism has published a handbook on experts with an ethnic minority background who are available for interviews and similar activities. In general the media in Belgium are not really interested in the issue of cultural diversity.

Finally the work of the Roi Bedouin Foundation, which has a focus on intercultural issues and always funds projects regarding multicultural questions, should be mentioned. They are the only foundation in Belgium with this specific focus.

4. Measures taken to Improve Cultural Diversity and Remarks on the National Situation

While there are quite a few different good practices to single out in Belgium, they are mostly found in the Flemish part of Belgium. Most of the good practices are implemented by state organisations, however they are supported by all social partners and have in some cases only been made possible through the engagement of non-governmental organisations and immigrant self-help organisations.

Within the framework of the Territorial Employment Pact, which was set up in 1998 by the industry, private sector, trade unions, education sector and the employment office and Employment Ministry of Brussels, a special campaign on "Combating discrimination in recruitment" was started. Seminars were carried out under the theme: "Managing diversity: a challenge for tomorrow's companies" and were organised in close co-operation with the Centre for Equal Opportunities and the Fight against Racism. These seminars mainly focussed on exchanging experiences the different employers had made with personnel with ethnic minority background and finding solutions to problems related to discrimination and conflict.

In 1998 the Flemish government in co-operation with the Social partners signed an agreement to fight racism, combat discrimination and improve the qualifications of immigrants and ethnic minorities. The overall aim was to increase the participation of immigrants in the labour market (private and public sector) up to the level of their presentation in the overall society through the implementation of Positive Action Plans in the public and private sector. So-called positive action managers, are approaching companies which have been pre-selected by the social partners asking them if they are interested in promoting cultural diversity by writing up an Positive Action Plan. If the employers are interested in this programme they can obtain a grant up to a maximum of 500000 Belgium Francs (12750 Euro) for implementing the Positive Action Plan. Enterprises can receive this funding only one time. However if they want to get funded a second time, they have to agree on specific targets of employing immigrants in order to be eligible for funding. The process of implementation usually has four phases:

1. Problem analysis: What are my problems regarding the promotion of cultural diversity (e.g. no migrant workers, racism in the workplace etc.)
2. Causes analysis: What are the reasons for these problems?
3. Remedies and drawing up Positive Action Plan: What can be done?
4. Implementation: Doing it.

Remedies, for example, include new recruitment strategies as, for example, co-

operating closer with immigrant self-help organisations and NGOs active in this area, the setting up of special integration programmes during the first weeks of employment of a new worker, and training measures at the work floor directed at the normal staff and the ethnic minority workforce. In some bigger companies, special Train the Trainer programmes have been set up in order to ensure a bottom-down approach and support so that the ground levels of a firm are also reached. Awareness raising of trade unions members and shop stewards is often also part of the Action Plans. In 1999 they could motivate 43 companies that had drawn up a Positive Action Plan. 140 companies altogether have set up a Positive Action Plan. All companies participating in the programme have every six months after the signature of the positive Action Plan to send a report on their actions, on the outcomes and the problems and difficulties they faced when implementing the Action Plan. These follow-ups are monitored by the individual Positive Action manager. After the end of the first phase of the Action Plan, which is financed by the Flemish government, some companies decide to continue these activities and finance the measures by themselves.

One public firm, which has signed the above-mentioned Positive Plan and has developed different measures qualifying as good practices is the *Vlaams Radio en Televisieomroep (VRT)* (Flemish Radio and Television Station). In 2000 the *VRT*, the official broadcasting company in the Flemish part of Belgium, which has two TV stations and main radio stations and employs around 2700 persons, of whom around 27 have an ethnic minority background, started a public campaign regarding ethnic minorities. Its main aim is to recruit more persons with an ethnic minority background for the *VRT* and to make ethnic minorities more visible on TV and radio. In order to reach these goals, a member of staff was appointed as an ethnic minority consultant for the *VRT*. In order to increase the number of ethnic minorities working with the *VRT*, the *VRT* has established close contacts with immigrant organisations such as the *FORUM* and the Vlams Minority Centre. They send all job advertisements to these organisations in order to make the offers known by these channels to the immigrant communities.

Furthermore they are setting up an intercultural training programme for the personnel of the *VRT* in co-operation with the *Centre de formation pour le developpement (ITECO)*, an organisation that is specialised in the area of intercultural training. The *ITECO* also has analysed the system of recruitment and the advertisements of *VRT* and given recommendations on how to attract more immigrants. One problem is that the *VRT* is working in Dutch, but most immigrants in Belgium are more likely to learn French. Therefore they have also decided to offer Dutch language courses and publicise their advertisements in Dutch and French. Furthermore the *VRT* has set up a specialised network with representatives of immigrant organisations, specialists in the field, researchers and NGOs in order to discuss the issues of recruitment, portrayal and programming.

Within the wide field of activities by NGOs, the work of the *Centre Bruxellois d'Action Interculturelle (CBAI)* has developed certain activities contributing to cultural diversity in the workplace and are outstanding in Belgium through their innovative potential. The *CBAI* has set up a specific training course for multicultural mediators. This training course takes three years (two evenings a week) and is professionally recognised. They first started these training courses in 1985. They have now developed a second training scheme of the cultural mediator who is working in schools, hospitals etc. and functioning as a kind of mediator between the ethnic minorities and the Belgium nationals. This training is a two years full-time vocational training course. In this context the *CBAI* also has developed a special preparation course for young people who want to be trained as a cultural mediator but still are lacking certain qualifications for this training course. The *CBAI* is the only organisation in the French part of Belgium doing this kind of training for multicultural mediators.

Finally, examples of good practices are: activities for the labour market, the placement of migrants and intercultural seminars with public institutions, organised by the regional integration centres in the Walloon region.

Until now Belgium, especially when reviewing the political discourse, has not accepted that it is a country of immigration. Belgium still is not perceived as a multicultural country with a multicultural society. However it would be very important that the government and politicians take a clear stance on these issues and promote openly the concept of cultural diversity. This would most likely also have an impact on the public and private sector. There is still a need for further training in the area of intercultural relations and cultural diversity. The positive resources of immigrants and the capacities of ethnic minorities should be identified and stronger promoted. The positive side of encouraging cultural diversity has to be shown. Immigrants and ethnic minorities have to be seen as an asset.

Cultural diversity at the work place has only been a question for the last two years. It is mostly discussed in bigger companies and in sectors of the labour market with a high immigrant participation such as hospitals, the constructions sector etc. Furthermore the IT sector is more and more interested in the question of cultural diversity. Most companies and sectors have introduced anti-discrimination clauses in their labour contract or labour agreements however they have mostly a symbolic function.

Many larger companies have changed their holiday regulations to allow their employees to travel home for longer periods. Furthermore some also take Ramadan into consideration and give their employees free time during this period. Companies such as Volkswagen, Schindler and Johnson Mate take special holidays into consideration, however during this period they hire personnel from interim companies.

There is a number of companies which have participated in the scheme of the Flemish government to implement Positive Action Plans. The implementation of programs and individual measures for fighting discrimination and racism in the workplace is usually not a problem of financing. Especially larger companies have enough funds to support these activities. This is currently especially supported by the fact that unemployment is going down and there is a high demand for labour force. While employers often have been keen to implement measures to promote cultural diversity, the co-operation with trade unions is much more difficult. However, there is a big difference between the leading structure of the trade union, which encourages anti-discrimination measures and the members who are more afraid of competition and thus tend to show some kind of discriminatory behaviour.

A special problem in the Brussels region is that for many jobs, especially in the public sector employees have to know Dutch and French. Many times if they only know one language this can pose a severe obstacle at the point of recruitment. However some employers are beginning to accept their personnel only speaking French and are starting to offer language courses in the other language. In the Flemish part of Brussels the Flemish government has organised language training in the Dutch language. Understanding this problem, some companies in the Flemish part of Belgium have started to offer language courses to their employees. For example in the health sector, where there is a constant shortage of workforce and a lot of immigrants and persons with ethnic minority background are working, they have set up specific language courses regarding all technical aspects of the job. These programmes and measures should not be exclusively open for immigrants and ethnic minorities in order to prevent that one group feels excluded or has the feeling that one group is supported in a specific way.

Regarding the public sector there is still a lot of action needed to promote cultural diversity. The public sector is currently setting up a specific Action Plan regarding immigrants and discrimination. This Action Plan will be published in order to work as a model role and also put more pressure on the private sector. Changing the public sector is a very slow process. Campaigns regarding the public employment sector up to now have only had a very small impact. Especially on the local level the administration was not very open to the issues of cultural diversity. There is still the idea that only Belgium citizens can work for the public service, although only jobs that are dealing with security measures or where Belgium law is enforced are reserved to Belgium nationals.

While there are many positive measures and also legislative frameworks enabling the fight against discrimination has improved considerably over the last years, a more intensive dialogue between the state authorities, employers and trade unions is still needed in the future to encourage and implement new initiatives and measures to promote cul-

tural diversity in the workplace and fight discrimination.

5. List of Organisations and Agencies Active in the Field

5.1. Public Institutions

Centrum voor Gelijkheid van Kansen en
voor Racismbestrijding
Centre pour l'égalité des chances et la lutte contre le racisme
Professor Dr. Johan Leman
Wetstraat 155 (8ème étage)
1040 Bruxelles, Belgien
Tel.: 0032 2 233 06 11
Fax: 0032 2 233 07 07
leman@antiracisme.be

Ministère de l'Emploi et du Travail
Luc Schingtienne
Rue du Commerce nr. 76-80
1040 Bruxelles
Tel.: 0032 2-233 51 11

Office Régional Bruxellois de l'Emploi
Pacte Territorial pour l'Emploi
Boulevard Anspach, 65
1000 Bruxelles
Tel. direkt: 0032 2 505 14 39
Fax: 0032 2 511 3052

Commissariat Général aux Réfugiés et Apatrides
Pascal Smets
North Gate I
Boulevard Roi Albert II, 6
1000 Bruxelles
Tel.: 0032 2-205 51 11
Fax: 0032 2-205 51 15

Centrum voor Buitenlandse Arbeidersgezinnen vzw (CEBAG)
(Centre for Foreign Workers' Families)
Andrea Meire: Waarlooshofstraat 5
2020 Antwerpen
Tel.: 0032 3-238 3267

Centrum Buitenlandse Werknemers vzw (CBW)
(Foreign Workers' Centre)
Van Daelstraat 32.35
2140 Borgerhout
Antwerpen
Tel.: 0032 3-235 3265 235 3406

Ministerie van de Vlaamse Gemeenschap
Administratie Werkgelegenheid
Michiel Van de Voorde
Markiestraat 1
room 841 8th floor
Tel.: 0032 2 553 40 32
michiel.vandevoorde@ewbl.vlaanderen.be

Eric Buysens
Cabinet du Ministre Eric Tomas
Boulevard du Régent, 21-23
1000 Bruxelles
Tel.: 0002-506 33 11

info.tomas@tomas.irisnet.be

Michel Pasteel
(in charge of the government's proposal on changing the antiracist legislation)
Tel.: 0032 2 233 50 65
Fax: 0032 2 233 51 31

5.2. Trade Unions

Algemeen Christelijk Vakverbond and
Confédération des Syndicats Chrétines (ACV/CSC)
Sandra Rosvelds
Chaussée de Haacht 579
1031 Bruxelles
Postadresse:
Postbus 10
1031 Brussels
Tel.: 0032 2-246 3111
Fax: 032 2-246 3010
webmaster@acv-csc.be

Fédération Générale du Travail de Belgique
(ABW/FGTB)
Annick Tiré
Rue Haute 42
1000 Brussels
Tel.: 0032 2-50 682 11
Fax: 0032 2-502 52 64

Service des Travailleurs Migrants de la FGTB
Rue Haute 42
1000 Brussels
Tel.: 0032 2-511 6466

Union des Confédération de l'Industrie et des Employeurs d'Europe (UNICE)
Mr. Oliver Richard, Advisor Social Affairs
rue Joseph II, 40
1040 Bruxelles
Tel.: 0032 2-237 65 35
Fax: 0032 2-231 14 45

5.3. Confederations of Employers

Vlaams Economisch Verbond (VEV)
(Flemish employers association)
Steven Van Muylder
Tel.: 0032 3-202 4415
steven.vanmuylder@vev.be

5.4. NGOs

Centre Bruxellois d'Action Interculturelle
Massimo Bortolini
Avenue de Stalingrad, 24
1000 Bruxelles
Tel.: 0032 2-289 70 50
Fax: 0032 2-512 17 96
cbai@skynet.be

Forum
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Denmark

1. Developments of Migration and Population

Since the Danish labour market was dominated by the agricultural sector during the early twentieth century, there was only limited need for foreign labour prior to the sixties. Prior to 1967 the majority of foreigners living in Denmark had come from the neighbouring countries and the United States. However, from the mid-sixties onwards, after some years of rapid expansion in the industrial sector, labour shortages occurred and foreign nationals were actively recruited to make up for the lack in the country. As in other European countries, the guest workers primarily came from the Mediterranean region, especially Turkey and later Yugoslavia, Pakistan and Morocco. These first labour migrants were mostly employed in the manufacturing industries, especially in the metal industries, in positions, which did not demand skilled qualifications. Some also found work in the food-processing industries, plastic and glass goods manufacturing, and in market gardening. Over time some of them have become bus and taxi drivers, started their own businesses, or become bilingual employees in schools and kindergartens (cf. Wrench 1997)

With the onset of a general recession at the beginning of the seventies, lax immigration legislation was substituted by harsh controls, so that immigration was generally banned, notwithstanding exceptions for residents of Nordic countries and, with the joining of the ECC, citizens of its member countries. The industries in which immigrants tended to be employed were heavily affected by the economic downturn; during the seventies and eighties immigrants increasingly shifted to jobs, which the native population did not desire to carry out due to low pay and unfavourable working conditions.

Many of those, however, who had obtained residence permits under the favourable immigrant legislation in the sixties, chose not to leave the country. What is more, many of them decided to reunite with their family, which was also a possibility under the new legislation. In addition to this, immigrants granted temporary residence permits based on humanitarian reasons started to enter the country. Amongst these, there were refugees from the Iran-Iraq war and other conflict situations. As a result, the number of third country nationals, i.e. those that neither belong to the Nordic countries nor the member states of the ECC, rose from 500 00 to more than 100 000 during the eighties. In comparison, the number of EU (ECC) nationals residing in Denmark rose only slightly from 24000 to 27000 during the period 1970-90.

Traditionally, there has been a German-speaking minority in the South of Denmark

(North Schleswig). However, there was no reliable data available on their situation; neither was there any evaluation of the situation of the indigenous Inuit population in Greenland, nor of the Faroese-speaking minority on the islands of the same name. Due to autonomous status of the latter two provinces, they are usually dealt with separately.

It is important to note that in Danish official statistical and governmental publications there is no explicit discrimination between the terms ethnic minorities and migrants; the terms are used in a rather interchangeable manner to refer to any individual who is from a visibly different ethnic or national group (cf. Hansen and McClure 1998). In an attempt to be seen as more politically correct and to avoid terms with derogatory connotations or which are now perceived as such, there has been an explicit restriction on some terms in official use. The result of this endeavour, however, is a very loose usage of descriptive terms such as 'migrant', 'ethnic minority', 'refugee', 'foreigner' and 'asylum seeker' in both official discourse and common parlance.

However, a distinction, which is made continuously and determinedly – at least in official statistical publications – is between first and second-generation migrants. In 1991 it was proposed that an immigrant be defined as 'a person born abroad to parents (or a parent, where no information is available on both) who are foreign nationals or who are born outside Denmark' (Denmarks Statistic 2000: 12). Accordingly, a second-generation migrant is someone who, irrespective of their own place of birth or nationality, has parents who fit the definition of immigrants.

As of 1999, 259400 of the 5301 million residents in Denmark were of foreign nationality. They account for 4.9 percent of the total population. The immigrant population (i.e. persons born abroad of parents who either had foreign citizenship or who themselves were also born abroad) numbered 297000; including second or third generation descendants the number of people of foreign origin is 378000, which amounts to 7.1 percent of the total population. This latter number grew by 67 percent between 1990 and 1999. During the same period, the persons holding foreign citizenship and possessing a permanent residence permit rose by 61.5 percent.

TABLE 9: STOCK OF FOREIGN POPULATION IN DENMARK BY NATIONALITY [THOUSANDS]

	1985	1990	1995	1998	
	Female Population				
	[1000]	[1000]	[1000]	[1000]	[%]
Turkey	20.4	29.7	35.7	38.1	49.3%
Former Yugoslavia	7.9	10.0	28.1	34.5	48.7%
United Kingdom	9.7	10.2	12.1	12.9	35.7%
Norway	9.8	10.2	11.1	12.2	58.2%
Germany	8.2	8.4	10.6	12.4	46.0%
Sweden	8.1	8.2	9.1	10.4	56.7%
Iran	4.7	9.0	7.4	6.3	46.0%
Iraq	0.7	2.8	7.1	11.3	43.4%
Somalia	..	0.6	6.9	13.1	46.6%
Pakistan	6.6	6.2	6.6	7.1	53.5%
Sri Lanka	0.6	5.1	5.7	5.1	54.9%
Poland	2.2	4.7	5.3	5.5	69.1%
United States	4.3	4.5	5.1	5.2	44.2%
Vietnam	3.7	3.7	5.0	5.2	53.8%
Iceland	3.3	3.0	4.8	5.9	49.2%
Lebanon	0.2	3.2	4.4		52.2%*
Morocco	2.3	3.0	3.3		45.0%*
Netherlands	1.6	2.0	3.2		40.6%*
Thailand	0.6	1.4	2.7		85.2%*
France	1.7	2.0	2.6		46.1%*
Italy	1.8	2.0	2.3		26.1%*
Finland	1.8	1.8	2.1		61.9%*
Philippines	0.8	1.3	1.8		77.8%*
Switzerland	1.1	1.1	1.1		
Other countries	15.8	27.4	39.7	71.0	52.0%
Total	117.0	160.6	222.7	256.3***	49.9%
Of which: EU *	35.6	37.7	57.2	53.2	44.4%
Total women	54.0	75.2	109.2	128.0	0.0%

* Percentages for 1995

** All figures include the 13 countries (excluding Denmark and Austria) of the European Union as of 31st December 1995.

Figures do not include Belgium and Luxembourg in 1995.

*** EU 15

Source: SOPEMI 1999.

The long-term immigration flow of foreigners was largely stable in the eighties and early nineties (on average 15000). However, this number rose sharply, mainly being caused by the granting of refugee status, and thereby permanent residence permits, to asylum applicants from Former Yugoslavia. Despite a continuous increase in the annual outflow of foreigners since 1992 (6700 in 1997), the corresponding inflow exceeds the former by far. The vast majority of the emigrants are nationals of OECD member countries.

Turkish citizens, whose numbers have grown by 25 percent over the nineties, continue to constitute the largest group of foreign citizens (38000). They are followed by citizens

of Former Yugoslavia. The latter's number increased from 10000 in 1980 to 35500 in 1990. This sharp increase can mainly be attributed to the above-mentioned growth in the issue of residence permits. For similar reasons, the number of recorded Somali citizens rose from 600 in 1991 to 14300 in 2000 and that of Iraqis from 2800 to 12700. Other groups of foreign citizens, who are important especially with respect to the labour market, are the Swedes (10800), the British, the Germans and the Norwegians (between 12600 and 12700). The latter's numbers have increased between one quarter and one half over the same period.

For most migrant groups the proportion of males to females has been close to 1:1 during the last twenty years. Thus, for instance, in 1998 of the 38800 Turkish nationals in Denmark 18800 were women. Similarly, in the same year for refugees from Former Yugoslavia, Iraq and Somalia, migrants from Norway, Sweden and Germany the numbers are rather equal, with a slight majority for the Somali and Iraqi males, but a striking excess of males from the UK over their female counterparts (4600 females out of a total of 12900).

Geographically, there is a very uneven distribution of foreign citizens and ethnic minorities in Denmark, with over half of all the refugees and immigrants living in just ten districts or 'kommunes' out of 295. The North of the country is very sparsely populated with immigrants; most are concentrated in the Copenhagen region, particularly to the South and West of the city, and others are found in the larger cities such as Århus, Odense and Ålborg (cf. Wrench 1997). However since 1998 recognised refugees and asylum seekers are allocated all over the country.

Compared with previous generations of immigrants such as the Turks, who often migrated from rural areas, refugees in Denmark are more likely to have come from urban centres and often are equipped with a higher level of education upon arrival. Refugees are allowed to work, but only after a proper refugee status has been achieved. Bosnian refugees were initially forbidden to work because they were only given a preliminary status, which by now has been amended to a full refugee status. Refugees are given a 18 month period of 'Introduction to Danish Society', with certain social benefits paid, but these are not available to immigrants entering for family reunion purposes (cf. Wrench 1997).

Labour market developments

In 1998, the working-age population totalled 3.6 million. Of these, 243200 (6.8 percent) were immigrants and their dependants. The labour force participation rate for nationals of EU member states was 68 percent (73 percent for males, 62 percent for females); for those of Turkey 60 percent (71 percent for males 49 percent for females). For those

population groups dominated by recent refugees (Somali, Iraqi and Former Yugoslavia) these rates were expectedly rather low (14 percent, 27 percent and 43 percent respectively).

In 1999, the total number of employed persons was 2742 million. Of these, 114000 (4.3 percent) were immigrants and their descendants. In 1996, total employment had increased by approximately 30000 (1.1 percent); in the same year, employment among immigrants and their descendants increased by 10000 (ten percent).

The vast majority of immigrants in employment work as salaried employees (87 percent;), twenty percent are self-employed and one percent works in the informal economy. Of the salaried immigrant employees, around one third are employed in personal or public services, 22 percent work in commerce, clerical work, and catering and twenty percent are employed in industry. In comparison with the rest of the of the Danish population, immigrants are under-represented in agriculture, building and public and personnel services and are over-represented in commerce, clerical work, catering and industry. No significant changes in the employment distribution of immigrants have taken place over the last five or so years.

Not only do immigrants seem to be more susceptible to long-term unemployment, but also the average unemployment rate over the years is three times higher than that of non-immigrants. Their unemployment rates display considerably variation between the individual national groups, to which different reasons for entering the country apply (for instance, labour migration, as a refugee or seeking asylum, or under family reunification regulations). In combination with the respective educational level, and the duration of residence in Denmark this could help explain the exceptionally high unemployment rates amongst immigrants from Turkey (21.9 percent) and Former Yugoslavia (19.9 percent) in the year 1999.

Table 10 Denmark: Unemployed as a percentage of the labour force, by country of origin 1999

	Unemployed persons			Unemployed as percentage of the labour force*		
	Men	Women	Total	Men	Women	Total
	[number of persons]			[%]		
Total Denmark	72744	85416	158190	4.0	6.5	5.7
EU Countries	1648	1328	2976	7.5	7.8	7.5
Of which:						
United Kingdom	416	200	617	8.5	9.0	8.6
Sweden	199	337	536	5.8	7.3	6.7
Germany	479	437	916	6.6	8.0	7.2
Other Europe, total	4183	4284	8468	14.9	17.4	16.1
Of which:						
Yugoslavia (former)	1366	1204	2570	17.3	22.1	19.3

Norway	183	322	504	6.3	7.6	7.1
Poland	228	514	742	10.3	13.7	12.5
Turkey	2086	1762	3848	19.2	26.2	21.9
Africa, total	1327	703	2030	20.9	22.3	21.4
Of which:						
Somalia	421	193	613	41.8	54.8	45.2
North America, total	140	193	613	6.8	7.8	7.2
South and Central America, total	177	218	396	13.4	13.6	13.5
Asia, total	3890	2884	6774	18.3	20.8	19.3
Of which:						
Iraq	526	203	728	31.3	46.1	34.3
Iran	679	293	973	18.8	21.1	19.4
Lebanon	707	326	1033	28.6	47.1	32.6
Pakistan	621	496	1116	15.1	24.3	18.2
Sri Lanka	352	351	703	15.7	26.8	19.8
Viet Nam	376	336	711	14.9	19.9	16.9
Oceania, total	25	15	40	5.3	6.0	5.6
Stateless and not known	68	35	103	25.4	35.2	28.0

Note. Figures in the table are based on information for the relevant persons at the end of the year.

* Labour force as calculated in Statistics Denmark's labour force statistics for 1999.

Source: Danish Statistical Yearbook, 2000.

Conversely, unemployment rates for immigrants from Norway, the European Union and North America are similar to that of the non-immigrant population. Turkish immigrants, who initially entered the country as labour migrants and were subsequently joined by their families, are predominantly employed in low-skill occupations the number of which is increasingly diminishing. The refugees from Former Yugoslavia are a new immigrant group, which has needed some time to integrate itself into the Danish labour market.

2. Anti-discrimination Legislation with regard to the Labour Market

There are no articles in the Danish Constitution explicitly forbidding racial discrimination. Only section seventy of the Constitution prohibits "deprivation of civil or political rights based on religion or origin". Apart from this, many provisions in the Danish Constitution are only restricted to Danish citizens. Until 1996 there was no legislation focussing on discrimination of non-nationals in the labour market. To this end the Act on the Prohibition of Discrimination on the Labour Market was introduced in 1996. Prior to 1996 Denmark has signed some international standards prohibiting discrimination such as the International Labour Organisation (ILO) Discrimination Convention on Employment and Occupation in 1968, the International Convention on the Elimination of All Forms of Racial Discrimination in 1965 etc. As interpreted by the Danish Ministry of Justice Denmark has certain obligations under the ILO Convention 111 to set up policies that ensure

equal opportunities and conditions of work that prohibit discrimination on the basis of race, colour or nationality. However, prior to 1996 neither in the criminal nor in the civil legislation racial discrimination in the labour market was prohibited, and the prominent role of collective bargaining and the importance of the co-operation between employers and trade unions meant a kind of protection against discrimination for migrant workers. Collective agreements between the *Dansk Arbejdsgiverforening (DA)* (Danish Employers' Federation) and the *Landsorganisationen Danmark (LO)* (Danish Confederation of Trade Unions) were seen as a main instrument to combat racial discrimination in the labour market. Based on these agreements, for example, arbitrary dismissals could be brought before the Industrial Tribunal but no specific regulation existed concerning racial discrimination. This has to be understood in connection with the Nordic tradition that issues such as racism and discrimination should be solved through voluntary agreements between those concerned, in this case the trade unions and employers associations.

The main instruments to fight racial discrimination in the labour market prior to 1996 were therefore outside the legal sphere. There were large information campaigns promoting understanding, tolerance and openness towards migrants and refugees in the Danish labour market. Private employers, who recruited persons from an ethnic background, were financially supported by the government. For example, in 1994 the Danish government introduced the "Ice-Breaker Arrangement" which offered financial support to small businesses interested in hiring migrant workers, should they not have hired such a person previously. Due to the success of the programme, it was enlarged in 1996, also focussing at that point on businesses of up to 250 employees in the fields of trade, service and production. These companies were accordingly subsidised if they employed migrant workers. Furthermore the *Arbejdsformidlingen (AF)* (Public Employment Service) established the post of four consultants in the Employment Office of the Copenhagen Area who had the task to offer advice to unemployed persons with a migrant background. Three of the recruited consultants themselves had an ethnic background.

In the middle of the nineties, the Danish government decided to become more active against racial and ethnic discrimination. The high unemployment of migrants was cited as one central evidence of existing discrimination. Due to this, the new Act on the Prohibition of Discrimination on the Labour Market came into force. The law focuses on any kind of unequal treatment (direct or indirect) based on race, skin colour, religion, political view, sexual orientation or national, social or ethnic origin. When recruiting a new employee, the employer is not allowed to ask the candidate any questions relating to the above-mentioned aspects, nor is he or she allowed to take these into consideration when recruiting. If the law is not followed, a fine can be issued. Section four of the Danish Act on Prohibition against Differential Treatment on the Labour Market prohibits an

employer to compile or receive information about race, colour, etc. in connection with the recruitment of people or during the continuance of their employment. Furthermore the new law allows certain types of positive action including preferential treatment, quotas and positive encouragement. The burden of proof however still lies in most cases with the victim and not with the employee. Furthermore issues, such as the phenomenon of racial harassment between workers, remain unaddressed.

3. Institutional Development in the Area of Cultural Diversity in the Workplace

Anti-discrimination in employment and the promotion of cultural diversity in the workplace are rather new themes in the Danish context. There are several institutions at the state and NGO level dealing with these themes. Furthermore trade unions and some enterprises have demonstrated a growing interest in these issues.

One important institution at the state level dealing with cultural diversity and anti-discrimination is the *Naevnet for Etnisk Ligestilling* (Board for Ethnic Equality). The Board for Ethnic Equality was established in 1993. The Board is independent, has its own budget, but is integrated into the Ministry of Interior. The board has seventeen members and there is an executive board. It is an advisory board and its aims are to ensure that racial equality forms an integral part of life. It is also the task of the Board to combat all forms of discrimination and help to ensure that all ethnic groups in the community, regardless of their difference in background, are able to exercise their activities on equal footing. The Board advises the Parliament, Government, local and central authorities, local institutions etc. However, the Board is not empowered to investigate individual cases. As labour market integration and anti-discrimination is perceived as an important subject, the Board has set up a specific Working Group relating to this area. The Labour Market group has been involved in various initiatives promoting and establishing positive measures and best practices in the workplace. In 1999 the Board published a theme booklet on "Ethnic Equality in Local Government Personnel Policy". This included a toolbox for local authorities to recruit and work with members of ethnic minorities. In this context the Board also advised the Danish Immigration Service in how to recruit more persons with an immigrant background and develop a specific recruitment and personnel policy to be incorporated by the Immigrant Service. In order to give a positive example, the Board for Ethnic Equality revised its own personnel policy and mission statement concerning the goal of ethnic equality. Apart from this, guidance notes concerning the Act on the Prohibition of Discrimination on the labour market were developed in co-operation with the Ministry of Labour.

The Ministry of Labour in 1994 published an Action Plan on how to break down barriers

to employment for immigrants and refugees. The plan, which was first implemented over two years, contained measures such as more language classes for immigrants, special courses and better guidance. Employees of the labour offices were to receive special training on guidance for immigrants and refugees and special funds were provided (e.g. Ice Breaker scheme). By the end of 1995, between 200-300 placement officers had participated in these training courses. The Action Plans and the Ice Breaker programme were continued in the following years. In 1999 recipients of in-cash contributions were also allowed to receive funding under the Ice Breaker programme apart from persons receiving money under the unemployment insurance. Furthermore the Ministry has two other special funding schemes: the programme for people with a high risk on long time unemployment (nine million Kronea per year) and the programme for special projects concerning weak groups including ethnic minorities (24 million Kronea for three years).

The Ministry of Finance has set up a fund promoting language courses for ethnic minorities with language problems. Up to 10000 Kronea per year can be spent on all employees with need for language courses. The amount of the fund is ten million Kronea in the year 2000, and ten million Kronea in 2001. Furthermore in 1998 the Ministry of Finance in co-operation with the Board for Ethnic Equality organised a conference with the title "Ethnic quality - what to do in central government workplaces" as well as various round tables in 1999 focussing on the same theme. Following that, the Ministry published an Action Plan and report entitled "With diversity as the goal: A survey of possibilities of and barriers to ethnic equality and integration of ethnic minorities in central government workplaces."

Within its programme "Ethnic bridge builders", the Ministry of Social Affairs tries to motivate private companies to employ people with a different ethnic background. Bridge builders are "paid" by the fund to introduce the employed immigrant, and help him/her to integrate in the workplace.

The Ministry of Education also administers a special fund for language competence. This is aimed at foreigners who already work, but have a lack of Danish language skills. The project is called "Danish at work", and is a co-operational scheme between language centres and private and governmental institutions. The project will last from 2000 to 2003, and has a budget of all in all five million Danish Kronea.

The Ministry of Business and Industry has set up guidelines on how public-sector workplaces can create a diverse labour market through the introduction of social clauses in public contracts with private enterprises. The Government subsequently set up a committee for the implementation of social clauses in January 2000. In the autumn of 2000 the committee completed its work by issuing guidelines on how to use social clauses in companies and local authorities, including guidelines on the associated aspects of EU

law. With the guidelines "Social clauses in practice" from the Ministry of Business and Industry, the Danish Government clearly calls on public and private companies to use social contracts for the promotion of ethnic equality and inclusiveness on the labour market.

At the regional level, different government authorities have taken up initiatives such as establishing special personnel policies for immigrants and ethnic minorities. The public employment service in Copenhagen (*AF*) is an important institution in the Danish Labour market. Its main role is to support unemployed persons in finding a new job. To this end, it also provides information and guidance on how to find a job, how to perform well in interviews, etc. In this context the *AF* is also providing professional counselling to immigrants and ethnic minorities and taking care of their submission to vocational training and employment. In order to fulfil this task, the *AF* in Copenhagen has hired special career counsellors for persons with an ethnic minority background. In 1995 the City Council in the Arhus County for example published with the support of the Ministry of Labour a newspaper called "On Equal Footing" which was distributed to all employees of the council and the community. The newspaper presented stories about ethnic minorities who are currently employed in Arhus.

At the municipal level there are also different activities designed to promote cultural diversity. For example, there has been a training course for all leaders within Copenhagen municipality as a consequence of other and new demands on leaders, when working in a diversified atmosphere. All leaders (4500) have participated in a one daylong seminar (more than 90 seminars were carried out on these topics).

In general there is a growing interest on the part of employers and the Employers Association in the subject of cultural diversity. The *Danks Arbejdsgiverforening (DA)* (Danish Employers Federation), which functions as a link between the employers unions and the government, has sixteen member organisations and is responsible for the general government politics, general issues concerning Danish employers. The *DA* is generally supports the development of social responsibility among companies. This also includes support for equal opportunities and anti-discrimination. The *DA* is in agreement with the Danish Trade Unions on how to deal with ethnic problems in the workplace. Work councils are seen as the central unit in the enterprise for dealing with ethnic relations. The work councils are platforms where substitutes deal with representatives of the companies. These agreements with the Trade Unions are now fifteen years old. A year ago, in 1999, the Social Partners agreed in corporation to give the work council even more competence in dealing with the issues of the discrimination of women and ethnic relations. If there are conflicts and tensions, which result from a problem of interpretation, a board of settlement is established.

Some private sector companies are beginning to turn their attention to special projects to encourage job applicants from ethnic minority backgrounds. For example, *FBD*, the national retail and wholesale chain, is operating special schemes combining work experience, vocational education and language training directed at assisting migrants to obtain warehouse and stores work.

Within the trade unions movement there has been a general interest in immigrant issues for many years, however, the promotion of cultural diversity and anti-discrimination have only played a marginal role. Most of the trade unions try actively to affiliate immigrant workers as they hope through this way to avoid conflicts with the Danish workers and problems related to long hours etc. Despite this effort the percentage of immigrant workers and persons with ethnic minority background in trade unions, especially at the level of higher functionaries, is still low. Only the Restaurant and Brewery Workers Unions managed to recruit immigrants in its central committee. The *Landsorganisationen Danmark (LO)* (Danish Confederation of Trade Union) is the largest trade union confederation and affiliates mainly unskilled and low skilled workers. Within the union, there is a board for the integration in the labour market of ethnic minorities. This union board has a secretary and each union has a head in this body. The next meeting will deal with good practices and good projects. The *LO* also has prepared a manual for employers and work councils which focuses on four main themes. First, how to prepare the workplace before you employ members of ethnic minorities; second, how to recruit immigrants and attract them through advertisements in national or local papers. Third, what to take into account, when you employ a person with an ethnic background (e.g. global and practical experiences) and finally, how do you deal with immigrants on the everyday level.

The Women's Union, which is nearly hundred years old, affiliates around 100000 members. It is the only union in the world, which organises unskilled women only. They have done something for women and ethnic women and teach problems of ethnic relations at the Trade Union School in Roskilde. The women's trade union has also started activities together with *AOF-Ballerup* (a school specialised for the training of migrants and ethnic minorities), such as language courses for immigrant members.

In 1998 the Danish Employers Federation (*DA*) and the trade unions designed a general agreement on ethnic minorities, which was published as part of the article of gender equality. This agreement includes several aspects of anti-discrimination also concerning ethnic minorities. Furthermore Danish trade unions and employers associations have, based on a research project, identified anti-discrimination practices in the workplace. A central issue in the workplace was the question of the headscarf. Here, an agreement was reached to finish the discussion of this topic. Now in most enterprises it is allowed

to wear a headscarf. Some Danish enterprises have even included the headscarf into the uniform of their female employees. The topic of developing specific curricular and teaching tools for ethnic problems in the workplace and integrating them into the mainstream training programme, which every shop steward receives, is currently being discussed within the trade unions. At the moment, trade unions only offer specific weekend seminars on these topics, but they are not obligatory.

Of specific interest in the *Netvaerk i Fagebevaegelsen (NIF)*, a network of ethnic minorities within the trade union movement co-ordinated by the *Arbejderbevaegelsens (AIF)* (International Workers Forum). Initially it was financially supported by the *LO* and it still has the support of a number of major Danish unions. *NIF* is not a separate trade union organisation in itself but a network of foreigners, ethnic minorities and refugees who are members of trade unions. The network is an outcome of the campaign "Room for Everyone", which was launched by the *AIF* on behalf of the Danish trade unions in 1993. There are around 150 active members organised in the *NIF*. The aim of the *NIF* is to improve the conditions for ethnic minorities in the labour market and to build bridges between ethnic minorities and trade unions. Discrimination at work is combated and migrants and refugees should be brought to a position in which they can defend their own rights. Furthermore the conditions of the labour market should be improved. In this context they try to activate union members with an ethnic minority background to become involved in union matters. On the other hand, they try to make the unions aware of the ethnic minorities needs and make them more sensitive towards immigrant issues.

In the field of NGOs, there is the "Labour Market Network" which is made up of the *Danks Fygtningehjaelp (DRC)* Danish Refugee Council, the Danish Association for International Co-operation, the Documentation and Advice Centre on Racial Discrimination in Denmark, the Association for Integration of New Danes in the Labour Market, the Room-for-Everyone campaign and the Board for Ethnic Equality. The objectives of the Network are to keep each other mutually informed about and co-ordinate/co-operate on current initiatives to promote ethnic equality on the labour market. Furthermore there are number of immigrant and ethnic minority self-organisations which are overall concerned with the practical labour market integration of migrants. Cultural diversity in the workplace within their specific work, up to now has only played a minor role. Some of these organisations cooperate within the framework of the *Radet for Etniske Mioreteter (REM)* (Council for ethnic minorities). Important in this context is however the work of the *Mellemfolkeligt Samvirke (MS)* which has started a discussion about this issue and is actively trying to prevent discrimination of ethnic minorities in the Danish labour market. Furthermore they have published a brochure on positive practices and projects in the field of labour market integration of ethnic minorities in Denmark as well as a booklet on cultural diversity management for human resources departments.

4. Measures Taken to Improve Cultural Diversity and Remarks on the National Situation

Denmark has only for a relatively short time been interested in measures promoting cultural diversity in the workplace. A variety of different measures in the public sector, within the work of the trade unions but also concerning large employers can be found.

In 1999 the Board for Ethnic Equality (*NEL*) established the concept of batons (a kind of award) which can be passed on to individual institutions. The baton in this respect is a kind of incentive for institutions to become active in the area of anti-discrimination and anti-racism. In this context the Board is organising a national conference once a year with the aim of convincing institutions to take a step to initiate a one-year-Action Plan concerning concrete measures in the area of anti-discrimination and integration measures inside their institution. In 1999, for example, the Confederation of Trade Unions (*LO*) and the Employers Confederation (*DA*) received batons. Based on this, the *DA* became active in promoting the local integration boards and published a brochure on local integration work. Furthermore *LO* and *DA* jointly organised seminars and local events on this issue in various Danish businesses. The *LO* also published an information leaflet for its members called "The Labour Market and Ethnic Equality". On the basis of these more general activities for promoting anti-discrimination and cultural diversity, a specific working group was established concentrating only on batons (incentives) in the corporate sector (corporate baton). This group, which includes all social partners and private and public businesses (police, housing associations, universities) meets regularly to discuss ideas and initiatives in relation to ethnic equality and cultural diversity in the workplace. The members of the groups furthermore exchange experiences and concrete proposals such as ethnic personnel policies.

The service centre of the city council in Nørrebro, which is a district in the Copenhagen area with a very high percentage of immigrants (around 30 percent), is dedicated to channelling citizen immigrants and others to the welfare system in terms of advice and help. This council has established integration strategies, such as culture and free time activities. As only ten percent of the council staff are immigrants, an integration plan has been established. The strategic goal of the plan is to integrate thirty percent of the immigrants as staff. Immigrants are to be recruited for any kind of work. In order to recruit more immigrants, street workers have been employed who are trying to mobilise immigrants. Furthermore, job advertisements are forwarded to ethnic minority groups and immigrant self-help organisations in Nørrebro.

The *LO* has developed a pilot project, which is based on an idea they discovered in France. The project is based on the concept of a godfather-godson-relationship and is using employers as volunteers. It should cover 600 young immigrants aged 16 to 25

from milieus in which employment is difficult. The "guide project" (as it is called by the Union) is organised in co-operation with the Danish Refugee Council (*DRC*) and is based on the idea that some young immigrant people "get lost" on the way between school and training/work. It is also based on the assumption that Danish people in general know very little about the lives of immigrants in Denmark. Shop stewards are mobilised to take the role of godfathers for young possible employees. The shop steward should care for the youngsters in terms of being a middleman between the job and Danish society as such. Furthermore, the godfather should have very close relations with the family of the young protagonist. The main idea is that the godfather communicates with the youngster and lets him join political, social and economic networks, and most important of all, makes it possible for him to enter the Danish labour market. One of the basic ideas of the project is that the contact has to be voluntary on both sides. Partners will be representatives from the school system, social welfare offices, youth clubs and local ethnic organisations. The project takes the responsibility of matching the adult and the youth, for instance, same-sex combinations are always set up to avoid possible problems. The project will run for two years, and the goal is to match 300 youngsters with 300 adults.

In the year 2000 the Danish Ministry of Finance started a campaign with a special focus on improving the recruitment of persons with an ethnic background. This campaign will last for two years. One aim of the campaign is to make it a common policy that a sentence on race and anti-discrimination is included in all job advertisements. Second, there is a budget of ten Million Danish Kronea, which is reserved for improving the language competence of immigrants and ethnic minorities. Up to 10000 Kronea might be spent on employees who have problems with their languages because of their ethnic origin. Third, there is a budget of 300000 Danish Kronea to establish cultural diversity consultants.

The initiative of ethnic minorities in trade unions (*NIF*) has published a directory of 40-50 speakers, of whom most come from ethnic minorities, and who make themselves available to speak at meetings of Danish trade unions, in schools and other events all over the country.

Tele Denmark (TDC) (Danish Television Company) is one of the biggest companies in the country with 17000 employees. Within the framework of its social responsibility policy, it supports senior workers, women, handicapped and ethnic minorities. Concerning the promotion of ethnic diversity, *Tele Denmark* has the following policies. First of all, the composition of the staff should mirror the mosaic of the Danish. Second, persons with ethnic minority background should be acknowledged proportionately in recruitment. Third, the process of recruitment has to be non-discriminatory. In this context it is very

important to analyse the recruitment processes, as there is still only a limited number of applications from ethnic minorities. A consultancy has been contracted by *Tele Denmark* to undertake this analysis. Furthermore *Tele Denmark* awards a prize for the department, which has demonstrated the most success in promoting social responsibility. In the year 2001 the prize was awarded to a department in which 40 percent of the employees come from an ethnic minority background. All senior and middle ranked officers receive a two hours training on ethnic diversity within the framework of their general training courses. The subject of ethnic relations and cultural diversity was also discussed in the internal media of the company. Apart from this, *Tele Denmark* has developed two specific projects for ethnic minorities. One focuses on higher educated minority members who are unemployed. They are receiving training inside the company with the perspective of being employed afterwards. The other project is providing training to ethnic staff to work in Call Centres. Within its general framework, the company is offering Danish language courses, as Danish is the main business language. There is also a plan to eventually publish a manual and guidance book for managers of departments, staff and union members, with information on different cultures, cultural diversity and what kind of finance is available for intercultural projects.

There are few cases of open discrimination at Danish workplaces. Discrimination is usually hidden. The problem of Danish equal opportunity policies inside company is the structure of its industry. Danish companies are normally medium-sized companies or they belong to the public sector. Larger companies are the exception. Until now, only very limited financial or promotional initiatives exist for public employers to aim for ethnic equality. On the other hand, no specific resistance by civil servants to obstruct the implementation of new legislation in the area of anti-discrimination and integration can be observed.

For a handful of experts and political representatives in Denmark, the main problem of anti-discrimination in companies is the under-representation of ethnic minorities in government agencies, administrations and private companies. Therefore, a recruitment policy focussing especially on immigrants and ethnic minorities is considered the central issue of anti-discrimination policies. Until now the state has developed two areas of revising its recruitment policies in favour of ethnic minorities. The first is that they developed a new procedure in execution and control of recruitment. This was basically done through the training of human resources staff and the implementation of a new recruitment policy. Second, they reviewed the structure of the bureaucracy and their employment of foreigners. In this context it is also perceived as essential to have more knowledge about the representation of ethnic minorities in various industries, job categories and local areas. Similarly, income statistics by ethnic background will be a significant tool in the continued effort to promote ethnic equality on the labour market. In order to

be able to evaluate the effect of special positive initiatives a company launches to promote ethnic equality, it is also necessary to provide a statutory basis for registering and, in that manner, take stock of the number of employees from ethnic minority backgrounds. To this end, the Board for Ethnic Equality (*NEL*) currently is discussing with the Ministry of Labour and other state authorities the possibilities for implementing registration procedures in the public and private sector.

A major issue is that Danish people still have a basic idea of universalism and do not accept minority politics as part of their worldview. However, there are some initiatives to promote cultural diversity, which are not only on the level of discussion but have been transferred into practice. The examples of good practice indicate that here different actors are engaged at various levels in this field. These initiatives might develop and improve the political consciousness of the Danish public that there is a need to promote cultural diversity in different areas. The fact that for one year or so, the Danish government has been quite aware of the need to recruit more immigrant workers and foreign labour from outside due to the shortages of qualified labour all around Denmark might also support a new immigration policy which is also pressing towards a new policy of integration that includes elements of a cultural diversity strategy.

5. List of Organisations and Agencies Active in the Field

6.1. Public Institutions

Beskaetigelsesministeriet (Ministry of Labour)
Kit Lykketoft
Holmens Kanal 20
room 4050, 4th floor
Tel.: 0045 33 95 44 24
KLY@am.dk

Finansministeriet (Ministry of Finance)
Personalestyrelsen
Finansministeriet
Fredriksholms Kanal 6
DK-1220 Copenhagen K

Arbejdsmarkedsstyrelsen
(AMS) - National Labour Market Authority
Dorte Eltard
Blegdamsvej 56
Postbox 2722
DK-2100 Kopenhagen
Tel.: 0045 3528 81 09
Fax: 0045 3536 24 11
de@ams.dk

Naevnet for Etnisk Ligestilling (NEL)
Board for Ethnic Equality
Ministry of the Interior
Mrs. Mandana Zarrehparvar
mza@inm.dk

Frederiksborggade 15
3rd floor
Tel.: 0045 33 95 67 00
Fax: 0045 33 95 67 08

Radet for Etniske Minoriteter
Council of Ethnic Minorities '
(Ministry of the Interior)
Mrs. Lone B. Christensen (Chairwoman)
Christiansborg Slotsplads 1
DK - 1218 Copenhagen K
Tel. 0045 3392 6067
Fax: 0045 3392 4554

Folketingets Ombudsmand
Mr. Hans Gammeltoft-Hansen
Gammel Torv 22
DK - 1457 Copenhagen K
Tel. 0045 33 13 2512
Fax: 0045 33 13 0717

6.2. Trade Unions

Landsorganisations Danmark (LO)
Danish Confederation of Trade Unions
Rosenørns Allé12
DK 1634 Copenhagen V
Tel.: 0045 3524 6000
Fax: 0045 35 24 63 04

HK/Danmark (Trade and Office Workers Union)
H.C.Andersens Boulevard 50
DK 1780 Copenhagen V
Tel.: 0045 3330 43 43
Fax: 0045 33 30 48 99
www.hk.dk

Akademikeres Centralorganisatio (AC)
The Danish Confederation of Professionals Associations
Norre Voldgade 29
DK- 1358 Copenhagen K
Tel.: 0045 33 69 4040
Fax: 0045 33 93 85 40
ac@ac.dk

Fagforeninger mod racisme - Trade Unions against racism (JBF)
Hestemollestraede 5
DK-1464 Kopenhagen K

Speciaarbejderforbundet Danmark-Gen. Workers Union (SID)
Nyropsgade 30
PO Box 392
DK-1790 Kopenhagen V
Tel.: 0045-33-14 21 40
Fax: 0045-33-32 14 50

6.3. Confederation of Employers

Dansk Arbejdsgiverforening (DA)
(Danish Employers Federation)
Vester Voldgade 113
1790 Copenhagen V
Tel.: 0045 33 38 9000
Fax: 0045 33 93 17 82
Susanne Christensen
suc@da.dk

6.4. NGOs

Mellemfort Samvirk
Department of Ethnic Minorities
Borgergade 14
1300 Kopenhagen K, Danmark
Tel.: 0045 77 31 00 00
direct: 0045 77 31 00 99
Fax: 0045 77 31 01 00
shamsili@ms-dan.dk

Danish Center for Human Rights
Studiestræde 38
1455 Kopenhagen K
Tel.: 0045 3330 8888
Fax: 0045 3330 8800
Jette jo@humanrights.dk

Faellesinitiativet mod Racisme Common Init. Ag.Racism. (FIR)
Elmegade 27, kld.
DK-2200 Kopenhagen N

SOS Racisme Danmark
Avenue 18
DK-2200 Kopenhagen N
Tel.: 0045-315 91 164
Fax: 0045-864 26 422

Danmarks Radio - Indvandrerredaktionen
(Danish Radio-Immigrant Community Programmes Office)
Rosenørns Allé 22
1970 Fredriksberg C
Tel.: 0045 31 35 0647

Foreningen af Indvandrerarbejdere i Taastrup
(Taastrup immigrant Workers Association)
Medborgerhuset
Køgevej 71
2630 Taastrup

6.5. Research Institutes

South Jutland University Centre
Danish Centre for Migration and
Ethnic Studies (DAMES)
Tel.: 0045 65 50 10 00/ 0045 65 50 41 42
Fax: 0045 65 50 10 91
jh@sam.sdu.dk
es@suc.suc.dk

Danmarks Lærerhøjskole
Institut for historie
Emdrupvej 101
DK-2400 Kopenhagen NV

The Danish National Institute of Social Research
Borgergade 28
DK-1300 Kopenhagen K
Tel.: 0045 33 13 98 11
Fax: 004 533 13 89 92

6.6. Others

Muharrem Awdas

Danish Telekom
Rekruttering & Mobilitet, BHRR
Tegholmegade 1, H067
0900 Kopenhagen C
Tel.: 0045 33 83 42 08
Fax: 0045 33 20 38 60
(mobil: 0045 20 21 74 04)
may@tdk.dk

Foundation for International Understanding
Kulturvet 2
POB 85
DK-1003 Kopenhagen
Tel.: 0045-33-13 94 18

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Germany

1. Developments of Migration and Population

Since 1954 around 31 million people immigrated to Germany while 22 million emigrated in the same period. In the year 2001 Germany's population amounted to 82163500 people of which 7343591 are foreign nationals, amounting to 8.9 percent of the total population. Furthermore it is estimated that around 3.2 million diaspora Germans from Eastern and South-eastern Europe live currently in Germany. In addition, there are also around one million people of foreign extraction who have taken up German citizenship. The largest group of foreign nationals are Turkish making up 28 percent, followed by citizens of the Former Yugoslavia which amount to around 18 percent. The amount of EU citizens comprises 25 percent (with the largest group being Italians) of the total foreign population in Germany. Almost 40 percent of foreign nationals have been living in Germany for over 15 years and almost two thirds of foreign children and adolescents were born in Germany.

For obvious reasons foreign nationals are geographically distributed quite unequally between former east and west Germany. While foreign nationals amount to over ten percent in former west Germany, they only account for two percent of the total population in the territories of former east Germany. Furthermore the amount of foreign residents is two to three times higher in urban centres than in rural areas. At the end of 2000 the proportion of foreign nationals living in Frankfurt was 27.8 percent, in Stuttgart it was 23.8 percent and in Munich it amounted to 22 percent. In Leipzig foreign nationals only make up 5.5 percent of the population and in Dresden merely 2.8 percent.

TABLE 18. FOREIGN RESIDENTS IN GERMANY BY SELECTED NATIONALITIES (AT DEZEMBER 31)

	1996		1997		1998		1999		2000	
		%*		%*		%*		%*		%*
EU Total	1839851	25.2	1847006	25.1	1851514	25.3	1858672	25.3	1872655	25.7
Turkey	2049060	28.0	2107426	28.6	2110223	28.8	2053564	28.0	1998534	27.4
FR Yugoslavia**	754311	10.3	721029	9.8	719474	9.8	737204	10.0	662495	9.1
Italy	599429	8.2	607868	8.3	612048	8.4	615900	8.4	619060	8.5
Greece	362539	5.0	363202	4.9	363514	5.0	364354	5.0	365438	5.0
Croatia	201923	2.8	206554	2.8	208909	2.9	213954	2.9	216827	3.0
Spain	132457	1.8	131636	1.8	131121	1.8	129893	1.8	129471	1.8
Portugal	130842	1.8	132314	1.8	132578	1.8	132623	1.8	133726	1.8
Morocco	82927	1.1	83904	1.1	82748	1.1	81450	1.1	80266	1.1
Macedonia	38774	0.5	42550	0.6	46167	0.6	49420	0.7	51841	0.7
Tunesia	25735	0.4	25394	0.3	24549	0.3	24260	0.3	24136	0.3
Slovenia	17772	0.3	18093	0.3	18412	0.3	148648	0.3	18766	0.3
Poland	283356	3.9	283312	3.8	283604	3.9	291673	4.0	301366	4.1
Austria	184933	2.5	185076	2.5	185159	2.5	186090	2.5	187742	2.6
USA	189583	2.6	110105	1.5	110680	1.5	111982	1.5	113623	1.6
UK	116641	1.6	112136	1.5	111248	1.5	113487	1.6	115353	1.6
Netherlands	113299	1.5	112804	1.5	112072	1.5	110519	1.5	110786	1.5
Romania	100696	1.4	95190	1.3	89801	1.2	87504	1.2	90094	1.2
Iran	111084	1.5	113848	1.5	115094	1.6	116446	1.6	107927	1.5
France	101 783	1.4	103 902	1.4	105 808	1.5	107 191	1.5	110 173	1.5
Vietnam	92 291	1.3	87 928	1.2	85 452	1.2	85 362	1.2	84 138	1.2
Total	7 314 046	100	7 365 833	100	7 319 593	100	7 343 591	100	7 296 817	100

* Share of the total number of foreign residents

** Serbia/Montenegro. All residents in the central registration for foreigners with Yugoslavian citizenship

Source: Bundesamt für Statistik/Bundesverwaltungsamt

Although the Federal Republic of Germany is one of the major immigration countries in the world, its response in terms of policy has so far not been well thought out and was lacking any strategic perspectives. The fact that Germany is a country of immigration had for a long time not been officially acknowledged, only in the last year or so the German government, led by a red-green coalition, introduced a major debate on immigration and seemingly shifted towards official recognition of this reality. In fact no less than a quarter of its population has immigrated since the end of the Second World War (Blaschke, 1990a; Berliner Institut für Vergleichende Sozialforschung/Gesemann, 1992).

TABLE 19. CURRENT FIGURES ON THE COMPONENTS OF TOTAL POPULATION CHANGE AND ON MIGRATION FLOWS

ALL FIGURES IN THOUSANDS UNLESS OTHERWISE INDICATED

Components of population changes	1995	1996	1997	1998
Total population (total change)	288.6	195.4	45.4	-20.3
Natural increase	-119.4	-86.8	-48.2	-67.3
Net migration	408.0	282.2	93.7	47.1
Germans (total change)	288.1	256.5	245.5	163.1
Natural increase	-206.3	-179.7	-141.7	-153.6
Net migration	180.7	133.3	115.4	80.6
Acquisition of German nationality	313.6	302.8	271.8	236.1
Foreigners (total change)	0.6	-61.1	-200.0	-183.3
Natural increase	86.9	92.8	93.5	86.3
Net migration	227.2	148.9	-21.8	-33.5
Acquisition of German nationality	-313.6	-302.8	-271.8	-236.1
Migration of foreigners				
Inflows by nationality (Top 5 in 1998) of which:	788.3	708.9	615.3	605.5
Poland	87.2	77.4	71.2	66.3
Fed. Rep. of Yugoslavia	54.1	42.9	31.2	59.9
Turkey	73.6	73.2	56.0	48.2
Italy	48.0	45.8	39.0	35.6
Russian Federation	33.0	31.9	24.8	28.4
Net migration by nationality (Top 5 in 1998) of which:	227.2	148.9	-21.8	-33.5
Russian Federation	19.5	19.3	13.6	17.4
Hungary	6.8	-0.8	-2.7	7.1
Poland	16.5	5.7	1.0	5.5
Romania	-0.3	0.4	0.7	3.5
Fed. Rep. of Yugoslavia	13.8	8.6	-13.3	1.4

Source: SOPEMI 2000

Labour Market Developments

For a long time immigration policy in the Federal Republic of Germany was centred on the admission of exiles and refugees of German extraction originating from eastern and south-eastern Europe, of which the major countries of origin were Poland, the former Soviet Union, ex-Yugoslavia, Romania, the former CSSR and Hungary. Refugees and exiles were also needed to replace the four million foreign workers and prisoners of war who had been used as forced labour during the war. In 1960, exiles and refugees made up approximately 25 percent of the population. Some 13 million immigrants had largely been integrated into the labour market by the end of the fifties. According to the Federal Statistical Office, gross national product rose from 143.6 thousand million deutschmarks (at constant prices) in 1950 to 309.4 thousand million deutschmarks in 1960, an increase of 215 percent. During the same period unemployment fell from 11 percent to

1.3 percent and the number of vacancies increased by a factor of four to reach 465000.

These figures make it quite clear that immigrants were well integrated into the labour market and played an outstanding role in the reconstruction and modernisation of the German economy. Exiles at the time were given special legal status and were considered German nationals or ethnic Germans in the eyes of the law.

Because the labour reservoir of refugees and exiles began to dry up in the mid-1950s the Federal Republic of Germany, in 1955, took up where the labour recruitment programme of the German Reich had left off. Workers were recruited from all countries of the southern European periphery and beyond. These migrant workers were selected in their countries of origin and allowed to apply for work in the Federal Republic of Germany.

Appropriately enough, the Federal Republic of Germany signed its first recruitment agreement with Italy in 1955. The recruitment of labour was organised by recruitment commissions of the Federal Labour Office working in conjunction with its Italian counterpart. Labourers were selected in response to the requests of individual German companies. The Federal Labour Office provided the companies and the recruitment bureaux with model employment contracts. Every Italian worker was subjected to an aptitude test. The recruitment commission then allocated jobs in specific companies. Recruitment was carried out on the basis of contractual labour. Workers were committed to a particular company. Their residency status in the Federal Republic of Germany was determined by their employment contract. This stringent method of labour immigration was, however, extended to incorporate means for individuals to find work on their own. The premise for this was approval by the responsible Labour Office of the individual employment contracts concluded with specific employers.

The agreement with Italy was followed by others with Spain (1960), Greece (1960) and Portugal (1964). When it transpired that this labour reservoir did not suffice to meet demand, the external labour market of the Federal Republic of Germany was extended to include other Mediterranean countries such as Turkey (1961), Morocco (1963), Tunisia (1965), and Yugoslavia (1968). This second recruitment phase was also in part due to the building of the Wall (1961) and the closing of the Iron Curtain.

This recruitment and rotation policy was kept going until 1973 when the Federal Republic closed the borders to any further contractual labour in the light of a new economic crisis. After 1973, recruitment was carried out on only a minor scale, being directed towards nurses, agricultural workers and ancillary staff in the hotel and catering trade.

In the seventies and eighties family reunion constituted the most important gate of entry concerning the immigration of foreign nationals. As family reunification partly died away

in the eighties, the gate that opened was that of political asylum. The eighties and early nineties, particularly the period after the fall of the Berlin Wall in 1989, were thus characterized by a steady increase of asylum seekers. Due to the large increase from 57379 asylum seekers in 1987 to 438191 in 1992, Article 16a of the German Basic Law, regulating the status of asylum seekers, was amended on 1 July 1993. Since then the number of asylum applicants has steadily decreased to amount to only 78564 in the year 2000, reaching its lowest point since 1987.

Because asylum seekers were up to recently not entitled to a work permit, it is not known how high the jobless rate is among refugees or asylum seekers as there are no statistical data available on their employment situation. It can be assumed, however, that many of them have found employment outside the first labour market (subject to compulsory social insurance), and to some extent in the illegal sphere. Since 2001 asylum seekers are now entitled to take up employment after a minimum residency period of one year. However, German law requires that employers be only allowed to employ non-EU citizens if no German or EU-national can be found to fill that position.

Since 1991 Germany also has an annual quota for Jewish immigrants from territories of the former Soviet Union. In the last decade 130752 Jewish immigrants, including family members, have been admitted to settle in Germany.

A further phenomenon, which has gained prominence in the last decade or so, is that of undocumented immigration. On the one hand there are those who illegally cross the border into Germany, while on the other there are those who legally enter Germany (either as tourists, seasonal workers, business travellers or asylum seekers) and remain within the country after their visas have expired. There are no reliable data on the amount of undocumented immigrants living in Germany and estimates, usually ranging from 500000 to 1000000, should be viewed critically. It can however be assumed that a large proportion of undocumented immigrants take up illegal employment. The only indicators with regards to undocumented migration and illegal employment remain people seized for unauthorised entry at German borders, people seized for unauthorised residence in Germany and finally the number of cases seized for illegal employment.

A differentiation of the official gates of entry for migrant workers took place in 1990 when the so-called "Recruitment-stop Exception Policy" (Anwerbestoppausnahme-Verordnung) was introduced, which partly undermined the 1973 Recruitment-stop for Guest workers. This so called exception policy allowed for non-EU citizens to take up seasonal and temporary employment arrangements in Germany. The new seasonal and temporary labour migration to Germany affected predominantly eastern Europeans and particularly Poles who come to work in agriculture or in the construction business on the basis of temporary work contracts. In 1992 around 95000 people were admitted within

the framework of temporary employment contracts. The worsening of the situation on the German labour market made this figure decrease to its lowest level in 1998 to around 33000, but has since been increased again to reach almost 53000 last year.

Almost four million people were registered as unemployed in Germany during the year 2000. Amongst the unemployed it is above all the unskilled, the young, the elderly and immigrants, which are most heavily affected. At the same time however there were 1.5 million vacancies in 2000, of which a proportion could not be filled. The vacancies, which could not be filled, differ considerably according to branches and regions. In the information and communications sector the difficulties with recruiting staff were so acute that it brought about the introduction of the so called German Green Card by which information technologists from outside the EU are now being recruited annually. In the period between first of August 2000 (when the Green Card was introduced) till the eighth of June 2001 a total of 7704 information technologists have been recruited from outside the EU, largely originating from India and the former Soviet Union. Needless to say it is especially in the economically strong regions of former west Germany where vacancies cannot be filled. The unemployment rate in the territories of former east Germany is with 17.4 percent twice as high as in former west Germany.

Table 20. Germany¹ Quota of unemployed by nationality

Year ²	Total Unemployment rate	Total Unemployment rate foreigners ³	Greece	Italy	Portugal	Spain	FR Yugoslavia	Turkey
1980	3.2	4.8	4.1	5.5	2.1	3.2	2.8	6.3
1981	3.5	8.5	6.9	8.4	3.8	5.1	5.2	11.2
1982	5.4	11.8	9.9	11.9	6.6	7.3	8.2	14.9
1983	7.5	13.7	12.0	13.9	9.7	8.9	9.7	16.7
1984	8.6	12.7	11.7	13.9	7.3	8.8	9.3	14.4
1985	8.7	13.1	11.4	14.7	7.6	8.7	9.0	14.8
1986	8.2	13.0	11.5	14.6	7.7	8.5	8.2	14.5
1987	8.4	14.1	12.1	16.1	8.0	9.1	8.8	15.5
1988	8.1	13.9	13.5	15.9	7.4	8.9	8.5	14.5

1989	7.3	11.2	11.4	13.2	6.1	7.7	6.9	11.6
1990	6.6	10.1	9.7	10.5	5.5	6.8	6.0	10.0
1991	6.0	10.6	10.1	11.2	5.8	6.7	6.5	11.0
1992	6.5	12.3	12.7	13.6	6.3	7.7	9.2	13.5
1993	8.3	15.3	17.4	18.3	9.7	10.8	11.0	17.4
1994	8.8	15.5	16.2	17.0	11.2	11.2	9.8	18.9
1995	9.0	16.2	15.8	16.2	12.3	10.6	8.8	19.2
1996	10.0	18.6	17.8	18.0	13.2	11.7	9.9	22.5
1997	10.7	19.7	19.0	18.9	13.4	12.6	9.8	24.0
1998	9.8	18.3	17.7	17.6	12.4	12.3	11.0	22.7
1999 ¹	11.2	19.7	17.5	16.8	12.0	12.0	11.6	22.5
2000 ¹	10.0	18.0	15.4	14.7	11.1	11.3	10.4	20.2

¹ Former Western Germany. Since 1999 values also cover East-Germany.

² at September 1st

³ Unemployed foreigners as share of foreign active population

⁴ Until 1991 former SFRY. in 1992 SFRY without Bosnia-Herzegovina. Croatia and Slovenia. All residents in the central registration for foreigners with Yugoslavian citizenship.

Source: Bundesanstalt für Arbeit 2001

As previously mentioned immigrants are particularly affected by unemployment and their unemployment rate has for the last twenty years always been above the national average. Unemployment amongst foreign nationals is almost twice as high as amongst Germans: In the year 2000 the unemployment rate amongst foreign nationals was 16.4 percent compared to 8.8 percent in former west Germany. Because 97 percent of all foreign nationals reside in former west Germany it is necessary to use the west German case as an indicator. Furthermore about three quarters of unemployed foreigners do not have a formal qualification compared to only 32 percent of Germans. A clear correlation thus exists between unemployment and levels of education; foreign nationals are on average much less educated than Germans. In 1999 only 10.9 percent of foreign nationals had completed tertiary education compared to 29 percent of Germans.

Table 21. Education of men and women according to their origin, 1999 Percent

Country of origin	No education	Secondary school without vocational training	Secondary school with vocational training	A-levels
Men				
Germany	9	15	61	15
Turkey	21	50	27	2
Yugoslavia	21	37	40	2
Italy	22	43	32	3
Greece	23	46	25	5
Spain	15	37	40	8
Portugal	28	42	29	2
Western Europe	13	18	50	19
Est Europe	21	29	40	10
Africa	28	42	22	8
USA/Canada	20	22	35	23
Latin-America	23	24	26	27
Asia/Australia	32	33	23	13
Germany	10	17	61	12
Turkey	23	51	23	3
Yugoslavia	20	48	29	3
Italy	22	45	28	5
Greece	23	51	20	6
Spain	17	36	34	13
Portugal	28	46	23	4
Western Europe	15	20	46	19

Est Europe	22	29	35	14
Africa	32	41	21	6
USA/Canada	19	12	37	32
Latin-America	25	28	29	18
Asia/Australia	26	32	30	13

Source: Statistisches Bundesamt 2000

It must be outlined that German labour market policy towards immigrants has, in the period after 1973, grown increasingly restrictive and at times systematically excluded migrants from the labour market. However, German law requires that employers are only allowed to employ non-EU citizens if no German, EU-national, or foreign citizen who have been given the same position as German workers (e.g. foreigners born in Germany with a unlimited work permit, foreigners with a permanent residence permit) can be found to fill that position. Nor does Germany easily extend the privilege of a work permit to joining family members, who must still endure a two-year ban from the German labour market after having been granted residency. Within the realm of the current immigration debate in Germany, this discrimination against migrants in the labour market has come under increasing scrutiny and it is hoped that the future will bring a loosening of these provisions.

The average rate of active population for male foreigners is slightly above the German average whereas the respective female rate is below the average. During the main labour immigration in the fifties and sixties female professional activity was much higher among foreigners than among Germans.

According to its sectoral repartition, the share of the foreign labour force in the secondary sector (42 percent) is much higher than the German value (34.5 percent). Within this sector, chemical industry and car production are the most important fields of employment. In the tertiary sector the repartition of foreigners is generally low, with the important exception of hotels and restaurants. Especially in the public administration and in the field of health and social work foreigners participation is very low compared to the German population.

Table 22. Foreign labour and sectoral share compared to total population at June 2001

Setors	Germany, total		Foreigners	
		%		%

Agriculture and fisheries	339667	1.2%	25709	1.3%
Mining and quarrying	136593	0.5%	9410	0.5%
Manufacturing Sector	7306476	26.3%	691076	34.7%
of which:				
Food products, tobacco	715396	2.6%	60830	3.1%
Paper industry, printing and publishing	535716	1.9%	37893	1.9%
Chemical industry	481591	1.7%	37523	1.9%
Metallurgy and metal products	1147303	4.1%	135794	6.8%
Machinery	1067177	3.8%	79030	4.0%
Office-, computing- and optical machinery	1117659	4.0%	94753	4.8%
Car production	849475	3.1%	109683	5.5%
Energy and water supply	261082	0.9%	4475	0.2%
Construction sector	2033281	7.3%	140309	7.0%
Trade and maintenance	4204357	15.1%	236524	11.9%
of which:				
Car trade, maintenance and repair	661540	2.4%	36169	1.8%
Wholesale trade & commission	1400613	5.0%	84553	4.2%
Retail trade, repair of parts & acces.	2142204	7.7%	115802	5.8%
Hotels and restaurants	782102	2.8%	173516	8.7%
Transport and communication	1546138	5.6%	115204	5.8%
Finance and insurance	1071988	3.9%	25652	1.3%
Real estate, renting and business activities	3099212	11.1%	268422	13.5%
Public administration, defense, social insurance, exterritorial organisations	1749027	6.3%	40759	2.0%
Education	1034014	3.7%	45034	2.3%

Health and social work	2969041	10.7%	135804	6.8%
of which:				
Health	1918953	6.9%	87528	4.4%
Social work	1050088	3.8%	48276	2.4%
Other public, social & personal services	1275439	4.6%	79158	4.0%
Without declaration	8506	0.0%	583	0.0%
Total	27816923	100.0%	1991635	100.0%
Sectoral share:				
Primary Sector	476 260	1.7%	35 119	1.8%
Secondary Sector	9 600 839	34.5%	835 860	42.0%
Tertiary Sector	17 731 318	63.7%	1 120 073	56.2%

* Percentage of the total active population.

** Percentage of the total active foreign population

Source: Bundesanstalt für Arbeit. own calculations

Self-employment is an important strategy for the non-German population as protection against unemployment and discrimination on the labour market. The number of self-employed foreigners has rapidly increased since the nineties, attaining some "280000 plus" according to the Ministry of Economy (Bundesministerium für Wirtschaft und Technologie 2000). The main sectors are trade, hotels and restaurants; the biggest national group is the Turkish with estimated 55000 self-employed persons employing another 300000 persons.

2. Anti-discrimination Legislation with regard to the Labour Market

In Germany there is no special legislation against racial discrimination. However Germany ratified both the UN Convention on the Elimination of All Forms of Racial Discrimination (CERD) in 1969 and the ILO Convention 111. While Germany has signed both these Conventions there is no special obligation to ensure the implementation of these Convention. In the German context the CERD only places obligations on the state authorities, thus discrimination by a public employer is unlawful under the Convention and can thus be sued. The CERD is however not applicable to private employers.

Article 3 of the German Constitution stipulates, "All persons shall be equal before the law". The provision is based on the grounds given in paragraph 3 of Article 3 including sex, parentage, race, language, homeland and origin, faith and religious or political opinions. The term race in this context refers to groups with certain hereditary characteristics and is intended especially to prevent discrimination against persons identified by the colour of their skin, people of mixed race, Jews, Roma/Gypsies, etc. This provision binds the legislature, the executive and the judiciary as laid down in Article 1 Paragraph 3 of the Constitution, but it only ensures the protection against discriminatory acts of state authorities and does not include private relationships. Thus the Constitution places direct responsibility on the public sector in the case of discrimination in employment. Apart from this it is generally assumed that Article 3 Paragraph 3 of the German Constitution provides some protection against indirect discrimination.

As Germany is organised as a federal state all 15 regional states have their own Constitutions. Concerning the anti-discrimination clause in Article 3 of the German Constitution some state Constitutions simply refer to the Federal Constitution. The Constitution of Thüringen uses the term "ethnic affiliation" (*ethnische Zugehörigkeit*) instead of race. In Brandenburg, "nationality" and "language" figure among the criteria not justifying different treatment. However, not all Constitutions contain a general provision of equality. In a few other states, employees and students professing other creeds are expressly guaranteed the right to attend religious services on the religious holidays of their respective religions without being subjected to any consequences other than loss of pay for the working hours missed (e.g. *Brandenburg, Berlin and Hessen*).

While the anti-discrimination clause in the German Constitution is only binding public employers directly, it has also some impact on the private employers as laid down in the Works Constitution Act of 1972. Article 75 of the Works Constitution Act stipulates that "The employer and the works council shall ensure that every person employed in the establishment is treated in accordance with the principles of law and equity and in particular that there is no discrimination against persons on account of race, creed, nationality, origin, political or trade union activity or convictions, or sex. They shall make sure that employees do not suffer any prejudice because they have exceeded a certain age". Furthermore Paragraph 2 of the same Article states "The employer and the works council shall safeguard and promote the unrestricted development of the personality of the employees of the establishment". This Act refers specifically to private employers, as public employers are bound by the German Constitution. Article 75 does not only apply to the workplace as such but it is interpreted that it also includes the process of recruitment and therefore protects job applicants. Concerning the issue of indirect discrimination the interpretation of the Works Constitution Act is less clear. Until now there is no leading case concerning indirect discrimination in private employment, although it would

probably be declared unlawful under the Act.

Furthermore the Works Constitutions Act outlines the complaints procedure in case of discrimination and secures that the person discriminated against is informed on how this complaint is dealt with. Apart from this it underlines that the complainant shall not suffer any negative consequences as result of launching a complaint. Thus the Act clearly grants protection for victimisation. Concerning the procedural undertakings it is the legal obligation of the work council to hear the complaints and make sure that the employer remedies them. To this end the works council has also the possibility to establish a conciliation committee. If a complaint can demonstrate that discrimination has occurred, it is the duty of the employer to adopt a non-discriminatory explanation for the action. In most cases of discrimination trade unions try to put pressure on the employer, but are not so much interested in bringing the case before a court. In the day-to-day operation of the company, however, the performance of these duties is hampered by considerable difficulties and resistance which may arise consciously or unconsciously, for it is very rare for discrimination and unequal treatment to be overt - they usually occur in covert ways, often in the subconscious and undetected. For example, the principle of equal treatment does not prevent companies from giving foreign employees dirty jobs which are hazardous to health, or from formulating the skills profiles for recruiting and dismissing workers in such a way that, for technical or practical reasons, either foreign workers are not taken on or they are more rapidly dismissed. Since there is no requirement covering personnel recruitment, employers can actually discriminate openly here, with no need for formal sanctions, even if applicants are more frequently rejected because of lack of knowledge of the language or lack of specialised and social skills, if "practical reasons" are cited.

The *Deutscher Gewerkschafts Bund (DGB)* (German Trade Union Federation) established a model industrial-relations scheme for equal treatment in which the works council members and the directors of the company agree on the promotion of equal treatment and the protection against and prevention of discrimination. These objectives concern the employer, the employees as well as the clients of the company. In the model scheme the establishment of an adequate complaints structure inside the company is recommended. Concerning equal chances trade-related language courses, for example, shall be offered within the company as well as qualification and further qualification for migrants shall be promoted.

Since 1995 industrial-relation schemes are including the issue of equal treatment, due to the fact that companies started to recognise the negative effects of unequal treatment and discrimination. Apart from this there are works agreements including anti-discrimination clauses. For example large enterprises such as VW, Thyssen Krupp

Stahl, Aventis, Jana Optik, DB AG etc. have established work agreements obliging the employer to secure the protection against discrimination. The new industrial-relations scheme concerning the professional training within the German "Post und Telekom" Services explicitly includes the orientation on values as part of the professional training. This is the only industrial-relations scheme including the orientation on norms and values.

Labour Offices throughout Germany are developing a set of good practice codes for discouraging the merging habit of setting indirectly discriminatory requirements for jobs, with e.g. employers requiring that applicants speak perfect German or have mother tongue German.

3. Institutional Development in the Area of Cultural Diversity in the Workplace

On the national level there are different state institutions dealing with supporting the labour market integration of immigrants and ethnic minorities, however anti-discrimination and the promotion of cultural diversity do not always play an important role. There is no real anti-discrimination department on the national level nor are there any Action Plans or something similar concerning the promotion of cultural diversity, however there are some national institutions concerned above other things with anti-discrimination or the promotion of cultural diversity at the labour market.

In 1978 the Federal Government of Germany established the *Ausländerbeauftragte der Bundesregierung* "Commissioner for the integration of foreign workers and their family members" since 1991 called "the Federal Government's Commissioner for the concerns of foreigners". In 1997, finally, the status and powers of the Commissioner were formally regulated by inserting a new section 8 into the Aliens Act. The tasks of the Commissioner are to assist and advise the government in all matters concerning foreigners and refugees in Germany. The Commissioner must be involved in relevant legislative initiatives and maintains contacts with politicians working in that field. The tasks of the Commissioner include provision of information and support of initiatives concerning the integration of foreigners. The new provisions of the Aliens Act explicitly refer to the Commissioner's competence to counteract improper discrimination against foreigners. If discrimination is practised by or on behalf of public authorities, the Commissioner may request comments from the relevant authority and lodge a report with a supervisory instance.

Furthermore the Commissioner each year publishes a report on the situation of foreigners in Germany. Although the Commissioner is dealing with discrimination, up to now

one has not implemented any measures explicitly dealing with discrimination in employment. Nor have there been any specific activities by the Commissioner for promoting cultural diversity in the workplace.

The Ministry of Labour mainly is responsible for the integration of immigrant and ethnic minorities into work. In this context cultural diversity is playing only an indirect role, however it is perceived that a higher percentage of immigrants and persons with an ethnic minority background in certain branches of the labour market will also promote cultural diversity. To this end the Ministry of Labour and Social Affairs promotes different integration projects. Furthermore, the Ministry is funding the German wide social advise service for foreigners (*Ausländersozialberatung*), German language courses implemented by welfare organisations and NGOs, programmes for the integration of young foreigners and foreign women into the labour market, projects focussing on the improvement of living together of foreigners and Germans, as well as training of multipliers and information campaigns. Among these projects one for example the binational vocational training project designed twelve years ago by the *Institut für Deutsche Wirtschaft (DIW)* (Institute for German Economy). The projects objective is to maximise the intercultural qualifications of young foreign nationals. Therefore they obtained language tuition in their native language and practical training in the language of their respective country of origin. More than 3000 persons participated up to now and found good jobs or started further qualification afterwards.

Other projects are e.g. KAUSA, which aims at vocational training in ethnic businesses, and ProQualification, a project run by the Chamber of Industry and Trade Cologne, which has the objective to promote the qualification and further qualification of persons with an ethnic minority background. A special project within ProQualification is the development of an auto-controlled learning system by computer, specified by professions and language. A relatively new project is focussing on conflict management in enterprises. The project is carried out by the *Zentrum für Türkeistudien in Essen (ZfT)* (Center for studies on Turkey) and applies different measures within its training modules. Apart from this the programme Xenos, which is funded by money under the European Social Fund (ESF) scheme, is implemented from the year 2001 onwards. Projects implemented under this programme are directed to support the integration of ethnic minorities in the labour market in conjunction with measures fighting racism and discrimination in the workplace and in the wider society.

Another institution dealing with labour market integration of foreign workers is the Federal Employment Institution. Concerning its recruitment practices the Federal Employment Institution includes a special call for people with an ethnic minority background since several years. Furthermore, the *Bundesanstalt für Arbeit (BfA)* (Federal Employ-

ment Agency) does not accept job offers specifying a nationality, if there is no specific necessity for it. Cultural diversity is perceived as something positive and by dealing with clients from different cultures it tries to promote an intercultural understanding. In 2000 the Federal Employment Agency started training courses focussing on intercultural communication skills and a tolerant approach towards persons with an ethnic minority background. Furthermore, the Federal Employment Agency collaborates with Turkey on a vocational training scheme for young Turkish immigrants and tries to secure the equivalence of foreign professional qualifications. A special advisory service for enterprises, which want to recruit specifically persons with an immigrant background is not institutionalized, but firms wanting assistance can ask for support at the individual employment agencies. As the percentage of foreign trainees within the public service, amounting to around 2.1 percent (year 2000), is still very small, the German government signed an agreement stating that it will employ more young people with an ethnic minority background. In order to support the government the Federal Employment Institution allocated a post for intercultural issues. During their training the employees of all employment offices have to participate in training modules including diversity and discrimination issues.

At the regional level of states and local communities also special *Ausländerbeauftragte* (Commissioners for foreigners) have been set up during the last fifteen years. Concerning work on the practical level, they are often concerned with cultural diversity issues in the workplace and the promotion of anti-discrimination. In order to demonstrate their activities two examples have been chosen. The *Amt für multikulturelle Angelegenheiten Frankfurt am Main (AMKA)* (Department for Multicultural Affairs in Frankfurt on the River Main) was founded in 1989. One main task of the *AMKA* is networking between the city administration, migrant organizations and so forth, as well as between different city departments in order to promote integration and cultural diversity. Within the city administration of Frankfurt the *AMKA* has established a network including all areas of city administration and politics, which is meeting regular to discuss multicultural issues, including the issue of discrimination. After difficulties at the beginning, *AMKA* co-operates nearly in all projects it carries out with other city departments or external organizations.

Although 27.5 percent of Frankfurt's citizens are foreigners and around 45 percent have a foreign background, the percentage of foreigners working for the city administration of Frankfurt is only two percent. Therefore, the communal government has decided to promote vocational training for foreigners within the public sector from October 2001 onwards. The aim is to employ foreigners not only for low paid and low qualified jobs, but also in higher qualified posts equal to civil service positions. Concerning the nationality requirement usually needed in Germany when entering the public service, the state of Hessen has introduced an exemption clause allowing third country nationals to work

for the public sector. In this context, the city of Frankfurt is currently reviewing its recruitment strategies and entry examinations by changing questions, which could be misunderstood due to the different cultural background and by adding positive examples like intercultural competence into them. In the official recruitment advertisement the phrase "to come from an ethnic minority background is no reason for not obtaining the job (*kein Hinderungsgrund*)" is added.

AMKA is involved in several projects concerning the integration of immigrants and cultural diversity in the workplace. Within the public administration of Frankfurt the *AMKA* is organising special vocational training and further training courses on intercultural competence and conflict management. Other training courses concerning topics such as intercultural communication, migration and refugee are carried out. Since nine years a program for the integration of foreigners into the police service is carried out. In the nineties 140 jobs within the police force were created for foreign nationals, of these already 70 have been filled. As it was difficult to find qualified foreign applicants for the police service, as they have to possess a diploma from a high school, poster campaigns, flyers etc. were disseminated with the aim of raising the interest of young foreigners to work in the police. Another aspect is further training courses for policemen concentrating on intercultural competence. These training courses are integrated in the education at the police school in Hessen.

In Bonn, the *Referat für Multikulturelles der Stadt Bonn (MK)* (Department for multicultural activities) which is part of the administration for social affairs and employment is responsible for the integration of ethnic minorities and cultural diversity issues. The *MK* was established in 1995 but activities in the area of integration started already in 1973. The main task of the department is to give individual advice and consultancy to immigrants, Germans and the city administration regarding all areas of integration, anti-discrimination and anti-racism. Furthermore it is funding and structurally supporting immigrant self-organisations. Currently the *MK* actively supports 68 of the around 120 immigrant self-organisations in Bonn. Another task is the implementation of model and pilot projects. This includes above all the organisation of training courses and seminars for the public service, focussing on topics such as Islam, anti-discrimination and conflict management. Finally it is co-ordinating the migrant council of the City of Bonn, which has an advisory function and is involved in the strategic planning of Bonn's integration and anti-discrimination policy. In cases of discrimination the multicultural department investigate the case and tries to find solutions together with the person in question. In this context the multicultural department is in cooperating with other organisations such as the Verband binationaler Ehepaare (*Iaf*), the Deutsches Rotes Kreuz (*German Red Cross*), the Caritas and the Arbeiterwohlfahrt (*AWO*).

In the area of training the *MK* has recently carried out six workshops for persons working in the city administration. These workshops were conceptualised in close co-operation with the departments of the city administration participating in the workshops.

Another critical point is the participation of immigrants and ethnic minorities in the public service, especially of the city administration. The representation of immigrants in the city administration is still very low and there is not much interest in improving their representation, although it has been on the agenda of the migrant council, which successfully lobbied for an improved representation of ethnic minorities in the administration. The level of representation is constantly monitored by the *MK*. In the area of pilot projects initiated by the *MK*, two years ago the project "Go for Jobs" was started, which had the aim to motivate young migrants and youngsters with an ethnic minority background to participate in vocational training courses. This project was run in close co-operation with the ombudsman for multicultural affairs of the local employment office. In the framework of the project motivated young migrants who had successfully finished their training are going to schools and other meeting points of young people in order to inform them on the possibilities and advantages of vocational training. Furthermore, parents are informed about the value of education and training. This programme has been very successful and a separate association has been founded which now is running the project with the support of the multicultural department.

Not only city administrations and local municipalities have taken up the issue of integration and cultural diversity, but also the regional and local employment services. For example in the city of Göttingen the Employment Office is carrying out a project called Intercultural Opening of the "Advisory Service". The project aims first of all at the intercultural opening of the public sector. To this end training courses at the management and employee level are organised, an orientation system in several languages was established and a translation service set up. Further intercultural activities within the municipal administration were initiated by this project. Many departments started to offer information in different languages. Furthermore, intercultural aspects are implemented into the education of municipal trainees. In addition a horizontal working group on cultural diversity was established. They meet several times a year to work on the matter of interculturalism. The question on how to employ more persons with an ethnic minority background is discussed for example in the forum. The percentage of migrants working in the public sector amounts to around four percent while they make up 10.9 percent of the total population in Göttingen. In 1999 the Employment Office in Göttingen organised a national workshop on the theme of intercultural competence within the public sector and 130 people from 50 cities took part in this workshop. Many participants coming from other cities of Germany showed great interest in the work done in Göttingen and were thinking of implementing similar measures. In Munich for example an intercultural open-

ing process was started in the youth sector. In Essen an overall process with nine working groups of different themes formulating objectives on how to improve the intercultural opening in the different sectors is underway.

At the beginning of the year 2000 the Employment Office started the project HOPI which concerns discrimination in the labour market. Discrimination in this project refers not only to migrants, but also to disabled people and homosexuals. In 2000 an inquiry concerning the personal perception of discrimination looking for the differences and common interests between the different groups was made. Discriminated people were also asked for recommendations on what to do against discrimination. Three general ideas can be pointed out in this context. First of all to establish an individual support system for the victims of discrimination through external anti-discrimination offices; Secondly, mentors especially for new employees in companies should be introduced; Thirdly, better training measures for managers and employees regarding discrimination and conflict solutions should be created. Furthermore, codes of conduct should be developed.

The trade unions have already started very early at the beginning of the labour recruitment system to establish institutions and measures dealing with anti-discrimination and cultural diversity in the workplace, although the term "cultural diversity" was not used then. Within the *Deutscher Gewerkschafts Bund (DGB)* (German Trade Union Confederation) the theme of discrimination is under discussion since 1962/63. At the beginning, staff of trade union advisory centres supported discriminated workers. In 1973 the new industrial-relations scheme gave the active as well as the passive right to vote to foreigners within the unions. At the beginning, voting patterns were characterized by nationality, but now by the activities of the members. Since then, works council members have become more active in that field. Since the middle of the nineties works council members can make active use of anti-discrimination policies. Together with the employers federation the *DGB* signed the Florence Declaration of 1995. In order to implement the aims of the Declaration, the *DGB* set up an agreement, but the employers' federation did not accept it.

Concerning the field of integration and awareness raising activities, the *DGB* has already in 1973 established its first national agreements on the promotion of integration for foreign workers. In the beginning, the *DGB* was offering special seminars for foreign workers in their own mother tongue. They offered courses in the seven languages of the different recruitment states. These seminars mostly focussed on the rights of workers, possibilities of participation and representation in different committees etc. These courses continued until 1994, when the *DGB* decided to offer these courses only on the local and regional level. This change was based on the fact that many labour immigrants are now speaking enough German to follow German seminars. On the other hand the

number of different nationalities had increased so much that it became impossible to offer courses in all necessary languages. The Metall trade union (IG Metall) and the trade unions of mining, chemical industries and energy (*Gewerkschaft für Bergbau, Chemie und Energie*) (IG BCE) are still offering special training courses for ombudsmen in the companies. Smaller trade unions such as the trade unions for employees in the trade, banking and insurances (HBV), the trade union for media employees (IG Medien) and the *Gewerkschaft für Erziehung und Wissenschaft* (GEW) (Trade union for education and sciences) do not carry out their own training courses for immigrant workers. They have delegated this task to the DGB, bigger trade unions such as the IGM and the IG BCE have their own education departments focussing on this issue. Especially the trade union of the Post services has been very active in organising training courses regarding anti-discrimination and has also implemented other activities promoting cultural diversity in the workplace. Since the nineties the DGB is offering so called multi-national courses concentrating on topics such as integration, European migration, anti-discrimination and conflict management. These courses are not only open to members of the trade union, but also to experts and interested people from NGOs, welfare organisations, etc. Since 2001 the DGB is offering a special anti-discrimination training and inter-cultural seminars, which look among other things at the European developments such as the EU directives and the Florence declaration. Furthermore the DGB is organising a seminar on Islam in the workplace focussing on special requirements for Muslims concerning the workplace. The DGB education department supports the inclusion of an intercultural training module in the general mainstream training courses for shop stewards. The DGB is currently preparing a kind of training module, which is accessible via the Internet and can then be used in a more flexible way.

On the policy level the DGB has the opinion that discrimination shall be prevented where it emerges. Activities of work council members and ombudsmen counteracting discrimination are important for preventing court cases. The DGB wants to establish the post of the ombudsman for ethnic minorities, with comparable tasks to the women's representatives, representatives of ecological audit, etc.

The *Industrie Gewerkschaft Metall* (IG Metall) (Trade union of Metall Workers) has a special department for immigrant workers, which has been established around thirty years ago. The original idea was, that immigrant workers needed a contact address and representatives in the firm who were/are immigrants themselves and who could provide information on German culture etc. in their own language as well as strengthen the intercultural dialogue and mutual understanding. Language is seen as a bridge to the trade union. The intercultural capacities of immigrant workers should be used and vaulted. In this context, language was used as a vehicle for the transmission of contents via the knowledge of socialisation etc. giving a detailed understanding of the language as well

as a means of achieving more acceptance. Using the own language of the workers represents an advantage in the transmission of contents. Work meetings are held in foreign languages, documents translated etc. For matters such as work council elections etc. the department is a contact address. The department works on a cross-sectional basis, dealing with questions such as equal chances and anti-discrimination. Above other activities, the department tries to strengthen the representation of immigrant workers in works councils. This is an important task as immigrant workers are organised in trade unions above the average, but represented less than the average. For example, more than fifty percent of all immigrant workers are organised in trade unions, however only five percent are represented in work councils. To this end the department tries to mobilise workers via seminars aiming at a higher qualification concerning the rights and duties of workers. It encourages them to stand for election and informs them about the elections. One problem is the representation of immigrants within the *IGMetall* itself where the situation is similar to the one in private enterprises. Immigrants constitute 35 percent of the members in local councils, but only 4 percent of them function as representatives. For this reason, the different councils, organisations, institutions have to be open and immigrants should be elected for their qualification and not for the only reason of being immigrants. Another problem is, that the principle of representation of immigrant workers is often approved, but when it comes to the elections, there is a competition between immigrants and Germans, who are not willing to offer their place on the list. The *IGMetall* also offers seminars for German workers with the aim of combating discrimination in the workplace and in the society at large. These seminars are directed towards members of work councils as well as other representatives or workers in general. The seminars have been introduced around two years ago and are a great success. The *IGMetall* encounters a pronounced interest of the employers, which are financing the seminars following the industrial-relations scheme.

The *Gewerkschaft für Bergbau, Chemie und Energie (IGBCE)* (trade union of mining, chemistry and energy) has around 900000 affiliates of which 70000 (making up eight percent of the whole trade union) are foreign citizens. The *IGBCE* has a special department for foreign workers. In 1971 they established a working group on foreign workers affiliated to the *IGBCE*. They are advising individual members, lobby for the interest of foreign workers and most importantly prepare motions for the annual congress as well as organise a special conference especially concerning the foreign workers and members with an ethnic background. The regional groups of the *IGBCE* in contrast intervene directly at the local level where they are providing support and advice to immigrants and their families. This includes also cultural activities and free time activities for German and foreign workers. These activities were of special importance in the early years of the labour immigration as they enhanced the integration of the foreign workers into the

German society. They were also organising language courses and vocational training courses for unskilled workers in order to improve their qualifications.

A high percentage of the shop stewards in the *IGBCE* have ethnic minority background, this has to do with the specific branches brought together within the *IGBCE* where traditionally a lot of guest workers were employed. For its foreign affiliates the *IGBCE* is publishing a special magazine on trade union issues in Turkish language. In the beginning of their work they had also special translation services and advice in the mother tongue of the foreign workers, but these services do not exist anymore. However they are still publishing information leaflets in the seven languages of the main recruiting countries. The *IGBCE* has set up special programmes to support young immigrants seeking employment. Generally within the enterprises of mining, chemistry and energy, there are seldomly major problems concerning discrimination. Discrimination is happening more indirectly and it is often impossible to prove that a foreign worker has been discriminated against. To this end the *IGBCE* is organising awareness raising seminars and information campaigns on the issue of discrimination and racism in the workplace. There have also been established special courses on the issue of Islam, as the prejudices against Muslim workers are increasing which is also creating a problem at the work floor.

Concerning private employers, only larger firms in Germany, which are often internationally orientated and dependent on an international export market, have shown some interest in the promotion of cultural diversity and anti-discrimination in the workplace. The enterprises introducing measures are often those, which have already collected experiences with foreign workers in the framework of the labour recruitment process in the sixties and seventies and did establish integration measures directed at foreign workers during this time. These activities and policies implemented already more than thirty years ago form in many cases the basis for the measures set up today. Out of these activities by private employers three examples are given here.

Since four years Ford Germany is actively promoting cultural diversity in the workplace. In this context they are closely co-operating with the *Industrie und Handelskammer Köln (IHK Köln)* (Chamber of Industry and Commerce in Cologne), the employment office and different NGOs and welfare organisations. The main aim of these activities is the improvement of the coexistence of migrants and Germans in the workplace but also in the larger society. Ford has set up so called self-learning centres for all workers since 1996. These focus especially on the needs of lower qualified workers who want to improve their qualifications and become qualified workers (*Facharbeiter*). In these centres workers can participate in different courses, which are brought together for their individual needs. These centres offer apart from computing and language courses, a wide range of technical courses. Finally, Ford is organising vocational training workshops for

young people who are still lacking the adequate qualifications for starting vocational training courses. These workshops and internships are organised in co-operation with the local employment office. This training course has a duration of one year and is open to around sixty people. In this context, Ford is also trying to work with the parents of ethnic minority youth in order to inform them on the importance of vocational training.

Already in 1981 Ford implemented a work agreement including a paragraph on anti-discrimination. In 1984 they signed a further agreement on training in the area of computing. In cases of discrimination at the work floor employees can contact the shop stewards or the elected persons of trust. These have experience in handling these cases and can mediate or make the cases public. There is a clear stance on combating racism both from the employers' side as well as from the trade union. Racist activities are monitored closely and can lead in several cases to a dismissal procedure. As an US American enterprise, Ford has implemented diversity awareness courses for the whole work force. Managers had to participate in longer courses, while workers at the work floor had to attend a one-hour seminar making them aware on difference. The workers did not always perceive these seminars in a positive way as they deemed them unnecessary and had the feeling that it would create a problem, which is not existent.

Regarding the restructuring of the production sector in smaller working teams, Ford has set up a new qualification system, whereby all qualifications acquired in special training courses are noted in a special pass. If a worker feels that he is discriminated against by never obtaining the chance in participating in training courses he can prove this by his empty pass and then has a right to be qualified as well, especially when all co-workers in his team already had the chance of participating in training courses. Religion is handled in a flexible way. There is no prayer room, but Muslims who want to pray can leave their workplace during their working times and colleagues try to replace them. Furthermore the canteen is offering vegetarian food.

Out of 39 shop stewards, 13, about one third, are migrants or members of ethnic minorities. For many years Ford had a foreign workers committee. This has been closed when foreign workers became more integrated. There are still separate enterprise meetings (*Betriebsversammlung*) in Turkish language, however they are now only visited by around 200 persons and they are becoming less important as most workers visit the German meeting. Information on security regulations and tariff agreements are still available in Turkish and Italian language.

Volkswagen (VW) one of the biggest automobile employers is in its central production plant employing 130000 persons of whom 7000 are immigrant workers, who were mainly recruited in the sixties and early seventies. Until the nineties cultural diversity in the workplace was only regarded as a question of improving integration. However, from

the early nineties onwards VW organised cultural events and special meetings for aiming at bringing together German and foreign workers. Furthermore special holiday regulations were implemented allowing the foreign workers to take longer summer holidays in order to visit their country of origin and their families. To this end, even special trains were organised by VW. Another measure was to offer enterprise housing possibilities to all workers and ensuring in this context mixed living areas for German and foreign workers.

In order to promote cultural diversity more effectively, *Volkswagen* has implemented a work agreement between the employer and trade unions, which is focussing on equal treatment and sanctions discrimination. This agreement was set up in 1996 and is entitled "Partnership-based behaviour in the workplace". Apart from sanctioning overall discriminatory behaviour in the workplace this work is including the advancement of women, the prevention of sexual harassment and "mobbing" in the workplace. By signing this work agreement, Volkswagen has committed itself to ensuring "fair and humane co-operation among employees, all of who have equal rights", and preventing "inequality". Discrimination may be expressed in the form of dealings with employees that are motivated by racist, xenophobic or religious views. According to the agreement, racial discrimination can be a reason for dismissal. Complaints against discrimination inside VW and other offences against the work agreement can be brought before the work council, the personnel department, councillors especially trained as a kind of confidence ombudsmen and the company managers who have to give advice and support. In individual cases, the company must take the appropriate course of action, ranging from cautioning through fines to action under labour law, such as dismissal. Special importance is given to preventive measures including training seminars on discrimination and cultural diversity for specific groups such as managers, work councillors, and male and female employees with an advisory function. In the overall workers council of VW three foreign workers are represented. Furthermore VW is trying to promote young foreign apprentices. To this end an ethnic minority member is working on the recruitment board. According to a shop steward with an ethnic minority background, discrimination is not a real issue. Usually foreign workers work in the same positions as their German counterparts and there is even a high percentage of qualified workers. Also the management board of VW is very international. Apart from the focus on the workplace, VW is also engaging in the community. It is supporting openly a campaign against right wing extremism and sponsoring various cultural initiatives in the city of Wolfsburg. It has also established a foundation, which is funding projects in the area of tolerance and solidarity between different countries.

Thyssen Krupp Stahl AG employs about 21500 persons. The average of foreign workers is between thirteen percent and fourteen percent, about 3000 persons. Nearly 80 per-

cent of them are of Turkish origin; the second group includes nationals from European countries (Italy, Portugal, UK, Netherlands), further Chinese, Polish, Russian etc. people. A great number of foreign workers, especially Turkish people, do not work within the administrative sector, but in the production sector. Nearly eight percent of foremen and about 65 percent of skilled workers are non-Germans. The number of semi-skilled workers is decreasing.

In 1996 the "Work Agreement to Promote Equal Treatment of all Foreign and German Members of the Workforce" was signed by the management board of *Thyssen Stahl AG* and the company work council. The work agreement is based on *IGMetall's* proposal for a work agreement, however it was changed in certain aspects. That introduction of the work agreement states that "In consideration of the fact that foreign and German members of the workforce do not always live together without problems, but that, nevertheless, *Thyssen Krupp Stahl AG* has a long and fundamentally positive tradition of cooperation, the parties concluding the agreement wish to promote equal treatment by means of this work agreement." The works agreement includes a reference to the anti-discrimination clause in the Federal Constitution laid down in Article 3 Paragraph 3, the anti-discrimination in the Works Council Act (Article 75) and relevant European Community standards and adopts them to the workforce of *Thyssen Krupp Stahl*. Furthermore, special importance is given to the creation of conflict free and respectful working relations between workers and their supervisors in order to secure peace in the company. The work agreement implicitly underlines that this peace is threatened not only by "non-objective" behaviour, by insults and sexual discrimination, but also by discrimination on the grounds of ethnic origin.

Based on this works agreement, different measures especially in the area of training and education have been introduced in 1996. A focus of the education programme is to strengthen the capacity of workers to act. To this end, senior managers in one-day seminars are trained on how to deal with multicultural teams. Other seminars are held outside the company with the objective to make participants understand what teamwork means and which advantages it has. Topics are communication, culture, socialisation, behaviour etc. Problems in the work team are analyzed and concrete measures developed. Every year around 1200 to 1300 workers participate in these courses, 250 to 260 of these are foreign employees. After one year there is a second workshop to reflect experiences and teamwork is to be improved by adventure activities like crossing canyons where the participants have to learn to have trust in their colleagues. Furthermore, they are special seminars of the Aliens Act for German workers and information events for workers who want to return to their country of origin. Apart from this, the works agreement includes the issue of intercultural co-operation within qualification training. They have special training for management staff concerning intercultural co-operation.

As another measure, *Thyssen Krupp Stahl AG* has developed a questionnaire asking for the satisfaction of employees with their workplace. In order to obtain the results from foreign employees Turkish people were helped to fill in the questionnaire by translators. By this the enterprise wanted to avoid misunderstandings due to language problems. Through the questionnaire a specific indicator for each department was obtained. Within workshops that are open to all employees and moderated by members of the department of "management training" they try to remedy abuses.

Besides these activities in large German enterprises, there is the idea to promote cultural diversity through the strengthening of ethnic businesses, which make up a growing share of the employment possibilities of immigrants and ethnic minorities in Germany. There are several state programmes and initiatives by NGOs carried out to this end. The *Zentrum für Türkeistudien (ZfT)* (Center for Studies on Turkey), which is a research institute integrated in the University of Essen, is running a project concerning ethnic entrepreneurs. The model project promotion of vocational training in Turkish businesses was started in 1998 and was financed by the Ministry for Employment and Social Affairs. The project had the aim to increase the number of trainees in Turkish enterprises and enable them to carry out vocational training for young people. The project was established on the background that only ten percent of all Turkish enterprises carry out vocational training for young people. The project focussed on the organisation of information events for Turkish enterprises, as well as events for the administration, which is working in this area, and a series of articles regarding the topic of vocational training. Through the organisation of conferences and seminars in co-operation with Turkish enterprise organisations, ethnic businesses were informed on advantages of offering vocational training to young people. In 2000 the *ZfT* has established the model project Intercultural conflict management. In the framework of this project conflict management courses are offered in the areas of working life, religious coexistence of Muslims and Christians, health and sports as well as ethnic self ascription and ethnicity. The project tries to set up training courses for multipliers in all four areas. Furthermore, scientific conferences, training seminars for teachers and mediators are offered.

A very similar project is run by *Aktion Courage* (national initiative for anti-racism) which is an NGO founded in 1992. The main aim of *Aktion Courage* is to disseminate information on anti-discrimination and carry out awareness raising projects in the area of anti-racism especially concerning the area of education. In this context it has established the project "schools without racism" which was taken over from the Dutch model. If in a school, which is participating in the project, seventy percent of its pupils and teachers have signed a statement against discrimination, the school officially is awarded the title "school without racism". This price is always awarded by a famous person in order to give more visibility to the event and to motivate the students. The idea of the project is

to make young students and teachers aware of the issue of racism and make them discuss questions of anti-discrimination etc. Furthermore, *Aktion Courage* is currently running a vocational training project for trainers in ethnic businesses. Therefore, *Aktion Courage* is carrying out special training courses for ethnic entrepreneurs in three German cities in co-operation with the Chamber of Industry and Commerce in Bochum. In the framework of the project, entrepreneurs are contacted and motivated to train apprentices.

In addition, there is a growing number of NGOs active in the field of immigrant support, anti-discrimination and anti-racism work including measures focussing directly or indirectly on the promotion of cultural diversity in the workplace. The *Anti-rassistische Informationszentrum (ARIC)* (Anti-racist information centre) provides information on racism, anti-discrimination, right wing extremism etc. to relevant stakeholders and other interested persons. Founded in 1993, in 1995 it started to work on a project called "Cultural diversity in enterprises". This project was transferred from the Netherlands where *ARIC* Netherlands was carrying out seminars and awareness raising training for employers in co-operation with a Dutch consultancy. A working group was set up with members from *ARIC*, the Dutch consultancy *Macori* and other experts, which discussed the possibility of promoting cultural diversity in the workplace. The main idea behind this project was to strengthen the use of the capacities of ethnic minorities, improve their possibilities for participation through the reduction of barriers and raise the awareness of German enterprises. To this end models and recommendations were prepared. Furthermore, trainers and experts who should later train employers and employees in German enterprises were brought together in a network. These trainers can offer seminars in intercultural management, conflict management, recruitment procedures etc. However, enterprises showed only little interest in the project until now. Nevertheless they will try to improve the contact with enterprises in the future and make them aware of the necessity of this kind of seminars.

The *Verband binationaler Ehen (IAF-Berlin)* (Association of Bi-national Families and Partnerships) is carrying out a project entitled "transfer of inter-cultural competence". The project is funded by the German Federal Ministry of Labour and Social Affairs and started in September 2000. The project "*Transfer interkultureller Kompetenz - ein Modellprojekt des Verbandes binationaler Familien und Partnerschaften, iaf-Berlin*" (transfer of inter-cultural competence a model project of the association of bi-national families and partnerships, *iaf-Berlin*) is directed towards the training of personnel, especially in psycho-social regular services as well as in the sector of health and social aid, young people and families. The general curriculum offers an introduction into the general topic of migration and ethnic relations, into the German history of immigration and integration, offering special sessions on different aspects of immigrant cultures, model discussions,

visits of other projects etc. However, the most interesting part of the general concept is the supervision of the organisations involved during and after the training. The concept is based on the idea to establish the trainee in the different organisations as a sort of ombudsman for inter-cultural competence and to strengthen his/her position by visits of the project organiser in each institution involved in the process.

The *Informations-, Dokumentations- und Aktionszentrum gegen Ausländerfeindlichkeit für eine multikulturelle Zukunft e. V. (IDA)* (Information, documentation and action center against xenophobia and for a multicultural future) which was founded ten years ago as a youth association on the national level (political youth, youth of the *DGB* etc.) mainly focuses on anti-discrimination activities and functions as a multiplier in the field of social work. IDA publishes brochures on the theme of anti-discrimination, organises further training and events on the topics of integration, education, anti-racism, best practices etc. Concerning anti-discrimination-training courses offered throughout Germany they developed a manual critically evaluating the different offers, as the quality of trainers varies a lot and often stereotypes are even more confirmed after the training. The brochure is therefore explaining the different types of training courses and is offering a checklist in order to evaluate the offers.

The "Project ABC Integration" was founded in March 1998 by a member of the *Verbund interkulturelle Arbeit (VIA)* (Association for intercultural work) regional association Berlin Brandenburg", which is an umbrella organisation of about thirty organisations and projects working in the field of migrant consultancy and anti-discrimination work. The network consists of NGO`s representing the interests of Russian, Turkish, Vietnamese, Latin American and other ethnic minorities. The "Project Integration ABC" (A= Arbeit/Work, B= Bildung/Education, C= Chance/Chances) focuses on the advice and support of Russian speaking immigrants in the field of labour market integration and education. This includes support in finding apprenticeships or jobs as well as student counselling and career consulting. The consultation is based on an individual concept, considering different professional abilities and work experiences. The Russian immigrants are supported in finding jobs or new job perspectives, retraining courses and vocational training courses. They receive as well support during the whole process of the job application. Once a week the consultants organise a meeting where Russian immigrants have the possibility to look for job advertisements in newspapers, exchange information and obtain professional advice and support, for example in contacting potential employers. It is also possible to publish individual job applications in the Internet. Four times a year, two-month training courses are offered to improve the immigrants`abilities in dealing with the demands of the German labour market. The courses include German language courses, basic computer training and job application training.

Similar projects are organised by large welfare organisations, however their main aim is still the traditional labour market integration of immigrants. Elements of cultural diversity are only slowly taken on board. In this context the specific competencies of immigrants and members of ethnic minorities are often still neglected. Concerning cultural diversity in the workplace within the welfare organisations, especially the theme of intercultural opening of their organisations, is discussed. The Caritas Berlin for example is currently extending its inter-cultural focus beyond specific migrant services to its entire social service sector and organising inter-cultural education courses for its staff. While in the past migrants in search of just general advice were repeatedly sent to specific migrant-consultation centres, the new approach wants that migrants with non migrant specific problems can be advised by inter-culturally schooled staff at any Caritas office.

For the various immigrant self organisations and ethnic minority associations the theme of cultural diversity in the workplace only plays subordinate role, as they are more active in fighting discrimination in other areas. However, it is an issue of growing importance to the Muslim self-organisations (e.g. *Türkischer Bund*, *Islamische Föderation*, *Bund Türkischer Unternehmer*) which have started with lobbying campaigns for promoting cultural diversity in the workplace. The engagement of foreign workers in this field is still largely channelled through the trade unions and their specific bodies.

In the area of the media there are many local and regional projects including aspects promoting cultural diversity. Most known in this area is the Radio Station *SFB4 MultiKulti* which is run by the Free Radio Station *Berlin Sender Freies Berlin (SFB)* (Free Broadcasting Station Berlin) who are not only promoting cultural diversity through their specific programming but also have developed a specific recruitment policy and training programmes for journalists with an ethnic minority background. Furthermore, the *West Deutscher Rundfunk (WDR)* (West German Broadcasting Station) and as other regional public television stations have integrated intercultural documentation and programmes in foreign languages into its programming. There is also some discussion of specific recruitment policies, but until now not much was developed on this basis.

4. Measures Taken to Improve Cultural Diversity and Remarks on the National Situation

In Germany especially the trade unions but also public agencies have been active in promoting cultural diversity in the workplace. Work agreements are a tool more and more used by employers in co-operation with trade unions to promote cultural diversity and fight discrimination in the workplace and can be judged as a good practice in the German framework.

The German Trade Union Federation (*DGB*) established a model industrial-relations scheme for equal treatment in which the works council members and the directors of the company agree on the promotion of equal treatment and the protection against and prevention of discrimination. These objectives concern the employer, the employees as well as the clients of the company. In the model scheme the establishment of an adequate complaints structure inside the company is recommended. Concerning equal chances trade-related language courses, for example, shall be offered within the company as well as qualification and further qualification for migrants shall be promoted.

In the context of its collective agreement the "*Post and Telekom*" for example has set up a new professional training scheme which includes intercultural education not only in the training of young professionals but also in the scheme of "train the trainers" programmes. They also initiated a working group, which focuses on giving assistance to trainers. In the working group, representatives of the young professionals are also included.

In the area of the public sector at the local and regional level, the process of intercultural opening can be seen as an effective tool for promoting cultural diversity in the workplace. In 1998 the employment office of the city of Göttingen, Germany established a project entitled "Intercultural Opening of the public service". The project includes the whole process of the intercultural opening in the public sector (at management and employees level, including vocational training, an orientation system in several languages, translating service). The other part is intercultural community work in one district of Göttingen.

Another approach for strengthening cultural diversity can be found in strengthening the intercultural competence of persons with an ethnic minority background and making use of them. The project "Bi-national vocational training" was designed by the German Economy Institute (Institut der deutschen Wirtschaft Köln) and financed by the Federal Ministry of Labour and Social Affairs of Germany. It is operated in association with Greece, Spain, Italy, Turkey and Portugal. The aim of the project is to maximize intercultural competence that young immigrants and ethnic minority representatives can offer to the German labour market.

Not only the recruitment policy but also the overall activities of *SFB 4 MultiKulti* are a good practice concerning the promotion of cultural diversity. *SFB 4 MultiKulti* is a multicultural integrating radio programme conceived by and elaborated for migrant groups living in Berlin. *SFB 4 MultiKulti* wants to fulfil a double function: with its programmes it wants to provide migrants with a better orientation in Berlin without giving up their own cultural identities, and it wants to contribute to a better understanding between Germans and ethnic minority groups. The radio station follows an employment policy, which is to

employ above all foreigners as editors and planners. To this end it has set up special recruitment and training programmes for ethnic minorities.

The promotion of cultural diversity in the workplace is still something new in Germany and is understood in the context of policies and measures securing equal opportunities, protection against discrimination and promoting the integration of immigrants into the labour market. Cultural diversity is often perceived by enterprises as a new fashion and a symbolic tool for labelling activities which are directed at foreign workers, but do not necessarily promote cultural diversity. Therefore these approaches are sometimes rejected by the work councils and the personnel department.

Apart from this there is a disagreement with the *Bund Deutscher Arbeitgeber (BDA)* regarding the issue of discrimination and racism in the workplace. Whereas the *BDA* publicly states that racism and ethnic discrimination are non-existent in the workplace, the trade unions have changed their opinion in this respect. The trade unions underline the necessity to fight racism in their own structures. Until now there are only a few businesses, which try to prevent discrimination and racism inside their own company. In general it is difficult to combat racism and discrimination in the workplace due to a lack of appropriate sanctions. Here, industrial relation agreements and work agreements play an important role, as they include this kind of mechanisms. The *Deutsche Bahn AG* (German Rail AG) has currently set up one kind of these agreements focussing on internal structures and relations with its clients. Concerning the implementation of these agreements the success in many cases however depends on the activities of a single person. The main problem concerning anti-discrimination within companies is, that discrimination is not discussed openly. Discrimination regarding for example special duration of vacation or qualification possibilities does not become an issue of conflict; it is normally not brought to public attention.

In the German context especially NGOs have been active in promotion measures directed towards cultural diversity in the workplace. The other main actor has been the trade union, which is traditionally active in the field of supporting foreign workers.

In the German context the new EU directives under Article 13 concerning anti-discrimination are of special importance. Apart from this, it is important to establish a specific institution of monitoring and reviewing ethnic discrimination, anti-discrimination measures and the related legislation.

5. List of Organisations and Agencies Active in the Field

6.1. Public Institutions

Bundesministerium für Arbeit und Sozialordnung
Herr Vogt (Referatsleiter) Frau Ulrike Szegeda
Mauerstr. 45 - 52
1. OG, Büro 055
Berlin
Tel.: 0049 30 2007 1858
Fax: 0049 30 2007 1894

Bundesministerium des Innern
Ministerialrat Jürgen Haberland
Abteilung A1
Alt Moabit 101
10559 Berlin
Tel.: 0049 30 3981 - 2165
Fax: 0049 30 3981 - 2226
www.bmi.bund.de

Bundesanstalt für Arbeit
Dr. Leve
Regensburger Straße 104
90327 Nürnberg
Tel.: 0049 911 179-2384
Fax: 0049 911 179 1483

Bundesministerium für Bildung und Forschung (BMBF)
Hr. Dr. Schulte
Postfach 229
10106 Berlin
Tel.: 0049 228 572208
Fax: 0049 1888 578 2208

Referat für Multikulturelles der Stadt Bonn
Günther Rzepka (Referatsleiter)
Budapester Straße 17
53111 Bonn
Tel.: 0049 228 77 35 11
Fax: 0049 228 77 23 60

Stadt Göttingen
Amt für Beschäftigungsförderung
INTEGRA
Nils Pagels Anton Cizmesija
Bürgerstraße 48, Zimmer 01
Tel.: 0049 551 400 3227
Fax: 0049 551 400 3238
N.Pagels@goettingen.de

Ministerium für Arbeit, Soziales, Gesundheit und Frauen des Landes Brandenburg
Antidiskriminierungsstelle im Büro der Ausländerbeauftragten des Landes Brandenburg
Harald Klier
Heinrich-Mann-Allee 103
14473 Potsdam
Tel.: 0049 331-866 59 54
Fax: 0049 331-866 5183

Amt für multikulturelle Angelegenheiten der Stadt Frankfurt am Main
Rosi Wolf-Almanasreh
Barckhausstr. 1 - 3
60325 Frankfurt/Main
oder
Tel.: 0049 69 2 12-3 87 65

Fax: 0049 69 2 12-3 79 46
dienstl.: rosi.wolf-almanasreh@stadt-frankfurt.de
<http://www.stadt-frankfurt.de/amka>

6.2. Trade Unions

DGB Bundesvorstand
Volker Roßocha
Henriette Hertz Platz 2
Berlin (am Hackeschen Markt)
Tel.: 0049 30 240 60 342
Fax: 0049 30 240 60 408
volker.rossocha@bundesvorstand.dgb.de

Deutscher Gewerkschaftsbund - DGB
Leo Monz
Bildungswerk des DGB
Hans-Böckler-Straße 39
10476 Düsseldorf
Tel. 0049 211 43 01-3 51
Fax: 0049 211 43 01-1 34
leo.monz@bundesvorstand.dgb.de
Gewerkschaft Erziehung und Wissenschaft (GEW)
Sanem Kleff
Ahornstr. 5
10787 Berlin
Tel.: 0049 30 219 993 - 10
Fax: 0049 30 219 993 - 50
kleff@gew-berlin.de

IG Medien
Friedrichstr. 15
70174 Stuttgart
Tel.: 0049 711 2018-0
Fax: 0049 711 2018199
www.igmedien.de

IG Bergbau, Chemie, Energie (IGBCE)
Giovanni Pollice
Königsworther Platz 6
30167 Hannover
Tel.: 0049 511 7631-0
Fax: 0049 511 7631713
www.igbce.de

IG BCE
Landesbezirk Westfalen
Breitenstein
Alte Hattinger Str. 19
44789 Bochum
Fax: 0049 234 319 514
Tel.: 0049 234 319-204

Industrie Gewerkschaft Metall (IG Metall)
Manuel Campos
Lyoner Str. 32
60528 Frankfurt
Tel.: 0049 69 6693-0
Fax: 0049 69 66932843
www.igmetall.de

6.3. Confederations of Employers

Bundesvereinigung der Deutschen Arbeitgeberverbände (BDA)
Dr. Barbara Dorn - Bildungsreferentin

Breite Straße 29
10178 Berlin
Tel.: 0049 30 2033 1902
Fax: 0049 30 2033 1905

Hauptverband des deutschen Einzelhandels (HDE)
Thomas Bade
Tel.: 0049 30 881 77 38
Aktion "Notausgang"

6.4. NGOs

Büro gegen ethnische Diskriminierung in Berlin und Brandenburg
Dr. Ali Fathi
Hohenstauffenstr. 7
10781 Berlin
Tel.: 0049 30 216 88 84
Fax: 0049 30 216 79 26

Interkultureller Rat in Deutschland e.V.
Anja Schwier
Reidstr. 2
64295 Darmstadt
Tel.: 0049 6151 3919741
Fax: 0049 6151 367003
Interkultureller-Rat@t-online.de
www.interkultureller-rat.de

ARIC-NRW e.V.
Anti-Rassismus Informations-Centrum NRW e.V.
Sevgi Korkmaz
Siegstraße 15,
Duisburg
Tel.: 0049 203 284873
Fax: 0049 203 284873
aricnrw@cwv.de
www.aric.de

Informations-, Dokumentations- und Aktionszentrum für eine multikulturelle Zukunft (IDA)
Björn Wiehle
Friedrichstr. 61a
40217 Düsseldorf
Tel.: 0049 211 37 10 70
Fax: 0049 211 37 10 25

Deutsches Rotes Kreuz - Generalsekretariat Team 33
Frau Ute Möhring
Königswinterer Straße 29
53227 Bonn
Tel.: 0049 228 5411 495
Fax: 0049 228 5411 500

Caritasverband für den Landkreis Peine
Am Amthof 3
31224 Peine
Tel.: 0049 5171 70 03 33
Fax: 0049 5171 70 03 44

Verbund interkulturelle Arbeit (VIA)
Soremsky
Hochemmericher Str. 71
47226 Duisburg
Tel.: 0049 2065 53346
Fax: 0049 2065 53561
VIA-BUND@t-online.de
www.paritaet.org/via

Verband für Interkulturelle Arbeit - VIA e.V.
Regionalverband Berlin-Brandenburg
Holger Förster
Kadiner Str.17
10243 Berlin
Tel.: 0049 30 29 00 71 55
Fax: 0049 30 29 00 71 54
via.integra@berlin.snafu.de
via.akam@berlin.snafu.de
via.berlin@snafu.de

Aktion Courage e.V.
Andreas Steiner
Kaiserstr. 201
53113 Bonn
Tel.: 0049 228 21 30 61
Fax: 0049 228 26 29 78
info@aktioncourage.org
www.aktioncourage.org

Trainingsoffensive e.V.
Belziger Straße 53
10823 Berlin
Tel.: 0049 30 782 79 05
Fax: 0049 30 262 54 07
Trainingsoffensive@cheerful.com

6.5. Research Institutions

INFIS - Institut für internationale Sozialforschung
Forschungsprojekt (1997-1999): "Alltägliche Fremdenfeindlichkeit im Betrieb und gewerkschaftliche Politik"
Dr. Beate Brüggemann Dr. Rainer Riehle
Duisburger Str. 17,
10707 Berlin
Tel.: 0049 30 882 2661
INFIS@aol.com

Technische Universität Berlin
FB Erziehungs- und -Unterrichtswissenschaften
Interkulturelle Forschungs- und Arbeitsstelle
Franklinstr. 28/29
10587 Berlin
Tel. 0049 30 314 73 213

Frank-Olaf Radtke
Uni Bielefeld
Fakultät für Pädagogik
Zentrum für Lehrerbildung
33501 Bielefeld
Tel.: 0049 521 106 4236

Bonner Institut für Migrationsforschung und interkulturelles Lernen e.V. (BIM)
Hr. Dr. Hidir Celik Anja Leist
Wesselstraße 8
Postfach 7043
53070 Bonn
Tel.: 0049 228 69 74 91
Fax: 0049 228 63 50 28

6.6. Medien

SFB4 MultiKulti
Dr. Friedrich Voß
Programmchef
Masurenallee 8-14

14057 Berlin
Tel.: 0049 30 3031 3020
Fax.: 0049 30 3031 3029

Südwest Deutscher Rundfunk SWR International
Prof. Dr. Karl-Heinz Meier-Braun
70150 Stuttgart
Tel.: 0049 711 929 3351
Fax: 0049 711 929 3616
karl-heinz.meier-braun@swr-online.de
www.swr.de/international

Medien gegen Rassismus e.V.
Flandrische Str. 10, 50674 Köln
Tel.: 0049 221 2579288
Fax: 0049 021 2579283
mgr@primus-online.de

BBF - Buntes Bremer Fernsehen
Lübecker Str. 27, 28203 Bremen
Tel.: 0049 421 703268
BBFLive@aol.com

Airmaq Rapp Stolle
Werbeagentur GmbH&CoKG
Münzstraße 15
10178 Berlin
Tel.: 30 88 71 0
Fax: 30 8871 71
info@ars-berlin.com

6.7. Others

Ford Werke Köln
Dieter Hinkelmann (Betriebsratsvorsitzender)
Tel.: 0049 221 901 3498
Fax: 0049 221 901 8175

Industrie- und Handelskammer zu Köln
ProQualifizierung
Wolfgang Fehl
Unter Sachsenhausen 10-26,
Köln
Tel.: 0049 221 1640 666/7
Fax: 0049 221 1640 669
www.proqua.de

Volkswagen AG
Magdalena Brüning
Gesamt- und Konzernbetriebsrat
Europäischer und Weltbetriebsrat
Brieffach 1586
Büro ist im Sektor 19, 3. OG
Tel.: 0049 5361 927475
Fax: 0049 5361 974 952
Magdalena.Bruening@Volkswagen.de

Thyssen Krupp Stahl AG
Miguel Martin Pelegina
Duisburg
Tel.: 0049 203 52 47 227
Fax: 0049 203 52 47 237

Ford Werke Köln
Hr. Hennig (Betriebsrat)
Heny Ford Straße

6. Country orientated Literature

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Greece

1. Developments of Migration and Population

The unique history of Greece in the twentieth century makes it a particularly interesting case in terms of its recent migration history. Amongst these particularities are the civil war (1946-1949) and the military dictatorship (1967-1974), with both of these events having their repercussions on the migratory movements to and from the country.

Noteworthy is the substantial outflow of nationals, either as political refugees (1949 - 1951) or as economic migrants (1950 -1973), generating a net emigration of almost one million out of a population of 7.2 million (cf. Fakiolas 1997). Conversely, it also had a significant return migration in the period succeeding the dictatorship, with almost half of the economic migrants of the previous years, and over four fifths of the 60000 to 65000 refugees of the civil war returning.

Since the late eighties, other migratory movements include the settlement of about 135000 Pontians largely as a result of tensions and military conflicts created in the area after the downfall of the Soviet regime (ethnic Greeks from the area of Pontos in the ex Soviet Union either resident there from the antiquity or settled as refugees after the end of the war between Greece and Turkey in 1922.); the arrival of approximately 80000 ethnic Greeks from Albania after the fall of the socialist regime and the influx of about half a million -- estimates as to the size of this migration vary, even from official sources -- undocumented economic immigrants from the former East Bloc and Less Developed Countries, that provide for around ten percent of the registered labour force (cf. Fakiolas 1997). The largest by far national group are the Albanians considered to constitute about 65% of all migrants.

According to the latest results of the 2001 National Census, the number of recorded non-nationals has reached a total of 797,093¹ (7,3%) in a population of 10,964,080. In the Athens Metropolitan Area the recorded non-nationals are 376.732 (10%) in a population of 3.761.810.²

The two migrant registration processes (1998 and 2001) are also indicative of the num-

¹ Including refugees and asylum seekers. In relation to economic migrants the number of refugees and asylum seekers is very small. UNHCR data show that since 1980 and until 2001 Greece awarded refugee status to a total of 6,460 persons with a refusal rate of over 90%.

² National Statistical Service, Census 2001 Data (published May 2002), available at [http://www.statistics.gr/new_site/Hellenic/gr_tables/S1100_SAP_1_pinakas1b_i.HTM?code=\(12/05/2002\)](http://www.statistics.gr/new_site/Hellenic/gr_tables/S1100_SAP_1_pinakas1b_i.HTM?code=(12/05/2002))

ber of migrants. In 1998 371641³ migrants registered for residence and work permits with the National Manpower and Employment Organization⁴ (OAED) during the first registration process. The National Institute of Labour (EIE)⁵ estimates that more than 150,000 did not register in 1998 for a variety of reasons, but usually either because they could not secure the necessary documentation or because were prevented by their employer under threat of dismissal. Official data concerning the second registration process (2001) are not yet available, but the Ministry of the Interior⁶ announced in December 2001 that approximately 351000 migrants applied for residence and work permits some of whom may have applied unsuccessfully during the earlier period. Thus the total number of about 900000 documented (approximately 720000) and undocumented (200000 – 300000) migrants roughly corresponds to the findings of the 2001 Census taking into account that many undocumented migrants preferred not to participate in the Census for a variety of reasons, mainly fear of deportation. The migrant population constitutes, then, approximately 8,5 percent – 9 percent of the total population. It should also be added that a rising number of migrants are forming families characterized by high fertility in contrast to the Greek population⁷.

Under the first regularisation scheme, initiated in 1997 and implemented in 1998 in order to further the integration of illegal immigrant workers into the labour market, some 371,641 illegal foreign nationals were issued a 'white card' that allowed legal stay and work on a (undefined) short-term basis until the obtainment of a 'green card', which was awarded to some 212000 immigrants. During the second registration process in 2001 all remaining holders of white cards were issued green cards of annual duration. According to immigration law 2910/2001, a two-year residence permit can be issued only after the 12-month permit has been renewed six times, namely after legal stay of 6 years. After ten years legal stay, the permit is renewed for an indefinite period of time. The procedure, however, is extremely cumbersome and slow and consequently the majority of green card applicants (July – August 2001) have not as yet had their applications considered (August 2002). The government has recently (May 2002) reformed the immigra-

3 "Alien applications for Residence and Work Permits", by Jenny Kavounidis and Loukia Hatzaki, National Institute of Labour, March 2000, Second revised edition, available in Greek only at http://www.eie.org.gr/Greek/contents_keimena_ergasias2.htm (12/05/2002)

4 More information in Greek on the website www.oaed.gr (03/03/2002)

5 More information in Greek mostly on the website www.eie.org.gr (03/03/2002)

6 The Ministry of the Interior has replaced the Ministry of Labour and the National Manpower and Employment Organization as competent authority according to Law 2910/2001.

7 "The question of low fertility was also raised in relation to the relatively recent immigration flows into Greece. This discussion focused on the differential fertility between immigrants and nationals. The publication of the SOPEMI 1999 report, and in particular the point raised that in several countries the percentage of births in the immigrant population is higher than the percentage of immigrants within the total population, has generated further discussion on this topic. Despite the lack of reliable statistical data in Greece, it has been estimated that during 1999 30% of all live births came from immigrants. In addition, it has been argued that if the actual patterns of immigrant fertility continue for the next 20 years, 150,000 births will come from the immigrant population (To Vima, 21/05/2000 - www.dolnet.gr)." European Observatory on Family Matters, Focus Monitoring 2000: Fertility, GREECE (Christos Bagavos): "General context in relation to the perception and discussion of demographic trends and family needs".

tion law simplifying procedures and extending the validity of expired residence permits until the end of 2002, However, in view of the large number of applications (351000) and the small number of government officials assigned to the task (approximately 350 at present – August 2002) it is unlikely that the task will have been completed by that time.

The only study⁸ on the first registration process carried out by the National Employment Institute (EIE) showed that Albanians are by far the biggest group of white cardholders with approximately two thirds of the white-card holders and nearly the same share of green card holders. Other important groups are, with considerable distance in terms of size, the Bulgarians (6.8 percent of green card holders; 7.7 percent of white card holders) and the Romanians (4.6 and 3.9 percent) (Table 23 / European Monitoring Centre on Racism and Xenophobia 2001).

TABLE 23. WHITE CARD AND GREEN CARD HOLDERS IN GREECE ACCORDING TO NATIONALITY

White Card			Green Card		
Citizenship	Number	%	Citizenship	Number	%
Albanian	241342	64.9	Albanian	131593	61.8
Bulgarian	25121	6.8	Bulgarian	16403	7.7
Romanian	16901	4.6	Romanian	8230	3.9
Pakistani	10861	2.9	Pakistani	9870	4.3
Ukrainian	9807	2.6	Ukrainian	5890	2.8
Polish	8628	2.3	Polish	5270	2.5
Georgian	7541	2.0	Georgian	3722	1.8
Indian	6388	1.7	Indian	4385	2.1
Egyptian	6202	1.7	Egyptian	5182	2.4
Filipino	5379	1.5	Filipino	3629	1.7
Moldavian	4386	1.2	Moldavian	2738	1.3
Rest (under 1%)	29085	7.8	Syrian	2462	1.2
			Bangladesh	2787	1.3
			Rest (under 1%)	11437	5.4
TOTAL	371641	100	TOTAL	212860	100

Source: OAED-National Employment Observatory, cited in European Monitoring Centre on Racism and Xenophobia (2001)

During 1998, approximately 63400 individual migrants received residence permits, a reduction of 8.3 percent vis-à-vis the 1997 figure of 69200. Decreases were noted for almost all countries, with the significant exception of Albania, whose migration flow increased by 250 percent. Of the 15100 people from Albania, 82 percent were ethnic Greeks, compared to the overall average of forty percent. This increase and its composition is linked to the fact since April 1998 Greek Albanians have been eligible for 'Spe-

⁸ "Alien applications for Residence and Work Permits", by Jenny Kavounidis and Loukia Hatzaki, National Institute of Labour, March 2000, Second revised edition, available in Greek only at http://www.eie.org.gr/Greek/contents_keimena_ergasias2.htm (12/05/2002)

cial Identity Cards', valid for three years and renewable, granting them the right of residence and guaranteeing all social rights and privileges and the same treatment as Greek citizens in the labour market. The flow from the second most important country, Russia (11000) and the fourth, Georgia (3300) also contained high proportions of ethnic Greeks (56 percent and 84 percent respectively).

Amongst the regularised foreigners, there is a highly unequal gender distribution within the different national groups. Overall, only 25.3 percent of the white cardholders, a temporary resident permit, were women. Thus, of the members of largest national group, the Albanians, only 17 percent are women; whilst 56 percent of the Bulgarians, 30.4 percent of the Romanians, 0.5 percent of the Pakistanis and 78.7 percent of the Ukrainians were women. The most male-dominated groups were the Pakistanis, of which only 0.5 percent were female, and the Indians (1.6 percent). The group with the largest proportions of females were the Philippines (81 percent) followed by the Moldovars (72.1 percent).

Those of working age dominate the age structure of the regularised foreigners. There are only 364 registered foreign nationals who are under the age of 14 percent; whilst only 544 are over 65. Of the working age population 23656 are under twenty years of age, of which 13.9 percent are women; 163782 between twenty and thirty years of age (ca. twenty percent women); 142 045 between 30 and 44 years of age (28.6 percent women); and 32767 between 45 and 64 years of age (44.3 percent women).

Labour Market Developments

In 1997, the official figure for the working population was 4.3 million. To this figure a yearly average of 500000 illegal workers must be added, the entrance of them is highly season-bound. This temporal fixation is due partly to the structure of one of the sectors of the Greek economy where migrants are usually employed, namely agricultural and partly on the high mobility of Albanian migrants⁹ (forming the majority of the migrant population) who commute regularly to Albania. We are dealing therefore with a highly mobile immigrant population that is either not adequately monitored¹⁰ - concerning those that cross the borders legally - or not monitored at all - concerning those that cross the borders illegally.

The maximum number of work permits granted each year to foreign migrants by country

9 According to official data from the National Statistical Service 717,000 Albanians entered Greece during 2000 (classified as tourists, an issue that was caused a heated debate in Parliament on 15 June 2002 (see www.parliament.gr). This figure indicates that many Albanian documented migrants travel to their home country frequently, since the distance, travel time and cost involved are small.

10 Data concerning visas compiled by the police (Ministry of Public Order) are not correlated or crosschecked with data concerning residence & work permits compiled by Local Authorities (Ministry of the Interior). Therefore, it is not possible to have reliable data on the number of documented migrants resident in the country during a specific time period. The existing data refer to a rough estimation.

of citizenship, occupation and duration of work and for the various regions of the country is determined by a joint decision of the Ministers of Foreign Affairs, Labour and Public Order after consultation with the Manpower and Employment Organisation and the representatives of trade unions and employers' organisations.

According to the EU-Employment Observatory and national sources there are no representative data about immigrant work in Greece in general. Through the regularisation procedure from 1998 to 99 though some data could be collected for the group of applicants for the regularisation programme. Other data sources come from samples of non-governmental sources.

A study performed by the National Employment Observatory on the basis of some 51000 applications for regularisation showed that the biggest share of work permits was issued for commerce, hotels, catering and other services. Another feature of the sample was the predominance of male applicants with 71 percent. (All data: European Employment Observatory 1999). However the study was based only on employers application for migrant labour most of which (73 percent) were turned down.

2. Anti-discrimination Legislation with regard to the Labour Market

Up to now, Greece has had no independent comprehensive anti-discrimination laws. The law on immigration (Law 2910/2001 ammended by Law 3013/2002) does not include anti-discrimination issues. Indicative perhaps of the ideological and political uncertainty surrounding the issue of discrimination the Constitution includes both discriminatory and anti-discriminatory clauses. Article 5 (2) of the Greek Constitution stipulates that, "all persons living within the Greek territory shall enjoy full protection of their life, honour, and freedom, irrespective of their nationality, race or language, or of religious or political beliefs." It is important that this article includes all persons living in Greece, however, the clause is general and discrimination is not mentioned specifically. Article 22 lays down equal pay for equal work irrespective of sex or any other difference prohibits unequal payment of equal work, although it does not say anything about recruitment or dismissal or other forms of discrimination in the workplace. On the other hand, according to the the Constitution, employment in the public sector is restricted to Greek nationals and an important distinction between Greek and foreign nationals is contained in a number of articles concerning fundamental social, individual and political rights. More specifically according to Articles 11, 12 and 29 foreign nationals are not guaranteed by the Constitution the right to congregate and demonstrate, to form or participate in unions and to vote or participate in political parties. This distinction is significant especially in view of the fact that foreign nationals (migrants) now comprise a significant part

of the country's population and may lead to discrimination affecting fundamental social rights.

Despite these provisions, Law 1264 of 1984 regulates that foreign nationals are on equal terms with Greek citizens, and are allowed to participate in trade unions. Since then it has been accepted that foreign nationals in Greece are free to establish their own associations and unions. Greece has also ratified different international provisions prohibiting racial discrimination, such as the CERD in 1972 and the ILO Convention 111 in 1984. These international standards are automatically integrated into the domestic law in accordance with Article 28 (1) of the Greek Constitution; however, in practice this is frequently contested in the courts.

Greek Criminal law has different articles prohibiting the incitement of discrimination, the public expression of offensive ideas etc., however none of these articles refer to racial discrimination in employment.

Law 1264 of 1984 regulates that foreign nationals are on equal terms with Greek citizens, and are allowed to participate in trade unions. Since then it has been accepted that foreign nationals in Greece are free to establish their own associations and unions.

In September 1997, the Greek government established an Ombudsman's office charged with mediating between citizens and the state in order to protect citizens' rights, combat bad administration and ensure the observance of the law. The office of the Ombudsman is independent and has the power to receive complaints and act upon them. The Ombudsman deals with immigrants. However, not much work has been done until now. There have only been some cases dealing with the recent regularisation campaigns or with the irregular situation of immigrants and refugees, but not with concrete discrimination in the workplace, because the Ombudsman is mandated by its founding law to intervene only in cases concerning the public administration and not physical or legal persons.

Although Greece has signed two important international conventions prohibiting discrimination, no effective anti-discrimination legislation, including discrimination in employment, exists to date. Although the two international conventions are integrated into domestic law, there are no cases filed under these conventions. Furthermore, up to now there is no specific body in Greece concerning discrimination in education, housing, employment, public services or social services. Amendments to the Greek Constitution adapted by Parliament in April 2001 did not include anti-discrimination provisions. Furthermore, the Ministry of Justice established a committee of experts to review legislation in order to improve its anti-discriminatory potential in 1999, but it has not produced any reports or recommendations yet, despite the imminent transposition (July 2003) of Council Directive 2000/43/EC that will require significant reforms of both the civil and

administrative codes. The Ministry of Justice has up till now only considered the review of the provisions in the Criminal Law.

3. Institutional Development in the Area of Cultural Diversity in the Workplace

Besides some NGOs and welfare organisations there are nearly no support structures for immigrants and refugees, especially those who are still undocumented. An exception to this are the ethnic Greeks from the NIS and Albania, who are given the same rights and duties as Greek citizens in legal terms and regarding their access to the Greek labour market. The question of discrimination and cultural diversity only plays a very minor role in Greek political debate, despite the fact that opinion leaders and the government have repeatedly claimed that Greece has become a multicultural society. However, this claim is treated in political debate simply as an “acknowledging statement” without any reference to actions that need to be taken in order to adapt to this new situation. The main problem for immigrants and ethnic minorities continues to be the absence of a regulatory administrative framework, monitoring bodies and corresponding legislative provisions, which is the main cause for their exposure to discrimination. Therefore, there are few public and private institutions dealing with anti-discrimination and cultural diversity, while their activities are almost exclusively funded either privately or through European projects and therefore are short lived. This is backed by generally strong xenophobic sentiments in Greek society particularly against neighbouring ethnic groups such as Albanians and Turks that can best be explained in terms of the history of the Balkans and the recent events in the former Yugoslavia. Therefore, there are no public institutions dealing with anti-discrimination and cultural diversity, which are generally considered as the province of human rights NGOs.

Although limited, policies for cultural integration, welfare entitlements and services do exist and are implemented albeit on an ad hoc basis in the main cities and especially in the Athens area, however they mostly cater for “repatriated” ethnic Greeks. These have been enhanced due to the impetus of the EU Year against Racism in 1997 and include scores of activities put on by human rights organisations active in the country (gatherings, lectures, theatre performances, radio and television presentations, debates of various kinds, etc.). At the lower levels, the institutional vacuum is partly filled in by assistance offered formally and informally by NGOs, which are more active in the refugee field and especially in the main cities, (with some only active in Athens); by welfare organisations specialising in foreigners; and by the church, parish organisations and informal charity organisations or groups.

The Pontian Association, a group of organised Pontian Greeks, gives advice to Pontian

Greeks and regularly organises cultural activities. *NOSTOS* has been created by the Pontian Associations, and counsels immigrants with Pontian background, but sometimes other immigrants from the NIS as well. The Greek political system promotes Pontian Greeks by awarding them extra credits for the state university entrance examinations and the civil service recruitment examinations to repatriated Greeks who want to enter the university or the civil service (provided they have been able to acquire Greek citizenship). This eases entry and provides better opportunities.

Immigrants have no representation in the Greek trade unions. The Greek trade unions are more or less neutral. According to the labour law, non-Greek nationals are allowed to participate in the labour unions. However, if there are elections in the trade union, half of the elected leadership must be Greek. Therefore, autonomous organisations inside the unions are not allowed.

The Social Work Foundation (SWF) is a NGO supporting refugees by mainly offering them (legal and professional) counselling. It is supported by the Greek government and financed partly from European Union funds. Often the work of the Social Work Foundation is very limited, as available funding allows the implementation of only small scale “demonstration projects”.

The Migrants Office of the Information Centre for the Workers and the Unemployed of the Greek General Confederation of Labour (*H.E.P.E.A. - G.S.E.E.*) in Athens is an information and counselling centre for documented and undocumented migrants. They try to support migrants in matters relating to their problems in the labour market and the workplace. Through this, they are hoping to reduce the discrimination and exploitation migrant workers often face in the Greek labour market.

Apart from NGOs and welfare organisations, immigrant and refugee communities have tried more or less successfully to establish their own associations with the aim of improving their living and working conditions in Greece. The Polish community has created, for example, a network of mutual assistance, which has founded various informal and also formal small service firms in Greece. Furthermore, they run their own kindergarten and primary school. The Pan-African and the Filipino associations also run a kindergarten each for their children and, similar to the Poles, they are active in protecting their members and other immigrants.

4. Measures Taken to Improve Cultural Diversity and Remarks on the National Situation

The main problem for immigrants and ethnic minorities continues to be the absence of a regulatory administrative framework, monitoring bodies and corresponding legislative

provisions, which is the main cause for their exposure to discrimination. Therefore, there are few public and private institutions dealing with anti-discrimination and cultural diversity, while their activities are almost exclusively funded either privately or through European projects and therefore are short lived.

One example is the refugee integration programme run by the Social Work Foundation. The refugee integration programme helps established refugees to open up their own small business. To this end, refugees can receive up to 5,000 Euro, of which thirty percent is a grant and seventy percent is a credit. The establishment of a small business is prepared and accompanied by different training and vocational courses. Furthermore, language courses are offered to the participants of the programme. Until now, only few refugees have participated in the programme. The self-employment programme was stopped in 1993, but resumed in 1995. It has not been evaluated, but its impact is considered minimal due to the unrealistically small amount of capital offered.

Another example for improving the overall situation of immigrants and refugees through improved integration into the labour market is the work of the Greek Manpower Employment Organisation, which systematically deals with all unemployed persons and groups that fall under the danger of being excluded. These groups of people include the handicapped, refugees, ex-convicts, single parents, drug addicts, the elderly, and mentally disturbed people. There are different activities, such as training courses, exercises and contact with future employers to improve access to the labour market for these vulnerable groups. The Greek Manpower Employment Organisation also offers language courses to immigrants. Furthermore, there is a special programme aiming at the labour market integration of Roma who are living in slum neighbourhoods around Athens. There are no evaluation reports on the effectiveness of these activities, but human rights NGOs consider them of little value due to the very small number of persons that can participate due to inadequate funding.

One of the main problems in Greece is that all levels of employment from unskilled manual workers to administrative personnel in the public sector that comprises not only the state, but also all local authorities and QUANGOs are closed to foreigners, and there are no cultural diversity activities in the private sector. The labour market in Greece is therefore restricted for any foreigners to the private sector, where small family run enterprises predominate. It is impossible to provide an adequate causal analysis of the situation as there are no data available concerning the employment of migrants, Roma or other minorities. The 2001 Annual Report of the General Confederation of Labour indicates that ethnic discrimination may partly be attributable to the nature of employment offered to migrants (badly paid, low status, manual and mainly unskilled work) and the structure and form of the small family businesses that predominate in the economic

sectors where migrants tend to be mostly employed (agriculture, manufacturing and construction). Furthermore, EU funded projects for the labour integration of vulnerable groups are largely focused on Greeks and do not specifically focus on immigrants or the promotion of cultural diversity in the workplace.

Despite this more or less negative overall situation things might change in the following years, as Greece has to comply in 2003 with the race and employment directives passed under Article 13 of the Amsterdam Treaty.

5. List of Organisations and Agencies Active in the Field

6.1. Public Institutions

Ombudsman office
Prof. Nikiforos Diamandouros
Tel.: 0030 1 72 89 76 7-9
Fax: 0030 1 72 89 700

Ministry of Culture
General Secretariat for Greeks Abroad
C. Dimitriou
Aharon 417
GR-11143 Athen
Tel.: 00301 253 19 28 od.
Fax: 00 301 253 16 51

Ministry of Coordination
Papadakis
Center for Planning and Economic Research
GR-Athen,
Greece 11143

Hellenic Ministry of Labour and Social Security
General Secretary of Social Security
29 Stadiou Str.
10110 Athen
Tel.: 0030 1 3368000
Fax: 0030 1 3368025
informat@ggka.gr

Ministry of Labour & Social Security
Division of Employment
Ms Drakou - director of the Employment Department
40 Pireos Str.,
Athen
Greece
Tel.: 0030 1 529 52 45
Fax: 0030 1 524 29 42

Ministry of Interior Affairs
Dept. of Foreigners and Immigration
Director: Ms. Giavi, Officer in charge for statistical data: Ms. Papadimitriou
Stadiou 27-29, (5th floor)
Tel.: 0030 10 322 89 01
Fax: 0030 10 324 35 90

Social Work Foundation
Ms Christofilopoulou / Ms Dombula

40, Pereos Str. - Athens
Tel.: 0030 1 52 40 484
Fax: 0030 1 52 41 977

Greek Manpower Employment Organization
Mrs. E. Manousaki
8 Eth. Antistasis
166 10 Alimos
Athens
Tel.: 0030 1 99 89 181
Fax: 0030 1 99 89 500

6.2. Trade Unions

General Confederation of Greek Labour
John Manolis (Deputy Chairman)
69, Patision Str.
Athens
Tel.: 0030 1 82 02 155
Fax: 0030 1 82 02 186

Labour Institute
Mr. Petros Rilmon
Benaki 71a, 4th floor
Tel.: 0030 1 332 77 25
movil: 0030 (0) 9777 87 666

Labour Institute of Greek Federation of Bank Employees Unions
INE-OTOE
Vissarionos 9 & Sina Str.
10672 Athens
Tel: 0030 1 3647589
Fax: 0030 1 3637611

Information Centre For The Workers And The Unemployed/
The Greek General Confederation Of Labor
KE.P.E.A. / G.S.E.E.
Voulgari 1 and Pireos (Armonia Place)
104 37 Athens
Tel: 0030 1 52 44.011
Fax: 0030 1 5245510
e-mail: kepea@gsee.gr

6.3. Confederations of Employers

Confederation of Greek Industries
Tel.: 0030 1 32 37 325 - 9
Fax: 0030 1 32 22 929
e-mail: main@fgi.org.gr

TITAN CEMENT COMPANY S.A.
Headquarters:
22a Chalkidos Str.
Ano Patissia
111 43, Athens
Tel. 0030 01 259 1111
Fax: 0030 01 259 1205
E-MAIL: main@titan.gr

6.4. NGOs

IINFOCENTER (EUMC National Focal Point)
Ioannis N, Dimitrakopoulos
11, Per. Stavrou Str.,
115 24 Athens
Tel.: 0030 10 6801 486

Fax: 0030 10 6839136
zelot@otenet.gr

Social Work Foundation SWF
Evangelia Loukadounou
1 Ploutonos / Herodotou 1 str.
Metamorphosis 144 51
Attica, Greece
Tel.: 0030 1 28 25 622
Fax: 0030 1 28 12 782

E.K.PO.S.P.O. "NOSTOS" - Pontian Federation
Sissy Andritsopoulou
66, Solomou str. and 3rd of September
Tel.: 0030 1 52 31 966 / 52 25 636
Fax: 0030 1 52 21 950

Network for Social Support to Immigrants and Refugees
Valtetsiou 35
Athens
Tel. 0030 1 381 39 28
Fax: 0030 1 3840390
mail: diktio@hol.gr

Coordinating Union of Anti-Racist Organizations and Immigrants Communities
35, Valtetsiou Str. Communities
Athens
Tel.: 0030 1 381 39 28
Fax: 0030 1 384 03 90

SOS Racism
Levantis Dimitrios
Adriana Marvaki
President of SOS Racism
Tel.: 0030 1 36 133 92
Fax: 0030 1 36 19 164

Greek Council for Refugees
Ms Maria Symeon or Mr G. Kosmadakis
25, Solomon Str.
Athens
Tel.: 0030 1 380 60 54
Fax: 0030 1 380 37 74

6.5. Research Institutes

Mrs. Nelly-Eleni Psarrou
Leonidou 9
15341 Aghia Paraskevi
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Tel.: 0030 1 6 00 47 72
Fax: 0030 1 3 22 25 19
E.PSARROU@LSE.AC.UK

Prof. Ira Emke-Poulopoulos
Institute for the Study of
the Greek Economy - IMEO
Demographic Section
Sevastopoulou Street 12
11524 Athen, Griechenland
Tel.: 0030 1 691 75 38
Fax: 0030 1 691 75 38

Dr. Nicholas P. Glytsos
Centre of Planning and Economic Research
KEPE Institut

22, Hippokratous Street
10680 Athen
Tel.: 0030 1 361 44 75
Fax: 0030 1 361 11 36

Professor Rossetos Fakiolas
National Technical University
Heron Polytechniou 66
Zografou
15772 Athen
Griechenland
Tel.: 0030 1 77 89 863 oder 0030 1 77 52 544
Fax: 0030 1 77 52 544
Fakiolas@netor.gr

Prof. Dr. Ilias Katsoulis
Pantheon - University of Athens
Dept. of Political Science and History
Institute of Social and Political Sciences
Leophoros Sigrou 136
17671 Athen
Griechenland
Tel. Fax: 0030 1 674 63 12
ikats@panteion.gr

Prof. Theodoros Economou
University of Thessaloniki
Greece
Fax: 0030 31 271 323
mail: lkonomu@Econ.auth.gr

Baldwin- Edwards, Martin
Tel: 0030 1 64 50 633
mmo@panteion.gr
Baldwin-Edwards@operamail.com
Baldwin-Edwards@usa.net

6.6. Others

SOPEMI
Nicholas Petropoulos (Representative for Greece)
Tel.: 0030 1 222 00 43
0030 1 60 16 376
0030 1 097 250 96 16
Fax: 0030 1 60 12 199
nppsoc@pi-school.gr

Mrs. Yanna Kourtovic
Lawyer specialised on immigrants and racism
Gladstonos 8
Athens
Fax: 0030 (0)1 3303120

6. Country orientated Literature

Baratta, M. von (ed.): 2000, Der Fischer Weltalmanach 2001. Frankfurt.

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Organization for Economic Co-operation and Development; SOPEMI; OECD (ed.): 2001, Trends in International Migration. Paris.

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Verband der Initiativgruppen in der Ausländerarbeit; VIA; IMSERO; EFXINI POLI (ed.): 2001, Integration into labour market. Involvement of local authorities in the integration of target groups in the labour market. Berlin.

Spain

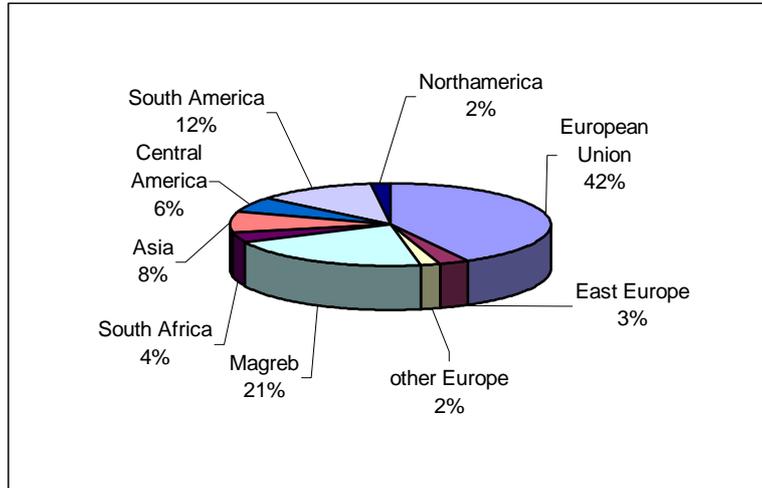
1. Developments of Migration and Population

Spain, as a country of emigration at the beginning of the last century, has made a change to an immigration country in the second half of the twentieth century. Although the data available tend to indicate that Spain has been less affected by recent migration than Italy and Greece, there is no doubt that Spain, along with the rest of the southern EU, has become a desirable country for potential migrants. There was a modification in the structure of the economy in the seventies. The fragmentation of the labour market has changed the demand for labour and therefore also the claims by foreign workers.

There are little changes in the total number of residents in Spain within the last years. In 1999 the total number of residents was 39.16 million. The growth rate in the past few years has been lying between zero and 0.5 percent and is still positive. Compared to other countries in the European Union the stock of foreign people in Spain is with 2.5 percent of the population very low. The total number of foreign residents in Spain is 801 329 (1999). The majority of the foreigners are from the European Union. These people mostly work for multinational enterprises and services. The other big part of foreigners is the low budget workers from third country nations. About 42 percent of the foreign population are belonging to the Member States of the European Union. The second biggest part of the foreign population is represented by the Maghreb-States, especially Morocco.

The foreign population has doubled since 1990, partly because of the regularisation programmes for undocumented foreigners decided in 1991 and 1996. Depending on the case, some foreigners were granted both a work and residence permit or a residence permit only. At the end of 1999 there were about 802 000 foreign residents, eleven percent more than in 1998. Since 1994, the stock of foreigners from non-EU countries has been growing steadily, rising by over twenty percent in 1997 and 1998. There is an important concentration of foreign residents in some part of Spain. One third of the foreign residents live in Madrid or Barcelona and rest in the Mediterranean provinces and the Canary Islands.

TABLE 44. FOREIGN POPULATION IN SPAIN 1998



Source: La inmigracion extranjera en Espana 2000

Source: La inmigracion extranjera en Espana 2000

In the capital district Madrid there are foreign workers of each qualification - highly qualified professionals who work for big international enterprises and also low and middle qualified workers. In the coastal zones the range is not so wide. Tourism and agriculture are determining the need of foreign workers. Barcelona is known as an important industrial and service centre. The analysis of the distribution by origin shows, that foreigners from developing countries prefer to live in Madrid and Catalunya, while the foreigners of industrialised countries prefer to live in the coastal areas. Very high is the concentration of European foreigners in the Barleares (5.1 percent), Tenerife (4.9 percent) and Girona (4.6 percent).

Table 45: Distribution of foreign residents by region

Total	719647	in percent
Madrid	148070	20.6
Barcelona	104300	14.5
Malaga	47084	6.5
Alicante	44631	6.2
Baleares	40399	5.6
Tenerife	37936	5.3
Las Palmas	30912	4.3
Girona	25174	3.5
Valencia	16940	2.4
Murcia	16731	2.3
Almeria	16502	2.3
Tarragona	13808	19.0

Source: La inmigración extranjera en España 2000

Although the proportion of women among foreign residents has been rising over recent years, the majority (about 55 percent) of immigrants is still male. The stock of foreign residents from Europe is well balanced by sex. There are more male African immigrants than female, while the distribution of Americans is the opposite. There have been little changes in proportions during the last ten years. The majority of the Asian and American women are working in the service sector, mainly as cleaning staff and domestic labour.

TABLE 46: DISTRIBUTION BY SEX AND AGE 1998:



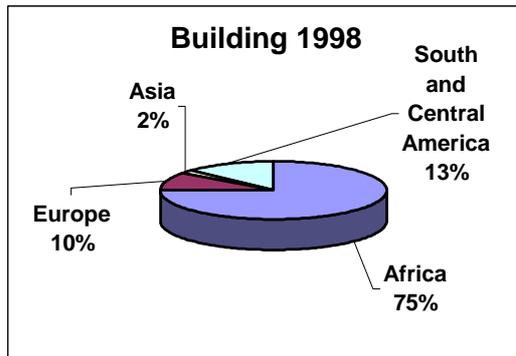
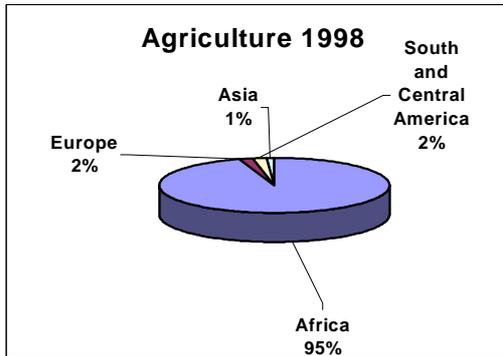
Source: La inmigración extranjera en España 2000

TABLE 47: SPAIN: FOREIGN POPULATION BY AGE AND ORIGIN

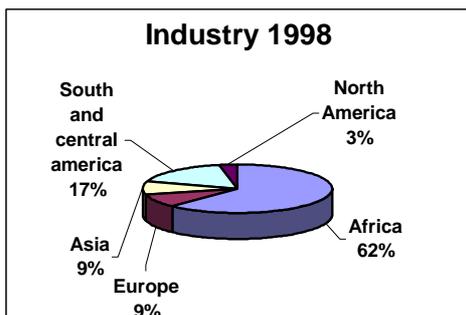
Origin	0 to 15	16 to 26	26 to 45	46 to 65	66 and older
Total	10.7	13.3	48.5	18.5	9.0
EU	6.0	10.1	40.7	26.9	16.2
Maghreb	19.2	16.8	54.3	8.8	0.8
South America	8.3	13.7	57.8	15.1	5.0
Asia	14.5	17.2	50.4	14.9	2.7
Central America	11.0	17.6	57.3	11.3	2.8
Africa subsahara	15.2	14.9	61.6	7.0	1.0
East Europe	13.0	14.2	58.0	12.2	2.0
North America	6.8	11.5	40.0	22.4	18.8
Other Europe	4.0	5.7	23.9	35.0	30.9
Oceania	5.5	6.3	44.4	24.2	12.2
Unknown	10.1	12.1	41.7	15.3	13.3
Spain Population	17.5	16.5	29.5	21.9	14.5

Source: La inmigración extranjera en España 2000

TABLE 48. LABOUR MARKET DISBRIBUTION OF FOREIGNERS IN SPAIN



Source: Mercado laboral e Inmigracion 2000



Compared to the structure of the Spanish population there are less young people between 0-15 and less older inhabitants over 66 inside the foreign population. Especially the African migrants, who present the main part of the agricultural and industrial workforce, are with sixty percent more concentrated between 26 and 45.

Labour Market Developments

The Spanish labour market is showing a strong segmentation and can be divided into an

informal, submerged market and the second and first market. The informal market makes up one fourth of the entire labour market. In general Spanish enterprises are interested in cheap labour and until now there is still enough offer of this type of labour.

About 290000 of the 800000 immigrants in Spain are working regularly. In relation to the total number of manpower in Spain in 1999 this is 1.8 percent of the working population in Spain, which consists of 16.2 million people. Sixty-six percent of the foreign workers are male, only 34 percent are female, a gender ratio corresponding with the situation in the Spanish economy as a whole. Half of the workers are based in Madrid (31 percent) and Barcelona (twenty percent). Regarding the age, in 1998 14.8 percent of the working foreigners were between 16 and 24, 44.4 percent between 25 and 34, 28.7 percent between 35 and 44 and 12.1 percent older than 45.

60.9 percent of the total foreign workforce is employed in the service sector, 18.7 percent in the agricultural sector, 9.4 percent in building sector, 7.3 percent in industrial sector. The following graphic, concerning the separation of foreign workers by sectors and origin, shows an interesting part of the labour market in Spain. About 95 percent of the employees in agriculture are Africans (79 percent out of these are Moroccan). Africans also hold the majority in the industrial (62 percent) and building (75 percent) sector. The structure of the service sector is completely different. 42 percent of the services workforce are South and Central Americans, 28 percent are Asians and 22 percent Africans. 9 percent of the industrial workers are Europeans, while 10 percent of the building and only 6 percent of the services workers are Europeans. In the agricultural sector there is a minority of the workers (2 percent) with European origin

Table 49: Repartition of immigrant groups on labour market sectors in Spain in 1999 (without EU citizens)

Origin	Total	Sex		Sector									
		Male	Female	Agriculture		Industry		Building		Services		other sectors	
					%*		%*		%*		%*		%*
ALL**	172838	110378	62460	32315	18.7%	12642	7.3%	16396	9.5%	105321	60.9%	6164	3.6%
Europe**	11540	7077	4463	1092	9.5%	1189	10.3%	1810	15.7%	7267	63.0%	182	1.6%

Africa	82962	68101	14861	29476	35.5%	7448	9.0%	11847	14.3%	29816	35.9%	4375	5.3%
North America	1983	1612	789	19	1.0%	280	14.1%	25	1.3%	1610	81.2%	49	2.5%
South & Central America	51191	18460	32731	1192	2.3%	2458	4.8%	2330	4.6%	44068	86.1%	1143	2.2%
Asia	24885	15331	9554	516	2.1%	1227	4.9%	362	1.5%	22373	89.9%	407	1.6%
Oceania	110	71	39	3	2.7%	17	15.5%	2	1.8%	84	76.4%	4	3.6%
other states	167	144	23	17	10.2%	23	13.8%	20	12.0%	103	61.7%	4	2.4%

* percentage of the total number of active immigrants from a defined origin working in each sector

** without EU-countries

Source: Anuario de migraciones 2000

Concerning immigrant unemployment there is only very little and somehow contradictory data available on Spain. According to SOPEMI 2000 in Spain there is very little difference between unemployment rates of immigrants and nationals. This would present Spain as a big exception within the EU where in general immigrants' unemployment is much higher than would be justified by their share of the total active population. EUROSTAT data from 2000 suggests that in 1998 the immigrants from other EU states working in Spain had lower unemployment rates while for immigrants from non-EU-countries unemployment was higher (15.4 percent for EU-citizens, 23.9 percent for non EU-citizens compared to a total 20.8 percent). Since 1998 unemployment was generally declining in Spain but there is no data on the effects of this development on immigrant unemployment.

For immigrant self-employment there is also very little data available. OECD estimations from 1997 say that a total number of 23 000 self-employed non-nationals are living in Spain. As a share of the total active population this would mean a quota of 23 percent compared to 21 percent for the Spanish population.

2. Anti-discrimination Legislation with regard to the Labour Market

The Spanish Constitution of 1979 prohibits discrimination of Spaniards before the law. Article 14 states: "Spaniards shall be equal before the law and may not be discriminated against for reasons of birth, race, sex, religion, opinion or any other condition or personal or social circumstance."

Furthermore Article 9.2 of the Constitution stipulates that: "It shall be incumbent upon the public authorities to promote conditions such as to ensure real and effective freedom and equality for individuals and the groups to which they belong, to remove obstacles which prevent or hinder the full enjoyment thereof, and to facilitate the participation of all citizens in political, economic, cultural and social life."

Although the Constitution protects the rights of all the people of Spain and their cultures, it does not mention of ethnic minorities or non-nationals living in Spain. Regarding the latter, Article 13 of the Constitution simply guarantees the rights of non-nationals - these rights are those laid down by treaties and laws.

The most recent law regarding the rights of foreigners in Spain is the "Ley Orgánica sobre derechos y libertades de los extranjeros en España y su integración social" 8/2000 of 22 December, Organic Law regarding the rights and liberties of foreigners in Spain and their social integration".

Article 10 of this Law refers to the right to work and access to social security. Foreigners who are legally in Spain have the right to work and to access social security. Foreign residents may apply for employment with public administrations (this was previously forbidden).

Article 11 deals with the "Liberty of belonging to a trade union and striking". Foreigners, who have the administrative license to live and work in Spain, have the right to belong to trade unions and to become members of a professional body. Likewise, they have the right to strike.

The other piece of legislation dealing with issues of discrimination is the Institutional Law 10/1995 of 23 November, of the Penal Code. This legislation covers committing an offence, which involves "discrimination on the basis of the person's ideology, religion or beliefs, ethnic group, race or nationality, sex or sexual orientation or an illness or disability from which he/she suffers" (Article 22.4)

It is Article 314 of this law, which directly deals with issues of discrimination in employment. "Persons guilty of serious discrimination in employment, whether public or private, on account of a person's ideology, religion or beliefs, membership of an ethnic group,

race or nationality, sex or sexual orientation, family situation, illness or disability shall be liable to imprisonment for six months to two years, or a fine equivalent to six to twelve months salary."

Furthermore Article 511 of the same law stipulates: " 1. Persons responsible for public services who refuse a person benefits or services to which he/she is entitled, on account of his/her ideology, religion, beliefs, ethnic group or race, country of origin, sex or sexual orientation, family situation, illness or disability, shall be liable to imprisonment for six months to two years and a fine equivalent to twelve to twenty-four months salary, and shall be barred from holding public employment or office for one to three years.

The Ombudsman is another figure who could act against discriminative positions in the labour market. His main task is to investigate the actions of administrative authorities and decide whether they were improper or not. The Ombudsman has the power to institute an investigation on his own initiative into the way in which an administrative authority has acted in a particular matter. He also acts from a particular petition. Concerning the rights of immigrant workers the Ombudsman was until now not very active. Most of the NGOs and Trade Unions in Spain declared non-Constitutional the new Organic Law 8/2000 regarding the rights and liberties of foreigners in Spain and their social integration. The Ombudsman has declared his opinion about this issue, but the law has been refused by the Constitutional Court, by some Regional Parliaments and by the PSOE (Social democratic Party). It's pending of resolution by this Court.

The trade unions have been active in supporting the integration of foreign workers into the labour market. They have been involved in the drawing up of the legislation affecting immigrant employment and in the fight against racism and xenophobia in the workplace. Since the beginning they have adopted a supportive attitude concerning ethnic minorities and their integration in the labour market, playing a very active role in negotiations with the government on immigration policies and vocational training for immigrants. Furthermore, they included non-discrimination clauses in collective agreements when possible, sometimes however without much success in the sectors where the presence of immigrant workers is largest.

Various NGOs have created programmes to aid the integration of immigrant working in the labour market and ensure their rights in the labour market are protected. They support and defend the labour, social and other rights of immigrants in general, and most of them aim at improving the labour situation of the immigrants through training and support self-employment initiatives.

3. Institutional Development in the Area of Cultural Diversity in the Workplace

On the national level now, since the change of the government in 1996, the Ministry of the Interior is responsible for the issue of integration, immigration and all policy issues. The Ministry of Labour and Social Affairs, with the *Instituto de Migraciones y Sociales (IMERSO)* (Institut for Migration and Social Servises), is only left with the sector of co-ordinating the reception of refugees and some smaller integration programs. The *IMERSO* is also responsible for the funding of immigrant self-organisations and co-ordinating programmes run by welfare organisations and NGOs. The Ministry of the Interior has drafted the new plan for integration and immigration, the Plan Greco. It is not a very innovative plan and has even some restrictive aspects. However, there are no funds allocated for implematation of the plan. While the issue of refugees and refugee reception and integration is a national task, all issues regarding immigrants and ethnic minorities are dealt with by the autonomous regions and at the local level. But it contains a reflection on the inclusion of immigrants in the labour market, based on designing "integrated insertion itineraries", which involve actions like training by local corporations specialised in allocating immigrant workers, and co-operation between trade unions and employers associations to provide adequate information and social and labour advice. Especially at the local level there is often a lack of resources, understanding and financing to set up adequate programmes for immigrants or measures promoting cultural diversity. While there is a discussion inside the Ministry of the Interior regarding cultural diversity in the workplace and general anti-discrimination measures there are not that many concrete activities implemented up to now. Here the Ministry is relying on the activities taking place at the regional and local level.

The *IMERSO*, which is part of the Ministry of Labour and Social Affairs, was since its establishment responsible for the integration of immigrants and refugees in Spain. With the change from a socialist to a conservative government it is only responsible for refugee issues. Regarding refugees it has set up a special programme for refugee reception and integration. The *IMERSO* is the co-ordinator of all reception centres for asylum seekers in Spain. Furthermore the *IMERSO* is co-ordinating special programmes for recognised refugees and refugees who are staying for a longer time in Spain concerning their integration into the labour market. These programs focus on the following areas: employment, awareness raising, housing, health and education. The Ministry of Employment and Social Affairs is funding different NGOs and welfare organisations such as the Red Cross, Caritas, *Comission espanola de ayuda al refugiado (CEAR)* (Catholic commission of the helf of refugees), *Asociacion a Comision Catolica Espanola de Migraciones (ACCEM)* (Association of the Catholic Commission for Migration in Spain), etc. for the implementation of these programmes. Furthermore the *IMERSO* is financ-

ing on regular basis layed down year by year in the national budget different smaller projects by NGOs and immigrant self-organisations focussing on the integration of refugees. In this context programmes funded by the *IMSERSO* also promote cultural diversity in the workplace. However, the main target group of these measures are refugees, and only in some cases immigrants. At the end of the nineties the *IMSERSO* created a special section working on anti-discrimination issues.

More important on the national level are the efforts of the Ministry of Education. In the area of education there are some programmes especially for immigrant children. These include also measures to support the parents of immigrant children and special intercultural training programmes for teachers, which take about 40-60 hours and are financed by the Ministry of Education. Special intercultural training modules are also becoming more and more obligatory in the education of teachers. The schools, which have set up intercultural programmes, obtain special money from the state in order to carry out their activities. In the sector of education the *Union General de Trabajadores (UGT)* (General Trade Union), the *Comisiones Obreras (CCOO)* (Worker Commissions) and the *Federacion de Trabajadores de la Ensenanza (FETE)* (Trade Union of Teachers) (which is part of the *UGT*) are quite active regarding questions of cultural diversity and anti-discrimination. They are organising intercultural training courses for teachers, have developed an intercultural calendar which can be used in schools. The Ministry of Education supports these activities. There is also a close co-operation between teachers and immigrant associations and NGOs. In general the sector of education is the most advanced regarding the promotion of cultural diversity. The Ministry of Education has also set up a special subject called education for peace, which is including elements of anti-racism, themes of migration and refugees etc. This is layed down in the *LOGSE* (the Law which regulates the education system), and has been enclosed in the curriculum of most Spanish schools, according to the laws of each autonomous region. At the regional level the different education boards and administrations have also been quite active in this area. For example in Madrid since 1997 the Department for Families of the regional administration is running a special programme with intercultural mediators who are working above all in schools, hospitals and areas with a high percentage of immigrants. In around 16 difficult regions of Madrid intercultural mediators are working. There are general mediators and specialised mediators only working in specific areas such as in schools or with children.

Supporting the integration of immigrants and implementing anti-discrimination measures concerning immigrants and ethnic migrants are mostly tasks of the different autonomous regions; this is not done on the national level. While in some regions with a higher number of immigrants such as in Madrid, Catalunya, Murcia and Andalusia regional administrations have become active to some extent; most work is done by the regional

branches of the welfare organisations, NGOs and concerning the labour market by the regional branches of the trade unions.

The regional office for immigrants of the municipality of Madrid (*Comunidad de Madrid, Oficina Regional para la Inmigración, OFRIM*) is one example for a state institution at the level of an autonomous region. *OFRIM* is a part of the regional administration of Madrid. It was established in 1997 and is subcontracted by the Red Cross. *OFRIM* is a focal point working as a bridge between the regional and local administration in Madrid (capital and region) and immigrant self-organisations as well as individual immigrants. To this end *OFRIM* has employed specialists focussing on different areas such as health, the labour market and racism. Their other main task is to inform on discrimination and support the fight against racism and discrimination. In 2000 above other things *OFRIM* has set up a telephone support hotline for immigrants regarding all kinds of legal questions and cases of discrimination, including themes concerning the labour market. Two lawyers working for *OFRIM* run this telephone hotline. Furthermore *OFRIM* is organising training courses for members of the public service, especially working in the area of social welfare benefits. *OFRIM* is publishing a newsletter each month, which is focussing always on specific topics in the field of migration and asylum.

Another measure implemented by the regional administration in Madrid trying to promote cultural diversity in different areas is the cultural mediators. The figure of intercultural mediators has increased in the last years as a guide for immigrants in their new societies. Sometimes they are immigrants themselves and they work at the municipal level. They engage mostly in the city quarter and outer regions with a high level of immigrant population like in the south of Madrid, and in areas with a high number of foreign domestic workers. The intercultural mediators have the task to be a bridge between the administration and the immigrants. On the other hand it is a strategy by the administration to be informed on the immigrant population.

The representatives of the Spanish employers such as the Organizaciones Empresariales *CEOE* and Spanish business and employers themselves are only starting to engage in the anti-discrimination measures or activities promoting cultural diversity in the workplace. This has to do with the fact that due to a current lack of qualified workers, but also of persons working in agriculture or the construction business, employers are beginning to consider how to attract more immigrant workers. Most activities of firms and their representatives are only taking place on the level of discussion. The Spanish confederation of employers (*CEOE*) for example, which is an organisation made up of a wide range of employers organisations from the public and private sector, is participating in the forum of integration of the Ministry of Labour and Social Affairs. The *CEOE* is favouring an immigration system, whereby only immigrants who have been trained and

qualified in their country of origin should be allowed to come to Spain. *CEOE* tries to promote the rule that only legal immigrants can be contracted. It criticises employers and members of its confederation, which do contract irregular workers. However, it is not monitored by the *CEOE* if their members really stick to this obligation. Apart from the employers confederation there are some enterprises, which are taking a more pro-active approach and try to promote better working conditions for everybody. These enterprises have special training courses for immigrant workers; others have established awareness-raising courses for their Spanish employees. But on the other hand, the use of immigrant workers who receive low wages, allows small companies, especially in certain sectors, like construction and agriculture, a reduction of costs. In that way, the requirement of immigrants without work permits (and in most cases also without residency permits) make the implementation of non-discrimination policies and also the administrative control in those sectors very difficult.

In contrast to the employers, all three major trade unions in Spain have since the beginning of labour migration movement to Spain supported immigrant workers. They developed support structures, especially on the regional and local level, and also established structures concerned with immigrant issues on the national level. Also the theme of anti-discrimination and cultural diversity has been taken up, above all by the two largest trade unions, the *Unión General de Trabajadores (UGT)* (General Workers' Confederation) and the *Comisiones Obreras (CCOO)* (Trade Union Confederation of Workers' Commissions), since many years. Both The *CCOO* and *UGT* have taken constant and positive action to promote equality of treatment at work and in society, and their actions have been extensive in some areas. One of these concerns special attention for immigrants. Both the *CCOO* and *UGT* have set up networks to guarantee this special attention: *CITEs* (Information Centres for Foreign Workers) and Advisory Centres for Immigrants and Refugees, respectively. These networks are proving to be vital in the process of regulating immigration in Spain. Concerning anti-discrimination activities, anti-racism and the promotion of cultural diversity in the workplace, trade unions are the most relevant actors in Spain.

The *UGT* is the second largest trade union organisation in Spain. At the national level it draws up an overall policy regarding immigrants and refugees and lobbies for better working conditions. To this end the *UGT* as well as the *CCOO* are represented in all-important state and NGO fora focussing on immigrants and migration. At the local and regional level *UGT* is running so called "*Centros de Guia*" (Advisory Centres for immigrants) that provide guidance to immigrant workers, refugees and undocumented workers regarding all questions of employment, but also concerning more general questions in the field of integration. These advise centres have been set up at the beginning of the nineties in all cities with a higher percentage of immigrants. Regarding the integration

into the labour market, they are organising job fairs, placement services, language courses, legal support etc. They also organise cultural activities such as parties, free time activities, seminars about racism etc. Furthermore they are offering training for immigrants and awareness raising for various groups of Spanish workers, particularly those who have contact with immigrants (such as public employees, including the police). The overall approach of the *UGT* is to consider the topic of immigration as something normal and to avoid treating immigrants in a special way. There is still the problem that a very large number of immigrants in Spain are contracted illegally, besides the general view that qualified immigrants and a larger influx of immigrants will put at risk the jobs of Spanish workers. Therefore *UGT* first of all is supporting legalisation campaigns and secondly the fight against discrimination in the workplace. In this context the *UGT* in co-operation with the *CCOO* has signed and lobbied for the Florence declaration. However, the *CEOE* and Spanish employers who had very little interest in it did not sign it. Even trade unions are not very well informed on its contents. The government also has not been active in this area. There is nearly no dialogue between the trade unions and the *CEOE* regarding the question of immigration, anti-discrimination and so forth. The *UGT* tries to pressure enterprises and businesses to employ immigrant workers legally but the influence of the trade unions is only limited. Regarding its own members, the *UGT* is organising intercultural training and seminars on migration for its own functionaries and for job stewards. The *UGT* has also developed a special manual against discrimination, which is used in its daily work. Around ten percent of its members, approximately 8 000, are immigrants or members of ethnic minorities. For its immigrant members the *UGT* is organising special vocational training courses.

The activities of the *Comisiones Obreras (CCOO)* regarding the support of immigrant workers and the fight against discrimination are quite similar and many campaigns of the *UGT* are supported by the *CCOO* and vice versa. Like the *UGT* the *CCOO* has affiliated a high level of immigrant workers, however they are facing similarly to the *UGT* the problem that they lack functionaries with an immigrant background. Here the structures of the Spanish trade unions still show a deficit concerning the representation of immigrant workers. Functionaries with an immigrant background can mostly be found in departments dealing with immigrant issues or consulting services for immigrants. At the higher ranks of the trade union hierarchies, immigrants are still very much underrepresented.

The third important trade union is the *Unión Sindical Obrera (USO)* (Trade Union Syndicate), which organises around five percent of all workers in Spain has not set up a special structure for the affiliated immigrant workers. However they have set up a special section in the federation dealing with immigrants. They have also established a discussion forum regarding the question of immigration. The *USO* was engaged in a big cam-

campaign against racism in 1998/99. Like the *UGT* and the *CCOO*, the *USO* has set up specific departments for immigrants in Murcia, Andalusia, Madrid and Valencia. They provide information to the immigrant workers and try to support their integration into the Spanish labour market. There is only a very limited interest of the trade union members concerning issues such as racism.

Besides the trade unions, welfare organisations and non-governmental organisations are active in promoting cultural diversity in the workplace and preventing discrimination. These institutions are in some cases like the Red Cross or the Caritas or MPDL organised at the national level, however they mostly intervene on the regional or local level. Concerning the concrete implementation, they have become the most important agent for the state, as the national and regional governments to a large extent are funding their activities in order to prevent to have to intervene themselves.

The *Escuela de Mediadores Sociales para la Inmigración (EMSI)* (school for the training of migrants) is one of these examples. The *EMSI* has been founded in 1995 and is financed by the autonomous government of Madrid. The main two tasks of *EMSI* is providing education and vocational training to migrants and providing intercultural training courses to Spanish people. By these activities they are like many other organisations indirectly contributing to the promotion of cultural diversity in the workplace, simply by educating the personnel, which is necessary to implement intercultural measures in the workplace and in the larger society. *EMSI* has established a special programme for the formation of multicultural mediators. Furthermore they have special courses regarding the labour market, education, justice and health and intercultural relations. These specific courses have a duration of sixty hours, the general course takes 145 hours. The courses are mostly attended by persons working for the local and regional administration and by persons working for NGOs in the field of migrant support. Around forty persons are participating in the current course for multicultural mediators of whom around 28 are ethnic minorities. Most of the participants are already working but some are still looking for a job. Furthermore they are organising conferences, round tables and exhibitions on different themes in the area. The conferences are organised in close cooperation with immigrant organisations and other expert organisations in the field. In September 2000 *EMSI* organised a special employment fair, trying to connect students with future employers. In this context they were also especially focussing on immigrant students.

An example for a welfare organisation and the strong engagement of the Catholic church in this area is the *Asociación Comisión Católica Española de Migración (ACCEM)* (Spanish Catholic Commission for Migration). *ACCEM* is an organisation of the Catholic Church and has been focussing in the first years mostly on pastoral work

for Spanish emigrants leaving Spain and later returning. Since the mid eighties and beginning of the nineties *ACCEM* has changed its focus now concentrating on immigrants and refugees. Activities of the *ACCEM* include the information about immigrants and for migrants and refugees; legal assistance for refugees and immigrants; linguistic assistance, including language courses and translation services; support for voluntary return; accommodation of refugees and co-ordination of refugee housing; labour market integration of refugees and immigrants and cultural training and awareness raising measures. Regarding the labour market integration *ACCEM* has set up a specific programme, which is looking at the specific qualifications of immigrants or refugees and tries to match them with the demands of the labour market. For this a special database was set up where the individual profiles of the immigrants and refugees can be compared with the demands of the employers. If in the analysis of the profile, problems become visible and they cannot be matched with the demands, appropriate measures such as language courses, vocational training courses etc. are taken. This training is specially set up for the later labour market integration with the aim of avoiding that immigrants are trained but in the end still are not able to enter the labour market, because there is no need for their new qualifications. Special labour market integration centres have been set up by the *ACCEM* in Gijón (north Spain), León and Sigüenza. These centres are not only open towards immigrants and refugees, but also for Spanish people facing specific problems in finding a job. This approach has been chosen in order to avoid conflicts with the Spanish population and contradict the prejudices that only immigrants and refugees should be supported. Furthermore it allows again for the contact between migrants and Spanish people. The labour market integration centres are financed within the framework of HORIZON and INTEGRA. Persons co-ordinating these programmes stay in close contact with the local employers. If a job offer by an employer is matching, they inform the employer about the deficits but also the assets of the immigrant or refugee in order to avoid later problems. Furthermore they have established a kind of follow up procedure. The programme includes also placement schemes and vocational training which is already taking place in co-operation with the possible future employers. The approach in all three cities has been the same, also the training programmes varied according to the local economic and business structure. Between 1992 and 1995 *ACCEM* ran another programme focussing on labour market integration. In this programme special training schemes were set up in areas where immigrants were needed, such as in agriculture, construction, etc. Furthermore immigrants and refugees were supported in setting up their own businesses.

Like *ACCEM* the Spanish Red Cross is a welfare organisation intervening in different regions of Spain. The Red Cross is involved in different activities regarding immigrants and refugees. First of all it is responsible for reception programmes for refugees, this

includes accommodation, health provisions, legal advice etc. Apart from these programmes of the first phase of arrival it is running different integration programmes for refugees and immigrants. These programmes include language courses, cultural orientation courses, vocational training programmes, employment orientation etc. The ministry of Employment and Social Affairs finances these second phase programmes in cooperation with regional and local administrations and governments. In 1999 the Red Cross has changed its approach in the integration programmes concerning the integration into the labour market fundamentally. It has set up programmes focussing on all disadvantaged groups including immigrants, women, disabled, long term unemployed people etc. These horizontal programmes have been tested at the regional level and then have been implemented nation wide in the framework of the "Plan for Employment". National funding and funds from the European Social Fund (ESF) finance them. The Plan for Employment is focussing on four distinctive areas: Education, intervention between employees and employer, co-operation and awareness raising and support for setting up businesses. In a personnel intervention the individual capacities of a person are analysed. Regarding the deficits training and education plans are set up. Furthermore internships are organised, and contacts with future employers arranged. In Valencia, where this model has been used in a pilot project, around 2.000 immigrants have meanwhile been assisted. Of these, around 60 percent could be successfully integrated into the labour market. They have been especially co-operating with individual firms in agriculture. In Catalonia a similar pilot project was initiated. After the insertion into the labour market, the process is followed up during the first half a year and the Red Cross stays in contact with employers and employees in order to avoid dropouts and intervene if problems arise.

In the area of entrepreneurship, the Red Cross informs on how to set up one owns enterprise. It is running seminars on the legal and economic aspects that help entrepreneurs to develop a business plan. Furthermore, they try to lobby bigger firms and their own organisation to contract these entrepreneurs. In the area of co-operation and awareness raising the main aim is to set up a network of employers, social institutions etc. supporting vulnerable groups. Employers have to be informed on migrants and vulnerable groups. Furthermore it is important for immigrants and other vulnerable groups to know what the employers think about them in order to be able to react to their opinions. Only by this way it is possible to reduce existing prejudices and misunderstandings. Based on this, the Red Cross is trying to set up documentation about the problems of migrants and ways to solve them.

Since the last year enterprises become more interested in the activities of the Red Cross due to a lack of labour in specific sectors of the labour market, e.g. in the sector of agriculture and hotels.

Apart from these larger welfare organisations and state financed institutions there are numerous NGOs trying to support immigrants, however most of them lack the relevant financial resources to set up large-scale programmes. NGOs mostly engage in the area of legal advice, social and psychological support and in the area of education. Most of the immigrant groups in Spain have their own self-organisations. For these organisations it is very difficult to obtain funding, also because they tend to be characterised by a short life expectancy. They usually are not representative, even for their own group, and only very seldom are multicultural. These organisations have usually only few contacts with Spanish society. This is especially true for the organisations of Muslims, who are also running their own places of worship and praying rooms. Some of these associations only concentrate on very specific areas. However, there are some well-established immigrant self-organisations especially from Northern African groups and Latin America (*ATIME, VOMADE, ASEM*). Some of these groups are closely co-operating with the church, which is supporting their work. The new law for foreigners prohibits irregular immigrants to organise themselves and set up organisations.

The state media, such as television and radio, and the national newspapers only demonstrate a very limited interest in promoting cultural diversity. However some valuable exceptions can be found at the regional or local level. One of these examples is the local radio channel *Onda Verde* (Green Channel). *Onda Verde* is a radio channel, which was founded in 1983 by several groups with the idea of more solidarity, peace, tolerance and respect for human rights, but also as a movement against the NATO. *Onda Verde* is an NGO, which "fights" against racism, xenophobia, sexism, homophobia, anti-Semitism and any other kind of violence. Their main idea is more democratization. Their members finance them. They prefer independency instead of being financed by the state. A great part of the radio programme is music of different styles, like African and Latin American music, flamenco, rock'n roll etc. Their programme is running from Monday to Friday, 10 a.m. to 10 p.m. Each single programme takes about one hour. They also have programmes on special themes like solidarity and intolerance, anti-racism and violence, Africa "today", America "today". They talk about social problems, literature; also different organizations are invited referring to themes like "luna de babilonia", "ángeles caídos". *Onda Verde* wants to communicate to everybody, to foreigners as well as to Spanish people. The programme is mainly orientated towards the youth. There are no programmes in different languages. They do not act like advisors; if there are questions they provide contacts to other organizations, which work on these issues. 90 per cent of requests of migrants (not from Latin America) by phone ask for documentation.

4. Measures Taken to Improve Cultural Diversity and Remarks on the National Situation

On the state level concrete measures to support cultural diversity in the workplace are still rather limited. However, given the relative short immigration history in Spain the activities of the two main trade unions outlined above and several institutions at the regional level can be judged as good practices against the specific Spanish context. At a general level, it should be pointed out that, since the approval of the "*Plan para la integración social de los inmigrantes*" (Plan for the social integration of immigrants) in 1995 and with its follow up of the Plan GRECO various anti-discrimination policies and practices have emerged on the labour market and the trade unions have stepped up their activities in this respect over the past few years. It is nonetheless difficult to find any anti-discrimination policies or plans for the promotion of equal treatment in enterprises.

On the regional level two state initiatives can be evaluated as good practices as they seem innovative and transferable inside Spain but also within the European context. Since 1997 the Department for Families of the regional administration of Madrid is running a special programme with intercultural mediators who are working in schools, hospitals and areas with a high percentage of immigrants. There are general mediators and specialised mediators only working in specific areas such as in schools or with children. Similar programmes have been set up in autonomous provinces of Andalusia and Catalonia.

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

Concerning the activities of welfare organisations two further examples of good practices can be given. The Catholic Commission for Migration in Spain (*ACCEM*), in order to promote cultural diversity in the workplace, has set up a specific programme, which is looking at the specific qualifications of the immigrant or refugee and tries to match them with the demands of the labour market. For this, a special database has been set up

where the individual profiles of the immigrants and refugees can be compared with the demands of the employers. If in the analysis of the profile problems become visible and they cannot be matched with the demands of the labour market, appropriate measures such as language courses, vocational training courses, etc. are taken. Special labour market integration centres have been set up in Gijón (north Spain), León and Sigüenza. These centres are not only open towards immigrants and refugees, but also for Spanish people facing specific problems in finding a job. This approach has been chosen in order to avoid conflicts with the Spanish population and contradict the prejudice that only immigrants and refugees are being supported. Furthermore, it allows again for the contact between migrants and Spanish people.

The Spanish Red Cross has successfully set up a similar programme (confer above). The Plan for employment, which was established by the Red Cross in 1999, is focussing on four distinctive areas: Education, intervention between employees and employer, cooperation and awareness raising and support for setting up businesses. In a personal intervention the individual capacities of a person are analysed. Regarding the deficits, training and education plans are set up. Furthermore internships are organised and contacts with future employers arranged.

Finally, the trade unions have been very active in promoting cultural diversity and anti-discrimination. Several initiatives can be judged as positive, however it is difficult to really judge them as good practices as many of them are not particularly innovative even in the Spanish context. However, the whole activities of the trade union and their overall positive stance towards immigrants and their activities in lobbying for improved working conditions of immigrants and ethnic minorities can be seen as a good practice (confer above).

Immigration is still a new phenomenon in Spain, however it is widely discussed in the media. Spain is still a country of emigration and this issue might still be considered more important than immigration. Immigration in Spain is still linked to geographical questions, with most immigrants coming from Northern Africa, especially Morocco. Immigrants in Spain are still concentrated in some regions of the country and are mostly working in the agriculture, construction, domestic service and general service industry (hotel and catering). There is also an increasing number of female migrants.

Until now Spain has not developed strong measures of anti-discrimination concerning the labour market. There are some basic anti-discrimination clauses in the Spanish Constitution and the Penal Code. The discussion about an anti-discrimination law regarding ethnic and racial discrimination has just started and is mainly driven by NGOs and other institutions in the social sector.

The idea of anti-discrimination and promoting cultural diversity in the workplace is still

very new and there is only some discussion around these themes, but not much happening in reality. There is racism and discrimination in the workplace but immigrants usually do not complain about these things, as they fear to lose their job. In general there are negative sentiments against undocumented migrants and xenophobia has been increasing in the last years. The main problem for immigrant workers is the limited number of work permits issued each year by the Spanish government. Immigrant workers legally working have the right to vote for the workers council, however they are not really represented in the workers councils. Immigrants are still underrepresented in most areas of the labour market, especially in the public sector. Promoting cultural diversity is not a real issue for the private sector. There are nearly no positive examples in this area. There might be a chance however in the future as more enterprises are interested in recruiting immigrants due to the lack of labour. This is especially true in the sector of health care, where already now some projects regarding the better integration and education of immigrants exist.

The access to the public sector is still limited for third country nationals; they are not allowed to work in most areas of the public service. There are however some functionaries with immigrant background who have obtained Spanish citizenship. The process of obtaining Spanish citizenship takes around ten years. The issues of cultural diversity are not yet discussed in the public sector. In general it is difficult to find immigrants or ethnic minorities in better-qualified jobs. This has also to do with the problem of recognition of diplomas and qualifications immigrants have obtained in their country of origin and which are not accepted in Spain.

In 2000 the trade unions in the agricultural sector in Murcia have introduced a clause on respecting different cultures in their general agreement. This includes themes such as respecting Ramadan etc. There was a lot of support from different groups and local trade union members to implement these changes.

5. List of Organisations and Agencies Active in the Field

6.1 Public Institutions

Ministerio de Trabajo y Seguridad Social
Paseo del Pintor Rosales, 44-46
28003 Madrid
Tel.: 0034 91 3 47 90 00
Fax: 0034 91 3 47 38 18

Foro para la Integración de los Inmigrantes
Pintor Rosales, 44
28008 Madrid
Tel.: 0034 91 347 7042

Ministerio de Asuntos Sociales

'Dirección General de Migraciones'
Paseo Pintor Rosales 44
E - 28008 Madrid
Tel. 0034 1 347 9000
Fax: 0034 1 541 3818

'Defensor del Pueblo' (Ombudsman)
Excmo. Sr. D.Enrique Múgica
Eduardo Dato 31
E - 28010 Madrid
Tel. 0034 1 432 7900
Fax: 0034 1 308 1158

Instituto de Migraciones y Servicios Sociales
IMERSO
Avda. Ginzo de Limia, c/v a Avda. de Ilustración s/n
28016 Madrid
Tel.:0034 91 3 47 85 10 / 11
Fax: 0034 91 347 89 14

Comunidad de Madrid.
Oficina Regional para la Inmigración (OFRIM)
C/ Los Mesejo, 9
28007 Madrid
Tel.: 0034 91 551 47 54
Fax: 0034 91 551 49 64
Email: ofrim@comadrid.es

Ayuntamiento de Granada
Area de Bienestar Social
Tel.: 0034 958 24 81 18
Fax: 0034 958 24 82 45

Gobierno Civil de Girona
Av. Jaume I, 17
17001 Girona
Tel.: 0034 972 418 632
Fax: 0034 972 222 204

6.2. Trade Unions

Comisiones Obreras (CCOO)
Fernandez de la Hoz, 12
28010 Madrid
Tel.: 0034 91 702 8000 / 8084
Fax: 0034 91 310 4804

CITE (an advisory centre for foreign workers of Commissions Obreres (CCOO))
Via Laietana 16
08003 Barcelona
www.ccoo.es

AMIC (an advisory centre for foreign workers of Unió General de Treballadors (UGT))
Rambla de Santa Mónica 10
08002 Barcelona
Tel.: 0034 93 304 68 00
Fax: 0034 93 304 68 25
www.ugtcat.com

Unión Sindical Obrera (USO)
Plaza de Santa Bárbara, 5-5º
28004 Madrid
Tel.: 0034 91 308 25 86
Fax: 0034 91 310 16 01

Union General de Trabajadores (UGT)

Hortaleza nº 88
28004 Madrid
Tel.: 0034 91 589 7601
Fax: 0034 91 589 7603

6.3. Confederations of Employers

Organizaciones Empresariales (CEOE)
Diego de León, 50
28006 Madrid
Tel.: 0034 91 566 3400
Fax: 0034 91 411 1982
Email: ceoe@ceoe.es

Confederación Regional de Empresarios de Aragón (CREA)
Bárbara Marqués
Plan FIJA
Miguel Allué Salvador, 11, 1a planta
50001 Zaragoza
Tel.: 0034 976 79 44 35
Email: bmarques@crea.es

6.4. NGOs

Asociación Pro Derechos Humanos
José Ortega y Gasset, 77
28006 Madrid
Tel.: 0034 91 402 31 20
Fax: 0034 91 402 84 99

Comité de Defensa de los Refugiados, Asilados e Inmigrantes en el Estado Español (COMRADE)
C/ San Bernardo, 51, bajo izda.
28015 Madrid
Tel.: 0034 91 521 58 20
Fax: 0034 91 521 58 20

Comisión Española de Ayuda al Refugiado (CEAR)
Avda/ General Perón, 32, 2º dcha.
28020 Madrid
Tel.: 0034 91 555 06 98
Fax: 0034 91 555 54 16

Cruz Roja Española
C/ Rafael Villa, s.n
28023 Madrid
Tel.: 0034 91 335 44 44
Fax: 0034 91 335 44 55
Email: rma@cruzroja.es

Employment Programme
Cruz Roja, Oficina Plan de Empleo
Reina Victoria, 28 3a planta
28023 Madrid
Tel.: 0034 91 535 39 05 / 2951
Fax: 0034 91 535 34 25

MPDL (Movimiento por la paz, el desarme y la libertad)
C/ San Agustín, 3 3º
28014 Madrid
Tlf 0034914297644
Fax0034914297373
Email social@mpdl.org

SOS Racismo
C/ Campomanes, 13, 2º Izda.
28013 Madrid

Tel.: 0034 91 559 29 06
Fax: 0034 91 559 29 06

Asociación Comisión Católica
Española de Migración - ACCEM
Julia Fernandez-Quintanilla
c/ Valenzuela, 10.1º Izqda
28014 Madrid
Tel. 00 34 91 5 32 74 78
Fax. 00 34 91 5 32 20 59

6.5. Research Institutes

Colectivo Ioé
Dirección Investigación Social
c. Luna 11, 1ºderecha
28004 Madrid
Tel.: 0034 91 5 31 01 23
ioe@nodo50.org

Prof. Lorenzo Cachón
Dpto. Sociología I
Facultad de Ciencias Políticas y Sociología
Universidad Complutense de Madrid
Campus de Somosaguas
28223 Madrid, Spain
Tel.: 0034 91 394 28 99
Fax: 0034 91 39 42 767
lcachon@cps.umc.es

Ubaldo Martínez Veiga / Carlos Giménez
Universidad Autónoma de Madrid. Facultad de CC. Económicas y Empresariales. Dpto. De sociología y Antropología Social
Cantoblanco
28049 Madrid
Tel.: 0034 91 397 51 29
Fax: 0034 91 397 51 29

Instituto Universitario de Estudios sobre Migraciones. Universidad Pontificia de Comillas
Universidad Pontificia de Comillas 3
28049 Madrid Provincia
Tel.: 0034 91 734 39 50
Fax: 0034 91 734 45 70
raparicio@iem.upco.es

Antonio Izquierdo
Universidad A Coruña, Facultad de Sociología
Paseo de Rocda, 51 Campus Riazor
15071 A Coruña
Tel.: 0034 981 256 700

Javier Gracia Castaño
Laboratorio de Estudios Interculturales
Universidad de Granada
Rector López Argueta, s/n
18071 Granada
Tel.: 0034 958 24 28 30

Gabinet d'estudis socials
www.gabinet.com

I.R.I.S.
Instituto de Realojamiento e Integración Social
C/ Antonio Calvo, nº 6
28047 Madrid
Tel.: 0034 91 4 05 96 23

Fax: 0043 91 4 04 29 01
iris@lander.es

6.6. Others

Assoc. de Solidaridad con los Trabajadores Immigrantes (ASTI)
Calle Cava Alta 25, 3ºizq.
28005 Madrid
Tel.: 0034 91 365 65 18
Fax: 0034 91 366 4139

Manos Unidas
Barquillo 38, 2º
28004 Madrid
Tel.: 0034 91 3 08 20 20
Fax: 0034 91 3 08 42 08

Federació de Collectius d'Immigrants a Catalunya-FCIC
C/ dels Salvador, 22, baixos
08001 Barcelona
Tel.: 00 934415267

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France

1. Developments of Migration and Population

Contrary to other European countries, France has a long-established tradition as a recognised immigration country; this at least partly resulted from much lower fertility rates than its neighbouring countries, especially after 1860. A period of rapid industrialisation began some two decades earlier, creating a substantial need for unskilled labour that could not be met from native labour supplies. Since then, this has led to considerable immigration at first from Italy, Belgium, Switzerland and Germany, then from Spain and Portugal, followed by Turks and North Africans. All this time and until today, immigrants continue to have a share of 10 to 15 percent of the working population.

Until the Second World War, the government played only a minor role in this process. Immigration mainly was of a spontaneous nature or resulted from employers' recruitment activities. The War, tying large numbers of young men to the front lines, 1.4 million of whom consequently died in action or were disabled as a result of injuries, caused the French government to pursue a more active immigrant recruitment policy. Notwithstanding cycles of varying intensity, immigration remained a welcome phenomenon until 1974. In that year, the economic downturn and recessionary development of the export market caused the French government to end its active immigration policy. Even though immigration never completely ceased, the proportion of immigrants in the French population as a whole did not increase any further, remaining at around 7.4 percent for over a decade. By the end of the eighties, however, a new increase of the influx of immigrants occurred, chiefly attributable to asylum-seekers and refugees. This phenomenon was not uniquely French, though.

TABLE 14. FLOW OF FOREIGN IMMIGRANTS SINCE 1990 ACCORDING TO THE TYPE OF PROCEDURE

	1990	1991	1992	1993	1994	1995	1996	1997
Permanent Worker	22393	25607	42255	24381	18349	13106	11450	11004
Family Reunification ¹	36949	35625	32665	32421	20646	14360	13889	15535
Spouse of a French national	15254	18763	19045	20062	13145	13387	15641	11099
Parent of a French child	3080	3146	2986	2834	1749	1921	2802	2256
Refugee	13486	15467	1819	9914	7025	3751	4344	3334
Family of refugee or stateless person	3200 ³	1246	1065	1217	776	749	864	1102
Active non-salaried worker ²	1439	1442	1282	1778	1204	956	486	655
Other fully entitled beneficiary of resident's card	1196	1187	1105	1491	1208	1166	1144	1077
Re-examined (memorandum of 24th June 1997)								18910
Total	96997	102483	111222	94098	64102	49396	50620	64972

¹ Does not include families of European nationals and other nationals from the European Economic Area.

² Non-salaried active population of the European Union is not registered.

³ The number of entrances as family members of refugees is probably overestimated.

Source : M.Tribalat (INED), after IOM statistics in F.Prioux, "L'Évolution démographique récente", population, 1999, 3.

In official French statistics, only a person's national affiliation has traditionally been recorded. Since the early nineties, however, the category of 'immigrants' began to be used by research institutes and government authorities. Accordingly, a specific official definition was agreed upon. Following this definition, an immigrant is a person who resides within the territory of France and is born outside the territory, irrespective of his/her present national status. This means, that the group of immigrants can be differentiated in *immigrés français*, who have acquired French nationality since their immigration, and *immigrés étrangers* who have kept up their original nationality. The second group is still bigger than the first (in 1999 2.75 million compared to 1.56 million) but there the gap between them is decreasing. The total number of immigrants in 1999 was 4.3 million (7.4% of the population in metropolitan France).

The definition is, of course, not unambiguous and problems arise in recording children of immigrants who have had French nationality from birth, which they attain if at least one parent is French; they are statistically invisible as immigrants. It is estimated that around a quarter of the French population fits this category (cf. De Rodder et al. 1997: 1)

The immigrant population is heavily concentrated in urban areas. According to the last census in 1999 (INSEE 2000), nearly two thirds of this group live in cities bigger than 200000 inhabitants. The Paris conurbation alone hosts 37 percent of the immigrant

population (compared to approximately 18 percent of the total population living in France). The foreign population shows similar concentration on urban areas. Again, the biggest cities and their surrounding regions, Paris (Ile de France), Lyon (Rhône-Alpes) and Marseilles (Provence-Alpes-Côte-d'Azur) account for the highest shares.

However, in France no data are recorded on variables such as ethnic, religious, linguistic or racial groups. Although the utilisation of the immigrant category achieves much more representative picture of French demography than does that drawn-upon data on national affiliation, it is far from reflecting the complexity of contemporary French society. Thus, ethnic or religious minorities of French citizens are totally disregarded by national statistical surveys. Despite the existence of certain estimates regarding these groups, they should be treated with caution, as they are mainly based on indirect or qualitative methods.

The reluctance to use statistical categories, which are based on notions of ethnicity, religion and so forth, are well embedded in the political self-understanding of the French government. It approaches cultural diversity from within the Republican model, which rejects distinctions on the basis of ethnicity, class and religion and considers the *volonté général* to live together as the only foundation of society. Ideally, this approach results in policies, which aim at integration into the host society recognising the existence of cultural differences, but not wishing to promote them. France therefore considers the cultural integration of all individuals based upon a singular notion of citizenship as the ultimate goal.

The number of foreigners, a category of people who have not acquired French citizenship but who are living in France, is consequently smaller than that of immigrants. At the census of 1999 the total number of foreigners in France was 3.3 million (5.6 percent of the total population) while the total number of immigrants was 4.3 million (7.4 percent). Apart from these groups, autochthonous communities such as the Alsatians (which is the largest with 1.2 million), Bretons, Catalans, Flemish, and Basques account for around three million people.

While the share of the population with foreign nationality is slightly decreasing through the 1990s (Table 15), which is among other factors due to high naturalisation rates, there is also a shift in the composition of this group. Overall, France has a very low level of demographic growth, of which the prime component is the natural increase (around 0.5 percent in the last ten years).

TABLE 15. TOTAL POPULATION BY NATIONALITY AT CENSUS

	1982	1990	1999
Total population	54295612	56651955	58520688
French by birth	49159844	51275074	52902209
Acquired French nationality	1421568	1780279	2355293
Foreigners	3714200	3596602	3263186
	6.8%	6.3%	5.6%
Spanish	327156	216047	161762
Italian	340308	252759	201670
Portuguese	767304	649714	553663
Algerian	805116	614207	477482
Moroccan	441308	572652	504096
Tunesian	190800	206336	154356
Others	842208	1084887	1210157

Source: INSEE 2001

France's immigrant population was for a long time mainly of European origin. In 1968 most of the foreigners living in France had European citizenship and only 29 percent of the non-European nationalities. The biggest national groups were Spaniards, Portuguese, Algerians and Italians. The outer territories, départements d'outre-mer, (French Guyana, Guadeloupe, Martinique, Réunion) and other non-European French territories of different political status play host to residents from a variety of cultural backgrounds. In the context of this study, however, these are of limited importance, and therefore shall not be discussed in great detail here.

TABLE 16 POPULATION OF FOREIGN CITIZENSHIP BY CONTINENTS

	1968		1975		1982		1990	
Total	2621100		3442400		3714200		3596600	
Europe	1875600	71.5%	2090200	60.7%	1768200	47.6%	1661500	46.2%
Africa	652100	24.8%	1192300	34.6%	1594800	42.9%	1633100	45.4%
America	28400	1.0%	41600	1.2%	52800	1.4%	72800	2.0%
Asia+Oceania	45700	1.7%	105900	3.1%	291000	7.8%	223200	6.2%

Source: Council of Europe, Demographic Yearbook (Internet Version)

At the census in 1982 already the majority of residents with foreign nationality was of non-European nationality, basically as African (42,9%) but also Asian citizens (7,8%).

At the 1990 census this trend was confirmed with the share of African countries still slightly increasing up to 45 percent. Within this group, North-African nationalities, especially Algerians are the best represented.

Labour Market Developments

According to the 1999 labour force survey the immigrant labour force numbers around 2.1 percent, which corresponding to 8.1 percent of the active population (INSEE 2000a). Compared to the French average, this population group tends to have non-qualified jobs as workers or employees. While male immigrants are overrepresented in the construction sector and automobile industry, female immigrants are more likely to be employed in household services (personal services). The number share of active female population in the immigrant group is still inferior to the male actives but increasing constantly from 41 percent in 1982 to 57 percent in 1999. While female immigrants from Portugal or South-East Asia have attained activity rates similar to the French average, Algerian and especially Turkish women tend to a lesser degree than the average to professional activity (INSEE 2001).

Reflecting somewhat their position on the labour market, immigrant unemployment is also sensibly higher than the French average. Although their share of the active population is only 8.1 percent they were representing 14.4 percent of the unemployed population. Male immigrant unemployment is accounting for 19.7 percent, which is nearly the double of the French (male) average; the female unemployment rate is even higher (INSEE 2001).

Within the group of foreigners the largest part of the foreign workforce is and has for the last twenty years been constituted by the Portuguese (325000 in 1999). Algerians (237200) and Moroccans (226900) constitute the second and third largest groups.

The unemployment rate among foreigners has fallen slightly, from 23.7 percent in 1998 to around 22.9 percent in 1999, while the overall unemployment rate remained constant (11.8 percent). Unemployment amongst French citizens alone was 11 percent at the same time. In 1999, unemployment was 10.4 percent for EU nationals and 30.3 percent for non-EU nationals: foreign nationals accounted for 12 percent of those unemployed in 1999, compared with 12.3 percent in 1998. In the category of unemployed who have never been in employment, a substantial share are women: 69 percent of first time foreign job-seekers are women, whereas the figure is just 54 percent for French nationals.

Table 17. Stock of Foreign Labour by Nationality [Thousands]

				total	men	women
	1985	1990	1995	1999	1999	1999
Portugal	456.8	428.5	375.0	325.7	182.5	143.2
Algeria	279.0	248.5	245.6	237.2	153.5	83.7
Morocco	186.4	168.1	197.5	226.9	161.9	65.0
Spain	117.8	108.5	82.1	86.5	54.5	32.0
Tunisia	75.1	74.7	81.0	83.9	63.2	20.7
Turkey	41.6	53.9	66.4	76.1	54.7	21.4
Italy	125.9	96.9	76.6	75.6	53.6	22.0
Former Yugoslavia	44.1	29.6	32.3	31.4	16.0	15.4
Poland	14.2	15.1	7.1	14.0	6.9	7.1
Other countries	308.3	325.6	409.6	436.5	258.0	178.5
Total	1649.2	1549.5	1573.3	1593.9	1005.0	588.9
<i>of which: EU (1)</i>	771.6	716.2	629.1	589.5	347.8	241.7
Total women	495.8	484.7	553.6	588.9		

Source: INSEE Institut national de la statistique des Etudes Economiques 2000

Despite the lack of data on second or third generation immigrant children in the educational system, certain trends are observable. The schooling of migrants' children represents a key element in France's integration policies, thus, at the beginning of the 1997 school year, some 11.9 million pupils were enrolled in the primary and secondary schools of Metropolitan France, of whom 739 000 were of foreign nationality (6.2 percent). However, the effects of this policy are not very convincing. In trying to determine the socio-economic position and the resulting potential for discrimination, INSEE has found out that while among French natives only 15 percent of the fathers and 16 percent of the mothers of students left school without a degree in secondary education, the corresponding numbers for the Turkish nationals in France are 64 percent and 77 percent, whilst the figures for the Maghrebian parents are higher still (cf. Doomernik 1998: 34). Furthermore, the study finds that 75 percent of the French-born children manage to finish primary education, whilst only about half of the foreign children succeed in doing so. In secondary education this discrepancy continues.

Major labour market programmes have been designed to particularly address the integration into the labour market of unemployed foreign nationals. In 1997, foreigners accounted for 8.4 percent of the participants in these schemes, with the proportion of foreign women being approximately equal to that of foreign men. Discrepancies remain in the proportion of foreign participation according to the type of aid measure: when a scheme prepares participants directly for employment (as in apprenticeships) it is around 3 percent while in ordinary training programmes it is over twelve percent.

The two groups of foreigners and immigrants in France show shares of self-employment above the average. Their number has increased rapidly between 1982 and 1990, where the number of foreigners of the socioprofessional category artisans, traders and entrepreneurs increased from 60.000 to 90.000 (Khachani 2000). The privileged sectors of activity are commerce, construction and small industries.

Besides the already high numbers of self-employed foreigners in France there is a still greater share of foreigners who tend to or would like to open their own business: A study performed in 1994 (Bonneau, Francoz 1996) showed this number is thrice as high for foreigners as for French nationals living in France. (49 of 10000 compared to 18). One of the most important reasons for this seems to be the precarious employment situation and high unemployment rates among foreigners and immigrants: The same study showed that former unemployed persons represented nearly half of all newly self-employed persons in the first half of 1994.

2. Anti-discrimination Legislation with regard to the Labour Market

The French Constitution stipulates in Article 2 that equality is ensured for all citizens before the law, without distinction of origin, race and religion. France has furthermore ratified the CERD, the International Labour Organisation Convention 111 in the year 1981 and has introduced legislation pursuant to that Convention.

In French law, an Act of 1 July 1972 underscored the determination to make racial discrimination an offence. Based on this, it is laid down in section 416-3 of the French criminal code that it is considered an offence if an employer without any legal justification, refuses to take into his or her service or dismisses any person on account of his or her origin, or the fact that he or she belongs or does not belong to a specific racial group, nationality, race or religion; or who makes an offer of employment subject to a condition based on the applicant's origin. If the employer does not follow these regulations he or she can be sanctioned with up to two months imprisonment or a fine. These provisions were already introduced in 1972.

Furthermore, different provisions in the Penal Code punish actions by public servants knowingly denying the benefit of a right to a person because of origin, ethnic group, nation or religion. Furthermore it punishes public servants contributing to rendering more difficult the exercise of any economic activity in normal conditions for reasons of national origin, ethnicity, race or religion. These provisions cover a public servant who refuses, on grounds of race, to grant someone employment.

Provisions in the labour law ensure that work rules cannot contain clauses harming employees for reasons of origin, ethnicity, nationality or race. In addition, the Collective Bargaining Act of 1982 established the principle of equal treatment for French and foreign workers. By these principles, immigrant workers and members of ethnic minorities are protected against refusal of recruitment or dismissal based on grounds of race.

However, up to the late nineties the main obstacle of this very comprehensive anti-discrimination legislation in the field of employment was the problem of proof. It was often impossible for the victims of discrimination to make their case evident and they often already face problems when trying to register their complaint. Furthermore, section 416 only referred to direct discrimination, and indirect discrimination remained unaddressed.

The new legislation on anti-discrimination strengthening the discriminated person's position was voted in parliament in October 2000. One of its main modifications consists of placing the burden of proof on the employer's side, which means that presumed actors of discrimination now have to prove that they were not acting in a discriminating way. Furthermore, trade unions now have the permission to support their members at court. The legislation on anti-discrimination in France can be considered to be quite sufficient now. Practical questions regarding their use and practical effects will be the major issue in the future.

3. Institutional Development in the Area of Cultural Diversity in the Workplace

Republican discourse based on equal rights is still predominant within public institutions. This approach is more or less blind to cultural diversity on a group basis. Thus, until recently, there has been very little or no reflection by the official public institutions on such issues. The late nineties have introduced important changes and turbulence in this system. Accumulated evidence on non-dissolution of the segmentation of the labour market based on ethnic origins, the difficulty of immigrants and their children to access jobs and professional formation led to the insight that discrimination posed a major problem in French society. The European Year Against Racism in 1997 and a new political situation were key factors for the development of new strategies and the creation of new institutions. This new set of actors and policies is still in its first phase of testing and evaluation.

The *Haut Conseil à l'Intégration (HCI)* (High Commission for integration) was founded in 1989 as an expert council for the French Prime Minister on issues concerning integration of non-national residents and citizens of foreign origin in France. The *HCI* actually consists of 20 members from such fields as research, politics, education, associations or industry. Through its regular reports to the Prime Minister (one thematic report per year) the *HCI's* task is to systematically define French integration models and approaches. The context of the *HCI's* foundation was that of an intensive public debate, the "*affaire du foulard islamique*". The case of three schoolgirls wanting to wear a headscarf at school symbolised the claim of a right to be different (as an ethnic or cultural group) challenging the traditional assimilationist model of the French Republic.

Concerning the field of cultural diversity in the labour market, the *HCI* published a report in 1998 concerning discrimination. Although the existence of the phenomenon was well known in France before the report, it had more or less been tabooed. The report thus marked the entrance of this subject into public discourse.

The establishment of a free phone service against racial discrimination ("114") marked the implementation of a further new and very important institution. Through this free telephone line it was identified that the labour market is the principal field of discrimination. Within this field, the public service was especially blamed. The fact that employees from the *Antilles départements d'outre mer (DOM)* regularly occupied the lowest positions in the public sector made it evident that French citizenship did not prevent ethnic minorities from discrimination. The information gathered through this phone-line is then transferred to another new institution, the *Comités d'accès à la Citoyenneté (CODAC)* (committees for access to citizenship). These institutions work at the level of *départements* (sub-regional) and are assigned to the prefects. Their task is to follow the case of

discrimination by contacting the presumed actors of discriminatory acts (e.g. company, public institutions,...). The problem is that the *CODAC* have no power to sanction these actors.

Before the nineties exceptions existed especially in practices of institutions beyond this field. The fight of numerous anti-racist associations (*l'Ordre des Avocats à la Cour de Paris (LICRA)*, *Movement contre le racisme et pour l'amitié entre les peuples (MRAP)* (Movement against racism and for the friendship between peoples) and others fighting against anti-Semitism is one important example that started as early as in the twenties. However, these activities never drew on cultural diversity but on moral arguments.

The *Movement contre le racisme et pour l'amitié entre les peuples (MRAP)*, for example, is an NGO that has been working in the field of anti-racism more than fifty years. Conceived in the beginning to provide help for Shoah survivors, the situation of labour migrants in France already became its main focus in the fifties. The *MRAP* has its headquarters in Paris but has affiliated local agencies throughout France. One of its most important actions in the past was participation in the formulation of the first anti-discrimination law in France in 1972. For quite a long time the *MRAP* had a purely "legal vision" of immigration issues in France, which means that it defended the egalitarian republican ideals and based its work on the codification and practice of equal rights in all sorts of institutions. Discrimination became an important issue for the *MRAP* at the beginning of the eighties by refocusing this general frame on discrimination through the example of the French housing market. Today, the NGO is slowly changing its perception and fields of action toward more practical work, which understands discrimination as the visible part of the "iceberg" racism. Another project with a more general perspective is the *caravane de la citoyenneté (contre la discrimination)*. In this two-year project, the *MRAP* aims at proximity actions to help victims of discrimination and using their knowledge to better understand the phenomenon of discrimination, at actions to spread knowledge on discrimination and provide formation for local actors and a broader public. In the second year, the findings shall be analysed with the co-operation of scientific experts. *MRAP* is also active in providing formation on cultural diversity issues for professionals. For instance, the *MRAP's* local section in Marseilles worked together with police agents in the nineties. In another case, where the *MRAP* in Lille tried to make a similar formation for public transport the unions protested, estimating that the very proposal would imply the suspicion of racist attitudes among the transport agents.

Another important group of pioneer institutions in the field of cultural diversity are the trade unions. Before and especially after the Second World War they developed sensitivity towards minority questions and became important actors in the fight for immigrants' rights. When, at the height of the labour immigration period, immigrant workers formed

the majority in some industrial enterprises, unions intervened not only in the fight for equal wages but also in the provision with prayer facilities for Muslims in the company. But even for unions it is true that their policy is very far from an official recognition of cultural diversity or Islam. Their strategies more or less aimed at practical arrangements and the improvement of the immigrant workers' situation. With the worsening of the immigrants' employment situation during the last twenty years, trade unions devoted much time to alerting economic actors on the problem of immigrants' access to employment.

The *Confédération Générale du Travail (CGT)* (General Workers Confederation) has a very long tradition concerning immigrants' issues in the work sphere; this is also related to the long history of immigration in France. Already in the thirties, the *CGT* (at that time called *CGTU*) built up an immigration department and started to systematically publish their claims in foreign languages (Polish, Italian) in order to reach the group of migrant workers. One of the most important claims for immigrants (and local women) was "equal work, equal salary", which in some fields is still an important issue today. After the Second World War, one of *CGT's* important fights consisted of guaranteeing the official representation of this group in company, e.g. as employers' representatives (*délégué du personnel*). In contrast to other actors in the field of integration policies, such as NGOs, the unions have the difficult task of mobilising the union members among a group which is very heterogeneous and which contains people who would not agree on the importance of the fight against discrimination and racism. Local sections of unions "in the field" thus have to bridge some contradictions that exist between the national and the local levels.

The collective mobilisation is the only possible way for the *CGT* to fight for equal treatment and immigrants' rights. Only by creating awareness of the problem among all employees and workers, could the problems be solved, and this was not a simple task. In 1995 in a regional branch of Renault, for example, non-French workers and workers of immigrant origin complained about the recruiting practice of students for temporary work during summer vacations in their company. According to them, the personnel department would not consider the job applications of the immigrant workers' children and were instead giving privilege to applications of the children of "autochthonous" French workers. After having examined the case, the local *CGT* section found that the worker's claim was right. They tried to mobilise all of the workers in order not to create tensions or to evoke the suspicion that one group would be favoured. Presenting their claim to the company management as the result of a collective mobilisation, the workers' council received attention and a promise was made to change the situation. In its annual report of 1999, Renault Flin specified that 45 percent of the substitutes during the summer vacation came from migrant families.

French enterprises themselves, with only singular exceptions, do not manifest any interest in initiatives based on cultural diversity, with Anglo-Saxon approaches being something completely foreign to French entrepreneurs.

Besides the actors directly involved in the labour market, there are many other organisations, which try to promote cultural diversity.

Amongst others, the *Agence pour le Développement des relations interculturelles (ADRI)* (Agency for the Development of Intercultural Relations), which is a state-financed association founded in 1997, should be mentioned. Its basic fields of intervention are social, economic and cultural issues related to migration and integration. *ADRI* has a strategic position within the French system of actors and institutions dealing with integration issues. Its principal activity is collecting and distributing information and providing support (formation etc.) for other actors, such as public institutions, associations or enterprises. In 1998, *ADRI* saw its role reinforced by being accorded the status of a groupement d'intérêt publique.

Other NGOs (such as SOS racisme) are also active in this area. They are known above other things for their practice of "testing", where members of the NGOs anonymously examine discriminatory practices in discotheques. This practice has been extended to other fields, such as housing and work.

The large variety of community organisations or immigrant and ethnic minority self-help organisations are probably the only actors that systematically make use of strategies of cultural diversity, visibility of minorities and positive discrimination etc. in the workplace. For example, the media, where the presence of black people is small, received heavy critique from community organisations recently.

4. Measures Taken to Improve Cultural Diversity and Remarks on the National Situation

While there are not many good practices directly aimed at the promotion of cultural diversity in the workplace, there are different noteworthy measures that have been implemented which in general aim to improve cultural diversity and anti-discrimination, and which also have an important impact on the working place.

A big share of positive measures is closely linked to urban development areas (*développement social urbain, zones franches urbaines*). In general, these areas have high unemployment rates and a higher share of immigrant population than the average. The measures undertaken try to solve several problems as once. By recruiting populations from these areas - especially young persons with a migrant background (usually

with French citizenship) - through special programmes, the enterprises also try to prevent the local population from contesting or even violently protesting against the company relocation to their area. This was the case for enterprises planning to build a new branch in urban development areas. Similar strategies are employed by the local transport service or housing services who had already experienced problems of vandalism or other forms of violence and employed second/third generation migrants to decrease conflict potential. Quite often, they are directly employed as mediation agents. Other programs and initiatives aim at increasing the share of immigrant population in a company where this population group was underrepresented or, through professional formation or language training, were seeking to open this groups' access to professional promotion.

The *ASPECT*-project in the region Rhône-Alpes (around Lyon) is a further example of a sustainable anti-discrimination approach regarding the labour market. *ASPECT* stands for "*action spécifique pour l'égalité des chances au travail*" (specific action for equal opportunities in work) and tries to build a regional network of different actors (regional administration, enterprises, unions, scientists) against discrimination. *ASPECT* is clearly and explicitly based on the application of the principle of equality and not on that of positive discrimination. The main objective of *ASPECT* is to create attention among the different actors and to define instruments to reach equal treatment within the enterprises. Although a first convention was signed (until September 2000) a big problem still consists in the participation of enterprises.

Beyond the immediate field of work, the intersectoral *politique de la ville* is probably the most interesting policy field, which is implicitly using approaches of cultural diversity. Based on a territorial form of positive discrimination, some approaches, especially in the sphere of cultural activities within the urban development policies go into this direction and are highly innovative. As the inhabitants of the programme areas of the *politique de la ville* often have to face discrimination in the labour market, measures trying to create employment for the inhabitants of these areas also count among implicitly cultural approaches. But it has to be stressed that they usually do not promote cultural diversity. They rather try to fight existing inequalities through specific actions. Linked to this intersectoral *politique de la ville*, the following good practices can be observed. In Lyon tutors (parrainage) are assisting young unemployed persons in making contact with employers. In Marseille, young people from an urban development area ("zone sensible"), (where a high number of members of ethnic minorities is living) are being given preferential employment at a company which is relocating to their area. In the department of Loire the *Mouvement des Entreprises de France (MEDEF)* (Movement for French Enterprises) has set up a project raising awareness among employers to a culturally diverse recruiting practice that considers applicants from families with immigrant back-

ground. In St. Etienne and other cities public agents in various sectors have attended training courses on the topic of cultural diversity. In Evreux and Dunkerque conventions between local administration, professionals and associations with local employers on the integration and formation of young unemployed persons for integrating them into new service professions (social mediators, security etc.) have been ratified.

One can conclude that strategies encouraging cultural diversity in the workplace are still a minor issue in the French debate. The small steps taken in this direction are probably more evident in recently founded smaller enterprises in the new economy sector or among multinationals than in the - often public – large-scale industrial or service enterprises.

In contrast to approaches that dominate in some other European Member States, the French debate is centred on the republican ideal of equality or more concretely on equal chances and equal treatment in the workplace. In fact, the discussion about inequalities and discrimination and, consequently, an increased public awareness of this problem represents a major change in France during the last years. Through the action of governmental and non-governmental actors, new legal dispositives and institutions have been implemented to fight more effectively against discrimination and to help the application of the principle of equality.

The probably most important example, the free phone line against discrimination ("114")/CODAC system provides the possibility for victims to talk about the acts they suffered from. In addition, it helps to know more about fields of discrimination and the groups, which are the most concerned (A special research group, the *Groupe d'étude et de lutte contre les discriminations (GELD)* (Group for research and fight against discrimination), has been founded in order to systematically perform this work). On the other hand, the CODAC's sanctioning capacity (and, as some say, its will to sanction) still is insufficiently developed. An important source of this problem seems to lie in the fact that these institutions remain part of the state sector and do not form independent organisations.

The main problem today does not exist in the legal situation or the conventions signed by employers, which all take a positive stance towards equal treatment and anti-discrimination. In contrast, the main problems exist in the actual practices on the ground, e.g. in the existence of unequal chances for professional promotion. This is combined with the problem that victims of discrimination would often internalise discrimination and not even perceive that they were being discriminated against.

In the field of work there is still very little importance given to approaches considering cultural diversity. Claims on cultural rights in the workplace no longer play a significant role, probably with the exception of Ramadan. The big issue concerning cultural diver-

sity is access to the labour market and the effects of discrimination. The French labour market, as various studies have demonstrated, is still divided on ethnic grounds. Beyond the problem of posts that are not available to non-nationals, the problem also exists in understanding the share of ethnic labour market segmentation, which cannot be explained by legal restrictions. There are large sectors of the labour market, where no ethnic minorities are present, e.g. subway controllers or bank officers. Furthermore, the professional promotion for people of immigrant backgrounds in France is often "blocked", even with regard to their access to intermediary positions. The typical French selection system for public posts, the *concours*, shows that French applicants of immigrant background do quite well at the written exams but have little success in the following orals.

Another problem is that around seven million jobs are not accessible to non-EU residents in France. This sum represents approximately one third of the positions available in the whole labour market (of which about two million are reserved for French citizens). The biggest share of these jobs is located in the public sector, the state, its territorial subsystems, the health sector, public enterprises, which are very important in the French context and social security. Another important share of closed jobs are the free professions, e.g. from the medical, juridical, the financial sector. To mention just a few examples for non-public jobs closed to non-nationals, it is not possible for foreign residents in France (in some cases with the exception of citizens from the European Economic Area) to run a tobacco store, a pharmacy or a funeral service.

With regard to these issues, a collective of organisations entitled "*Ouverts*" (*Ouvrir les Emplois pour tout les résidents*) (Opening the employment for all residents) has recently been formed, which aims at fighting these forms of discrimination and minimising the number of "closed" jobs. Its activities are primarily aimed at the government. The latter has recently improved the dispositives to fight discrimination in the workplace but it has not yet implemented any concrete measures against this legal form of discrimination in the labour market.

Future perspectives for cultural diversity in France might be more positive. Although today positive discrimination is not yet imaginable for most actors of the professional world, cultural diversity approaches will most likely gain importance in France in the future.

5. List of Organisations and Agencies active in the Field

6.1. Public Institutions

Haut Conseil à l'Intégration'

Mme. Christiane du Castel
Hôtel Maignon
56, Rue de Varenne
F - 75700 Paris
Tel. 0033 1 42 75 85 70
Fax: 0033 1 42 75 82 06

Direction de la Population et des Migrations'
M. Gerard Moreau (Directeur)
1, Place de Fontenoy
F - 75350 Paris 07
Tel. 0033 1 40 56 6000
Fax: 0033 1 40 56 5042

Ministère des Affaires Sociales
Direction de la Population et des Migrations
Bureau Affaires Internationales
1 Place Fontenoy
75007 Paris
Tel.: 0033 1 4056 4178
Fax: 0033 1 4056 5042

Fonds d'Action sociale pour les
Travailleurs immigrés et
Leurs Families
209, rue de Bercy
75585 Paris
Tel.: 0033 1 40 02 74 67
Fax: 0033 1 40 02 77 83

6.2. Trade Unions

Confédération française démocratique du travail (CFDT)
4, Bd. De la Vilette
75955 Paris Cedex 19
Tel.: 0033 1 4203 8321
Fax: 0033 1 4203 8154

Confédération générale du travail (CGT)
263 rue de Paris
93516 Montreuil Cdx
Tel.: 00 1 48 18 81 28
Fax: 00 1 48 18 84 43
info@cgt.fr
europe@cgt.fr
internat@cgt.fr

6.3. Confederations of Employers

MEDEF
Mouvement des Entreprises en France
www.medef.fr

Confédération Générale des Petites et Moyennes (CGPME) Entreprises
10 Terrasse Bellini
92806 PUTEAUX Cedex FRANCE
Téléphone : 0033 01.47.62.73.73 -
Télécopie : 0033 01.47.73.08.86
<http://www.cgpme.org/>

Centre des Jeunes Dirigeants d'entreprise
CJD - 19, avenue George V -
75008 Paris -
Tél : 0033 01 53 23 92 50 -
Fax : : 0033 01 40 70 15 66
cjd@cjd.net

www.cjd.net

6.4. NGOs

SOS Racisme
28, rue des Petites écuries
75010 Paris
Tel.: 0033 1 53 24 67 67
Fax: 0033 1 40 22 04 02
courrier@sos-racisme.org

Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP)
43 bd Magenta
F- 75010 Paris Cedex 11
Frankreich
Tel.: 0033-1-53389999
mrp@ras.eu.org

France Terre d'Asyle (FTDA)
Mr Delbreil, Luc
25, rue Ganneron
75003 Paris
Tel. 0033 1 53 04 39 99
Fax.: 0033 1 53 04 02 40

Association pour l'Accueil et la Formation des Travailleurs Migrants (AFTAM)
Jaques Dierckens
122 rue Nollet
75017 Paris
Tel.: 0033 1 4226 63 13
Fax: 0033 1 42 63 45 87

Association des Travailleurs Maghrebins en France (ATMF)
10 rue Affre
75018 Paris
Tel.: 0033 1 42465970
Fax: 0033 1 48 00 09 01

Groupe d'Information et de Soutien aux Travailleurs Immigrés GISTI
Patrick Mony/Claire Rodier 3 villa Marcès
75011 Paris
Tel.: 0033 1 431 484 84
Fax: 0033 1 431 460 69
gisti@ras.eu.org
www.gisti.org

Institut pour la Promotion des Travailleurs Etrangers IPTR
(Institute for the Advancement of Foreign Workers)
45 rue des Vinaigriers
75010 Paris
Tel. 0033 1 4607 9037

6.5. Research Institutes

Institut Syndical d'Etudes et de recherches économiques et sociales
Mrs. Ardura, Ani1
263 Rue de Paris
93516 Montreuil Cedex
Frankreich
Tel.: 0033 1 53389999

Unite de Recherche Migrations et Societe - URMIS
CNRS (URA 2185)
Universités Paris 7 Denis Diderot & Paris 7 Saint Denis
Case 7027
2 place Jussieu

75251 Paris Cedex 05
Frankreich
Tel.: 0033 1 44 27 56 66
Fax: 0033 1 44 27 78 87
urmis@paris7.jussieu.fr

6. Others

Agency for the Development of Intercultural Relations ADRI
Marie Poinsot
4, rue René Villermé
75011 Paris
Tel.: 0033 1 40 09 69 23
Fax.: 0033 1 40 09 69 19
info@adri.asso.fr
info@adri.fr

6. Country oriented Literature

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Escoffier, Jean-Paul: 1999, Emplois et service public: points d'appui pour lutter contre le racisme, in: Le Tribune de l'immigrtion, 34, S. 21.

Institut National de la Statistique et des Etudes Economiques; INSEE: 2000, La propor-
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Institut National de la Statistique et des Etudes Economiques; INSEE: 2000, L'emploi des immigrés en 1999. INSEE Première No. 717. Paris.

Institut National de la Statistique et des Etudes Economiques; INSEE: 2001, de plus en plus de femmes immigrées sur le marché du travail. INSEE Première No. 791. Paris.

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Ireland

1. Developments of Migration and Population

In comparison with other European countries, Ireland has long been the most homogeneous in terms of categories like 'race' or ethnicity. This can be attributed partly to Ireland's historical development - under which aspects it is important to note its limited involvement in colonialism. More important, however, are the overall negative net migration movements, notwithstanding certain interruptions. One of the latter occurred in the sixties and seventies, during which there was a positive net migration, largely resulting from the return of former emigrants. Since the economic upturn at the beginning of the nineties, there has also been an increasing influx of US and UK nationals.

Consequently the net migration rate for Ireland listed positive values and grew rapidly from the mid-nineties on, recording gains of some 25000 per year in the late Nineties. About half of the immigration volume between 1995 and 2000 was covered by Irish return-migrants and only 20% originated from countries outside the EU (Central Statistics Office 2001). However, labour force figures only indicate a net immigration for 1992 and 1996 (Collins 1997: 2).

TABLE 24. AGE STRUCTURE OF EMIGRANTS AND IMMIGRANTS

	0-14	15-24	25-44	45-64	65 & over	Total
1987-1990						
Emigrants	25600	123000	68900	10600	0	228100
Immigrants	15700	28300	37900	8900	5700	96500
Saldo	-9900	-94700	-31000	-1700	5700	-131600
1991-1995						
Emigrants	9000	113200	45000	4200	400	171800
Immigrants	26700	49800	72300	15900	5500	170200
Saldo	17700	-63400	27200	11700	5100	-1700
1996-2000						
Emigrants	3700	78700	45100	4100	1200	132800
Immigrants	31500	65800	95300	18900	5700	217200
Saldo	27800	-12900	50200	14800	4500	84400

Source. Central Statistics Office, Ireland 2001

An important autochthonous minority are the Travellers. Due to a lack of categories in the census which would take account of these, in 1995 a task force on the travelling community (1995) reported that there are no up to date figures on the present size of the traveller community apart from the annual count of traveller families conducted by

the governmental Department of the Environment. In the 1996 Census of Population the Travellers in halting sites, encampments, caravans and mobile homes were considered. Their number was 10891, approximately 0.3 percent of the total Irish population. Their demographic structure is quite distinct from the rest of the population. High birth rates and high mortality rates result in a very young demographic structure of the Travellers with fifty percent being younger than 14 years (Central Statistics Office 1996).

As mentioned above, Irish censuses do not include categories based on racial or ethnic background. The only information available from the census is a profile of the population by place of birth. However, this is not necessarily a reliable guide to national or ethnic backgrounds, as - especially since many immigrants are themselves former Irish emigrants - migrants born abroad to Irish parents are recorded under the respective country of birth.

Limitations of statistical data available go further still. Census Data is not sub-categorised into employed/unemployed or available/unavailable for work. Given the popularity of Ireland with elderly people, especially from the USA, the UK and other European countries, as a place of residence after retirement, labour market figures could be skewed due to this.

An approximate figure of the number of people from ethnic backgrounds outside Europe can be derived from the registers in which all non-EU foreigners staying in the country for longer than three months have to be recorded.

In 1998, the total number of residents living in Ireland was 3.705 million. The population growth in the last ten years has been around 0.8 percent. (von Barretta 2001: 383). The total number of recorded foreigners living in Ireland is relatively small in comparison with other EU member states. A recent Labour Force Survey (LFS) has indicated that this number has grown substantially over the last decade. The numbers supplied by the LFS show that from 83 000 in 1983 the number grew to 96 000 in 1995 and to 118 000 in 1996. By 1998, this number had slightly fallen back to 111 000. In the latter year, foreign residents accounted for three percent of the total population in Ireland.

Most of the foreign residents are EU-passport owners (85 000), of whom 66 000 are from the UK; the number of non-EU citizens, the number of which is of limited importance in relative terms, increased considerably in absolute terms between 1983 (8 400) and 1998 (15700).

TABLE 25. FOREIGN POPULATION IN IRELAND

United Kingdom	61%
USA	11%
Other EU countries	13%
Other countries	15%

Source: Sopemi 2000

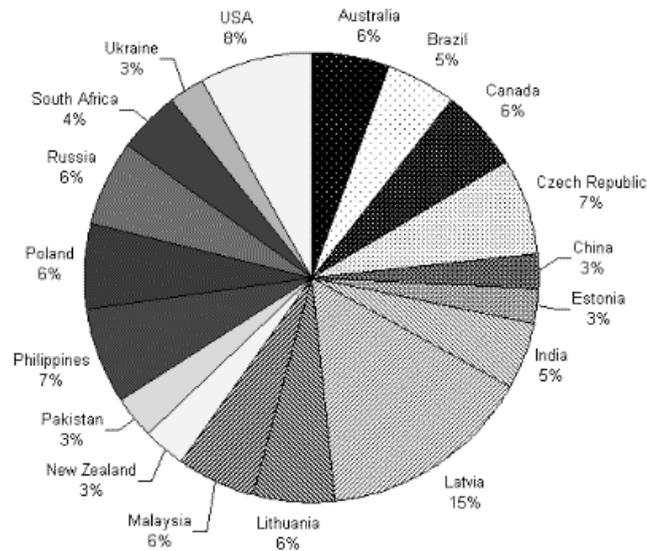
Due to recent economic dynamics Ireland came into touch with new migration types and new migrant groups, especially programme refugees and asylum seekers. According to the Irish Department of Justice, Equality and Law Reform, the institution responsible for asylum seekers, the number of applicants rose rapidly through the second half of the Nineties. In 1992 only 39 persons applied for asylum, in 1996 there number had already risen to more than 1000 demands, whereas in 1999 7762 asylum applications were registered (Éinrí 2001). About half of the roughly 11000 asylum applicants in Ireland in 2000 came from Nigeria and Romania (Source: Reception and Integration Agency and the Refugee Applications Centre).

Labour Market Developments

In 2001, according to the Quarterly National Household Survey 2001, the Irish labour force consisted of 1781900 people. The participation rate for males was 70.9 percent and for females 47.5 percent.

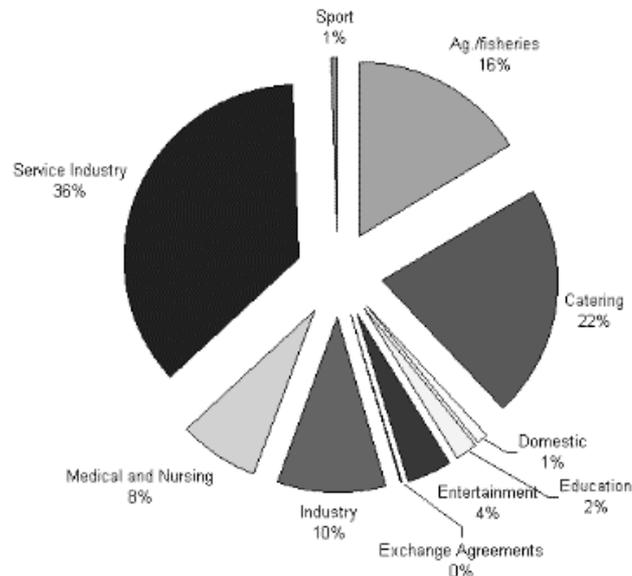
Linked to the extraordinary economic dynamic in Ireland since the mid-Nineties, labour immigration also became an important phenomenon in the country. In 2000 and 2001, the government led recruitment campaigns for high-skilled workers in order to meet labour force shortage. The number of work permits issued for non EU-nationals rose constantly since 1997 (4544) and reached some 18000 in 2000. Among the countries of origin, Baltic countries (especially Latvia) represent one quarter of all work permit holders, Eastern European and Asian countries represent another twenty percent each. The main sectors where Non-EU nationals are employed are the service Industry and Catering (Éinrí).

**Table 26: Non-EU work permit holders in Ireland 2000 according to nationality*
(Total = est. 18000).**



* only nationalities with at least 300 work permit holders were considered.
Source: Éinrí 2001, chart 15.

Table 27 : Distribution of Non-EU nationals' work permits on different sectors in 2000.



Source: Éinrí 2001, chart 14

The number of foreign workers in Ireland increased in the nineties. Statistics regarding work permits show that between 1998 and 2000, 18000 people were given work per-

mits. While in 1998 the greatest number of permits was granted to Indians, in 2000 the greatest number was granted to Latvians (Press Release: Department of Enterprise, Trade and Employment from The Irish Times, 11.01.01).

Table 28. Work permits issued from 1998-2000

Country	2000	1999	1998
Latvia	2171	263	4
USA	1065	892	16
Philippines	1003	156	63
Czech Republic	956	138	38
Poland	905	193	90
Lithuania	851	20	9
Russian Federation	824	199	3
Canada	786	183	219
Malaysia	778	246	200
Australia	768	347	312
India	649	390	446
South Africa	638	352	178
Brazil	638	165	34
Total	7797	3544	1612

Source: Department of Enterprise, Trade and Employment 2001

Barrett and Trace (1998 in Barratt, A, Fitzgerald J, and Nolan, B. 2000: 22) concluded that returning migrants and immigrants between 1994-98 had higher levels of educational attainment than the domestic population.

As stated above, statistical data available for Ireland is limited. In the case of data concerning the labour market, it has not been possible to find concrete statistics regarding the employment of immigrants in different sectors. However, the data available suggests that they work in the sectors of agriculture, industry and the service sector. They are also attracted to the areas of financial services and high-technology manufacturing.

The granting of permission to work in Ireland was previously based solely on the needs of the market. When a job became available and a non-Irish person applied for it, the employer could apply for a work permit. The employer would have to argue the need for a work permit for this particular person. This meant that the individual's right to work in Ireland was limited to that specific job. The maximum amount of time that a permit was valid was one year.

More recently, there has been a move towards granting work permits. This means that a person's right to work would not necessarily be limited to a particular job. However, this is mostly limited to employment in high-skill areas where there is a shortage of labour. These include nursing, information and computing work, engineering and building surveying, and others. These work visas are usually granted for two years and may be renewed. In order to attract qualified foreign workers, the government has launched publicity campaigns and sponsored job fairs in countries such as the Czech Republic, Canada, USA, India and South Africa (Mac Einri, 2001)

Finally, people from countries, which have signed Association Agreements with the European Community, can apply for business permits. This is for people wishing to be self-employed (Mac Einri, 2001).

In spite of the recent implementation of work permits, there has been an increase in the granting of short-term permits for one year - these are mostly for the low-skilled jobs (Mac Einri, 2001).

The *Tánaiste* (Deputy Prime Minister and Minister of Enterprise, Trade and Employment), Ms Harney recently predicted that Ireland would need a further 200,000 skilled workers within the next six years (Irish Times, 9.4.01)

2. Anti-discrimination Legislation with regard to the Labour Market

While legislation against religious discrimination has always played an important role in Ireland, racial discrimination was regarded as irrelevant for a long time. This has to do with the fact Irish society was relatively ethnically homogenous until twenty years ago.

Article 41 of the Irish Constitution stipulates, "all citizens shall, as human persons, be held equal before the law." This Article does not only refer to Irish citizens but is also by the Irish Courts extended to everybody living in Ireland irrespective of their nationality. Until now, however, there have been no cases where members of an ethnic minority have filed a complaint under this Constitutional provision.

Ireland has neither ratified the CERD nor the ILO Convention 111 on discrimination and

equality of occupation in employment. International standards are not transferred into domestic legislation.

Until the end of the nineties there was no legislation prohibiting racial discrimination in employment. However, the Unfair Dismissal Act (UDA) of 1977 (reformed in 1993) also applies to immigrant workers and members of ethnic minorities. Based on the UDA, a dismissal is unfair if it is made on grounds of race, colour, age, religious or political opinions or sexual orientation of the employee and membership of the travelling community. In 1998, with the coming into force of the Employment Equality Act, and the Equal Status Act or in 2000 discrimination in employment, vocational training, advertising, collective agreements, education and accommodation, the provision of goods and services to which the public generally has access is prohibited.

The Employment Equality Act covers both employers in the private and public sector and includes access to employment, conditions of work, promotion and training. It applies to collective agreements, advertising, employment agencies, vocational training, trade unions and professional associations. As laid down in the act, discrimination occurs where a person is treated less favourably than another due to their gender, marital status, family status, religion, age, disability, sexual orientation, race, colour, nationality, ethnic origin or membership of the traveller community. Employers have to ensure that they have effective policies on issues as preventing sexual or racial harassment. The Employment Equality Act allows exemptions to its overall regulations in relation to residency, citizenship, proficiency in the Irish language with respect to employment in the civil service, including the *Garda Síochána* (Irish police forces), the defence forces and local government. It also allows a requirement of proficiency in the Irish language with respect to teachers in primary and secondary schools. The act also allows employers to require the holding of a specified educational technical or professional qualification. These provisions may have the potential of allowing indirect discrimination on grounds of race.

The Equal Status Act of 2000 outlaws discrimination on the same nine grounds as the Employment Equality Act, but refers to the provision of goods and services.

The Office of the Director of Equality Investigations is the institution to which individuals who have experienced discrimination in one of the nine grounds mentioned in the law should turn to. The number of cases brought to the Equality Investigation since the law was established show not only the urgent necessity of anti-discrimination legislation, but in its result and sanctions also that anti-discrimination activities now have "teeth", too. The Equality Authority can help individual complainants in a number of ways, for example:

- explaining the current legal position on an issue

- advising on the facts as presented
- communication with the employer on behalf of the complainant
- preparing written submissions for the Director of Equality Investigations and the Labour Court
- representing and/or providing free legal representation for the complainant during the investigation

Of the 104 current cases (up to January 2001) under the Employment Equality Act 1998, the approximate breakdown per ground is as follows: five percent membership of the traveller community, thirteen percent race and three percent religion. Of the ninety current cases (up to the end of January 2001) under the Equal Status Act 2000 (October), the approximate breakdown per ground is as follows: 57 percent membership of the traveller community, three percent race and zero percent religion cases. The complaints, which were referred for investigation by Equality Officers were all under the Anti-Discrimination (Pay) Act, 1974 and the Employment Equality Act 1977, cases that formerly would have been referred to the Labour Court (for equal treatment) or to the Equality Officers of the Labour Relations Commission (for equal pay). It is not surprising that no complaints were received under the 1998 Employment Equality Act, which only came into operation in October 1999. In addition, claimants could continue to refer claims under the 1974 and 1977 acts where the alleged discrimination occurred before 18. October 1999.

While the Equality Employment Act and the Equal Status Act show that extensive progress in the fight against discrimination has been made, and not only in employment, they might have to be amended again when Ireland has to introduce the new European directives on racial discrimination. This has to do especially with the wide range of exemptions from the Equality Employment Act and the limited possibilities of revised burden of proof.

3. Institutional Development in the Area of Cultural Diversity in the Workplace

On the national state level there are two main institutions dealing with ethnic discrimination and the promotion of cultural diversity in the workplace. The Equality Authority (EA) is an independent statutory body, which was established on 18 October 1999 under the Employment Equality Act. The Equality Authority is responsible for a broad equality agenda that encompasses gender, marital status, family status, age, disability, sexual orientation, race, religion and membership of the traveller community. The grounds of race and traveller grounds require a specific focus by the Equality Authority on the issue of racism. The wider agenda also provides a valuable opportunity for the Equality Authority to promote and pursue initiatives that facilitate progress across all nine grounds simultaneously in an integrated manner. This also allows for overlapping inequalities to be addressed for example, the experience of a black lesbian or a traveller with a disability. The main duties of the Equality Authority are to work towards the elimination of discrimination; to promote equality of opportunity in matters to which the legislation applies; to provide information to the public and to monitor and review the operations of the Employment Equality Act and similar legislation. The Equality Authority files individual complaints. The Equality Authority, in partnership with National Consultative Committee on Racism and Interculturalism (NCCRI), undertook a mapping exercise on anti-racism, which will eventually form part of a European-wide data and information project called RAXEN.

The National Consultative Committee on Racism and Interculturalism (NCCRI) was established in 1998 on the initiative of the Department of Justice. NCCRI gives advice to government agencies, takes initiative to improve the situation of immigrants, involves self set up groups in policy making, and therefore acts both as advisor, mediator and activist in campaigning and programme planning. The concern of the NCCRI in relation to the issues arising out of the employment of non-EEA employees originated from approaches from Irish employers, particular those working in the Health sector, to the NCCRI to provide anti-racism/intercultural awareness raising training in the workplace. The NCCRI has undertaken such training courses with hospitals seeking to employ nurses, particularly from the Philippines, under the work visa/ authorisation programme, and more recently the NCCRI has provided awareness raising programmes to the three regional health authorities. The NCCRI summarises policy advice as well as proposed activities to all these key areas in their submission on racism and interculturalism to the Department of Enterprise, Trade and Employment. As the immigration phenomenon (and the new legislation as well) is something very recent, the NCCRI has so far only participated in national (and international) discussions and debates to work out advice and activity programmes and procedures, but has had no chance to monitor or evaluate

the situation of migrants in the workplaces, their integration etc.

The phenomena of racism is a new challenge for the Irish unions, which are also represented by their umbrella organisation the Irish Congress of Trade Unions (ICTU). The Services, Industrial, Professional and Technical Union (SIPTU), the biggest Irish Trade Union, only recently started collecting data about the practices which entitle people to work permits, the numbers, problems etc. - but this is the first time that unions have been concerned with such monitoring. The same is true for the developing of material to assist migrant workers: the unions only began facing these demands from foreign workers recently, for example to provide them with information in their respective languages (and not in English) about security in the workplace, obligations and rights of migrant workers, the questions of work permits, welfare assistance etc. But overall it is still the case that the unions are not yet really prepared and especially not co-ordinated (within their own bureaucracy there is no person or department responsible for co-ordinating the initiatives and activities) to deal effectively with either the action which follows national and international programmes against racism or discrimination nor the demands of a more and more heterogeneous (cultural, ethnic and social) workforce in Ireland. The trade unions only are just beginning to formulate policies about the questions of work permits vs. work visa, illegal work, or dumping salaries. The problem, for example, with the work permits - which means that permission is usually given for contract-based work in a certain area or branch, and is therefore not transferable or does not allow an employee to change their workplace or area (which is possible with a work visa) - are meanwhile a topic of trade unions policy making, unless there is no campaigning which would show a clear political position. Although internationalism is one of the main characteristics all trade unions lay claim to, the issues resulting from an international labour force which is more and more mobile - e.g. racism, integration, working conditions, salaries, etc. - are contrasted with national legislation, industrial or economic data; but the Irish trade Unions are still in the process of procedure and policy development, still far away from either providing active support to migrant workers or from defining a clear position with relation to the social partners.

As mentioned above, with regard to the Irish trade unions, the Irish employers and their associations and confederations are just beginning to discuss the question of cultural diversity in the workplace and have only just begun to implement some measures in this area. The Construction Industry Federation (CIF) can be used as an example. The CIF actively represents and serves over 3000 members covering businesses in all areas of the Irish construction industry through a network of 13 branches in three regions throughout Ireland and through its 37 sectoral associations. Although the focus of the Construction Industry Federation is the assistance of, lobbying for and representation of the construction enterprises (at the moment with special regard to small and medium

sized enterprises - SMEs) - with contacts to the employers, they have cared for employees world-wide for more than ten years now, too. The construction industry has always been an internationally operating business, which recruits workers internationally. Therefore, this industrial branch (and the CIF) has a lot of experience with the problems and questions that come up with migrant workers as such, with national or regional differences with regard to (work-) culture, social systems, legislation, personal needs or demands of workers etc. The CIF argues that intercultural working concepts, anti-racism and integration of foreigners are not only 'ideas' that the construction firms have a great deal of experience with (especially as many Irish construction workers have been working abroad ever since) but that these are part and parcel of their work, because it is in their own interest to integrate all workers as best as possible. The CIF advises their member firms in questions of interculturalism and anti-racism, thereby following the recent activities and initiatives in Ireland - as well as promoting improvements in overall working conditions and in the recruitment procedures and entrance possibilities for labour migrants - but they do not provide their members with material such as safety instructions in different languages. This is the firm's own responsibility. The CIF assists its members to fight against discrimination in the workplace by mentioning the importance of integration of contract workers in social life after work; workers should neither in the way they are accommodated nor in leisure time activities be separated from their Irish colleagues. Furthermore, they promote international co-operation in construction projects, especially bigger projects, such as the construction of tunnels, often need specialists who might not be available in Ireland. Therefore, the CIF promotes co-operation rather than competition between foreigners and Irish people. Other activities from the business community, including, for example, the activities of the Dublin Chamber of Commerce, which recently organised a conference on the issue of anti-racism and interculturalism in the workplace.

With regard to the media, not much more of the issues of immigration and related topics as the situation in the workplace are to be seen in Irish newspapers, radio stations or television. However, there are already special programme schemes like the "One World" programme in the Radio and Television Eireann (RTE) radio section, which gives new (immigrant) communities broadcasting space for one hour per day. The Radio One World programme of RTE was established in 1999, mainly for the Kosovar refugees resident in Ireland. In 2000, it expanded its services to different ethnic communities. On RTE2 television there is a programme called "Mono", which is broadcast twice a week and a sort of magazine (fairly light in its contents) on intercultural affairs and multiculturalism. Two Nigerian Journalists started (in April 2000) a newspaper named "Metro eireann" under the principal that there are "many voices, one Ireland". The paper is financed solely by advertisements and covers both migrant related issues and concerns of the

majority population - thereby reflecting national and international news and debates. Readership is estimated at 45000 people and is expected to reach 100000 in the future. The (free of charge) paper is published in English but there is also one page of immigration information in French. Thus, the paper addresses different immigrant communities, the majority population and the key actors in intercultural affairs.

The involvement and participation of the churches in Ireland is limited. The Catholic and Presbyterian churches could do more, especially by joining the discussions, roundtables, conferences and campaigns. Most of the activities of the churches were dedicated to direct support of refugees and asylum seekers, but they do not really face the overall changes of Ireland becoming a multicultural society.

Organisations set up by the immigrant communities themselves, which are increasing permanently in number and representation are few and far between, but nonetheless are very active in the field of integration and interculturalism both for their own clientele and for the majority population.

Access Ireland, an NGO in the refugee sector, came about in early 1998, when the Irish Refugee Council received funding under a special EU budget line set up in that year to tackle the question of refugee integration throughout the EU member states. In designing the project, it was decided that a major focus of it should be the training of people who had experiences of coming to Ireland as refugees themselves, in training and community leadership skills. The hope was that through training, people would develop their own skills in training others, particularly health and social service providers and that this would be a way of giving something back to Irish society, in particular to those at the cutting edge of providing health and social services, the many implications of coming to a new society as a refugee, not least the many intercultural issues involved, by people most directly affected by the experience.

4. Measures Taken to Improve Cultural Diversity and Remarks on the National Situation

While there are still few activities and programmes to promote cultural diversity at individual workplaces, during the last three years, especially after the coming into force of the Equality Law, a lot of initiatives which can qualify as positive measures have been initiated by public authorities, the trade unions and even the employers confederation. It is interesting to note that there are some joint projects, which are supported by trade unions, employers and the state authorities.

One example is the 'Anti-Racist Workplace', which was a joint initiative between the Equality Authority, the Irish Congress of Trade Unions (ICTU), the Irish Business and

Employers' Confederation (IBEC) and the Construction Industry Federation (CIF) - five of the major institutions or organisations concerned with the issues and questions of cultural diversity and anti-discrimination. The other main institutions involved are - apart from diverse social actors as NGOs, organisations set up by the migrant communities, churches etc.: the National Consultative Committee on Racism and Interculturalism, the Irish Refugee Council. On the governmental (and policymaking) level, the following state departments are addressed: the Department of Enterprise, Trade and Employment; the Department of Justice, Equality and Law Reform; the Department of education, and the Department of Social Affairs. The key focus of the initiative was an Anti-Racist Workplace Week, which took place from 6-10 November 2000. Over fifty events were organised around the country during the week. The key national events were the launch of the week and two seminars with Gurbux Singh, the Chair of the U.K. Commission for Racial Equality (UK). A number of resources were produced for the week including a resource pack "Supporting an Anti-Racist Workplace" (20 000 copies), posters and leaflets. The folder contains six sheets, which introduce into the topic according to the principal that "whatever you work for, work against racism". Beginning with a statement of commitment from IBEC, Congress and the CIF, there are definitions of racism, xenophobia and cultural diversity, a statement on the new legislation, policies, planning and practices to build an anti-racist workplace, principles and activities which should be implemented at workplaces, and, last but not least, resources, support and contacts.

Furthermore, the work of the Irish National Consultative Committee on Racism and Interculturalism (NCCRI) can be evaluated as a good practice. The concern of the NCCRI in relation to the issues arising from the employment of third country nationals originated from approaches from Irish employers, particularly those working in the health sector, is to provide anti-racism/intercultural awareness raising training in the workplace. The NCCRI has undertaken such training with hospitals seeking to employ nurses, particularly from the Philippines, under the work visa/authorisation programme and more recently the NCCRI has provided awareness raising programmes for the three regional health authorities.

Another new and innovative approach is the implementation of the issues of racism and discrimination, as well as cultural diversity, in the community developments projects carried out by the Department of Social, Community and Family Affairs. To this end a special 'code of practice' was established which provides a framework for community development projects to address racism and to promote equal opportunities for black and minority ethnic members of their communities. It includes the travellers, who really profit from both the new legal situation and the efforts being made to integrate other minorities. The code of practice tries to make racism visible by various means. For example, by working out its own ethos so that anti-racism is central to the mission and so that the

assumptions that underlie the work are also anti-racist, by communicating the anti-racist ethos in the symbols and images that are used and in the messages of communication. Furthermore, it is ensured that decision-making procedures are anti-racist through the participation of black and minority ethnic (including traveller) members of the community in decision-making structures and the provision of capacity building supports where necessary to ensure this participation is effective. By creating different mechanisms for participating in decision making to ensure the effective participation of black and minority ethnic (including traveller) members of the community. By networking with organisation articulating the interests of black and minority ethnic communities (including travellers) to secure their input to key decisions and plans and by assessing all key decisions for their impact on the issue of racism and their contribution to positive outcomes for black and minority ethnic (including traveller) members of the community.

The code of practice gives special importance to community administration and organisations as an anti-racist employer. To this end, special advertisement practices, recruitment processes, interview practices, commitment to positive action in the employment of members of black and minority ethnic communities (including travellers) and actions to create the conditions for such employment have been introduced.

Within the activities of the Irish trade unions, the preparation of a special module on promoting diversity in the workplace, which has been incorporated into trade union education and training courses can be seen as good practice. This is accompanied by various conferences on the same theme on a regional or national level, such as a one-day conference on the theme of 'Diversity and Multiculturalism in Local Communities', which was held on 26 July 2000. Trade union representatives from local development bodies (Area-Based Partnership, County and City Development Boards, Strategic Policy Committees, Trade Councils and Unemployment Centres) attended this meeting. The national conference on Immigration, "Creating an Intercultural Workplace", took place in Dublin in September 2000. The main objective was to provide an opportunity for union leaders, employers and state agencies to learn from prominent international and Irish speakers about initiatives in making the transition to a more intercultural, diverse and pluralist society. It was attended by over 200 people and gained national publicity.

Within the activities of employers and their representative bodies, the activity of the Construction Industry Federation (CIF) to develop training materials and recruit staff to hold training courses for employers on the topics of anti-racism and interculturalism in the workplace, thereby following the proposals of the national committees and Equal Authority handouts, is also a positive measure.

As an example of a public employer, the efforts of the Irish Police (*Garda Síochána*) to address the challenges of policing in an intercultural society can be judged as good

practice. For example, they regularly issue a newsletter focussing on racial and intercultural matters. Moreover, they have established an intercultural office and have published two booklets concentrating on diversity issues.

Looking at the activities and procedures implemented after the coming into force of the Amsterdam Treaty, e.g. the installation of the Equality Authority, NCCRI and the new legislation on employment and equality, there are in fact a whole range of activities going on in Ireland concerning the promotion of cultural diversity in the workplace and in general. Campaigns, as well as broad debates and discussions, roundtables etc. on the subject were organised, and not only a lot of information material was produced and distributed, but also the first cases of complaints because of discrimination have been dealt with. The whole range of debate and discussion since 1998 has led to a broad activism of all social partners and groups including the organisations set up by minority groups. However, this does not mean that there are adequate funds to support or realise all measures necessary or wished for, or that there is yet any monitoring of procedures or evaluation of measures already in place or even a co-ordination of all the different activities, which often overlap.

The overall factor that rules the conditions under which migrant workers have to do their jobs and living is the labour market. Employers respond to the needs of workers if it is suitable or necessary to attract them; governmental agencies and policy makers reply to the labour market's demands e.g. by giving work permits to refugees (which happened in 1999) and open or close the gates of entry for migrant workers as they are needed. With no exception, everybody involved in anti-discrimination activities and intercultural concepts (trade unions, employers' associations, state agencies, NGOs and even groups active for refugees) is thinking positively at the moment, when the "Celtic Tiger" and its labour market demands seems to lead to a positive development for anybody.

With regard to the new situation in Ireland of being a country of immigration, immigrants, whether they are refugees, asylum seekers, or temporary or permanent work migrants, should not only be seen as an economic factor but as citizens with possibly special cultural or social needs. Employers only slowly adapt to this by not only being aware of it but by providing de facto assistance in questions of housing, language skills, social interaction of migrants and Irish, etc. Because Ireland is still seeking labour to answer the demands of growing industry, different integration measures from vocational training to an improvement in housing or social and political participation are envisaged not only for high skilled immigrant workers but also for groups of refugees and to the traveller community as well, who for the first time really seems to be gaining from the extension of community development and employment programmes under the schemes of anti-discrimination and anti-racism.

However, these activities have until now not influenced one major problem of ethnic minorities and especially the traveller communities staying in Ireland - namely to be socially underprivileged. This is true for the traveller community, which has not only always been marginalised and discriminated against but also still lack education and training, and for more or less unskilled immigrants, who were not recruited by labour agencies but came as refugees, asylum seekers and migrant workers who left their homes in search of a better life. Despite an economic boom in Ireland, which not only swept highly skilled workers into the country, but also opened a gap between the new professionals and workers of the old branches or marginalised groups, immigrants and ethnic minorities are often not integrated into the labour market and cannot benefit from the newly introduced measures which only focus on the active work force. In this context, the Governments commitments in "Partnership 2000", the national agreement to equality proofing of Government policies and the potential of the new national agreement "Programme for Prosperity and Fairness 2000-2003" might have a positive impact on the needs of ethnic minority groups.

Furthermore, the diversification of Ireland's population through the variety of incoming migrants with very different social, economical or cultural backgrounds, and therefore with very different wishes and needs is not solved yet neither by an overall immigration and integration policy nor by concepts that cover all the different aspects and problems of immigration and integration. Therefore, the community development programmes and the community employment programmes as part of it, are still a central basis of all efforts to be made to face a multicultural and socially diversified society, which Ireland became only recently.

Looking at the activities and concepts which arrived with the new legislation on equality and the efforts to face racism and discrimination in Ireland, one finds that they have to be co-ordinated with the community development programmes in order to enable sustainable developments of both the migrant or minority communities, as well as to change the attitude of the majority population in a positive way.

Furthermore, there is no real new 'concept' of anti-discrimination or equality work, but rather an extension of already existing social concepts and legal obligations to the issues of "race", "ethnicity", multiculturalism and interculturalism. However, with the new legislation on equality and anti-discrimination and the enormous efforts in campaigning and programme setting following these, changes in the living and working conditions of migrants as well as in the general attitude of the majority population might be visible. By end of 2001 first results of the various programmes and activities will be evaluated. It will then be possible to evaluate their impact and success.

5. List of Organisations and Agencies active in the Field

5.1. Public Institutions

National Consultative Committee on Racism and Interculturalism (NCCRI)
Philip Watt (director)
26 Harcourt Street
Dublin 2
Tel.: 00353 1 4785 777
Fax: 00353 1 4785 778
nccri@eircom.net

Equality Authority (EA)
Lisa Fingleton
Clonmel Street
Dublin 2
Tel.: 00353 1 417 33 62
Fax: 00353 1 417 33 77
Lisa-Fingleton@equality.ie
www.equality.ie

Department of Enterprise and Employment
Legislative Review Section
Room 115, Davitt House
Adelaide Road, Dublin 2
Tel.: +353 1 661 4444 ext 3166
Fax: 00353 1 631 28 12

Department of Enterprise, Trade and Employment
Kildare Street
Dublin 2
Tel.: 00353 1 631 2121
Fax: 00353 1 631 2827
www.entemp.ie

Department of Justice, Equality and Law Reform
Immigration Policy Unit
Paul Burns
72 -76 St. Stephen's Green
Dublin 2
Tel.: 00353 1 602 82 02
Fax: 00353 1 661 54 61

Dept. of Justice, Equality and Law Reform
Equality Division
Liam Conlon
an Roinn Dli Agus Cirt
72-76 St. Stephen's Green
Dublin 2
Tel.: 00353 1 602 8202
Fax: 00353 1 661 5461
Liam-j.-Conlon@justice.ie

5.2. Trade Unions

Irish Congress of Trade Unions (ICTU)
David Joyce
31/32 Parnell Square
Dublin 1, Ireland
Tel.: 00353 1 889 7777
Fax: 00353 1 887 2012
david.joyce@ictu.ie

Northern Ireland Committee

Irish Congress of Trade Unions
3 Wellington Park
Belfast BT9 6DJ
Northern Ireland
Tel.: 0801 232 681726
Fax: 0801 232 681726

Services, Industrial, Professional and Technical Union (SIPTU)
Equality Unit
National Equality Secretary:
Rosheen Callender
Administrative Assistant:
Kathleen Flanagan
Liberty Hall
Dublin 1
Tel.: 00353 1 874 9731
Fax: 00353 1 874 9368
www.siptu.ie

5.3. Confederations of Employers

Irish Business and Employers Confederation (IBEC)
Brendan Butler
Tel.: 00353 1 60 51 634
Fax: 00353 1 63 81 634

Construction Industry Federation (CIF)
Sean Downey
Executive Manpower Services
Construction House
Canal Road, Dublin 6
Tel.: 00353 1 40 66 059
Fax: 00353 1 49 66 953

5.4. NGOs

The European Centre for Travellers
Egan house
Vicar Street
Tuam
Co. Galway
Tel.: 00353 93 25244
Fax: 00353 93 25307

Access Ireland
Richmond Business Campus
North Brunswick Street
Dublin 7
Tel.: 00353 1 878 05 89
accessireland@connect.ie

Irish Refugee Council (IRC) -
Arran House
35/36 Arran Quay
IRL-Dublin 7
Tel.: 00 353 1 8724424
Fax: 00 353 1 8780591/

5.5. Research Institutes

NEXUS Europe (Ireland) Limited,
Fumbally Court
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Dublin 8, Ireland
Tel.: 00353 1 473 05 99
Fax: 00353 1 473 05 97

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European Foundation
for the Improvement of Living and
Working Conditions
Wyattville Road, Loughlinstown
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National University of Ireland
Irish Centre for Migration Studies - ICMS
Piaras Mac Einri (Uni-Direktor)
6 Bloomfield Tce
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migration@ucc.ie

Economic and Social Research Institute
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Dublin 4
Tel.: 00353 1 676 01 15
Fax: 00353 1 668 62 31

University College Dublin
Dep. Sociology
Belfield
Dublin, D4
Tel.: 00353 1 706 84 54
Fax: 00353 1 706 11 25
loyal@dlamh.ucd.ie

5.6. Others

Medical Council
Lynn House
Portobello Court
Lower Rathmines Road
Dublin 6
Ireland
Tel.: 00353 149 65588
Fax: 00353 14965972
mail: medicalcouncil@mcirl.ie
www.medicalcouncil.ie

Concern
Aengus Finucane
Chief executive
1 Upper Camden Street
IRL-Dublin 2
Tel.: 3531 754162
Fax: 3531 757362

6. Country orientated literature

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Italy

1. Developments of Migration and Population

Immigration is a quite new phenomenon in Italy. Until the seventies, Italy was one of those South European countries exporting labour force to Northern Europe. Since the seventies, and especially in the eighties and the nineties, it has been heavily affected by migration of people from the Third World and Eastern Europe. Thus Italy was completely unprepared for such a phenomenon, had to face the problems raised by the integration of immigrants in the labour market and in society.

In the seventies a first group of immigrants reached Sicily, just across the Tunisian coast, to work in the fishing industry, so replacing the local labour force, which refused jobs in such a market because of the harsh working conditions and the lack of regular procedures of recruitment. A second group came from the Philippines and Cape Verde, mainly women working as live-in maids for upper-class families in big cities. Another group came from Yugoslavia, working for the reconstruction of North-eastern Italy after the 1976 earthquake.

In the eighties Italian firms hired non-EU immigrants, in order to cover the increasing shortages of native workers not willing to work in low-grade and unpleasant positions. At first immigrants were employed in the farming and fishing sectors, especially in the South; then they began to be employed in the industries of the North.

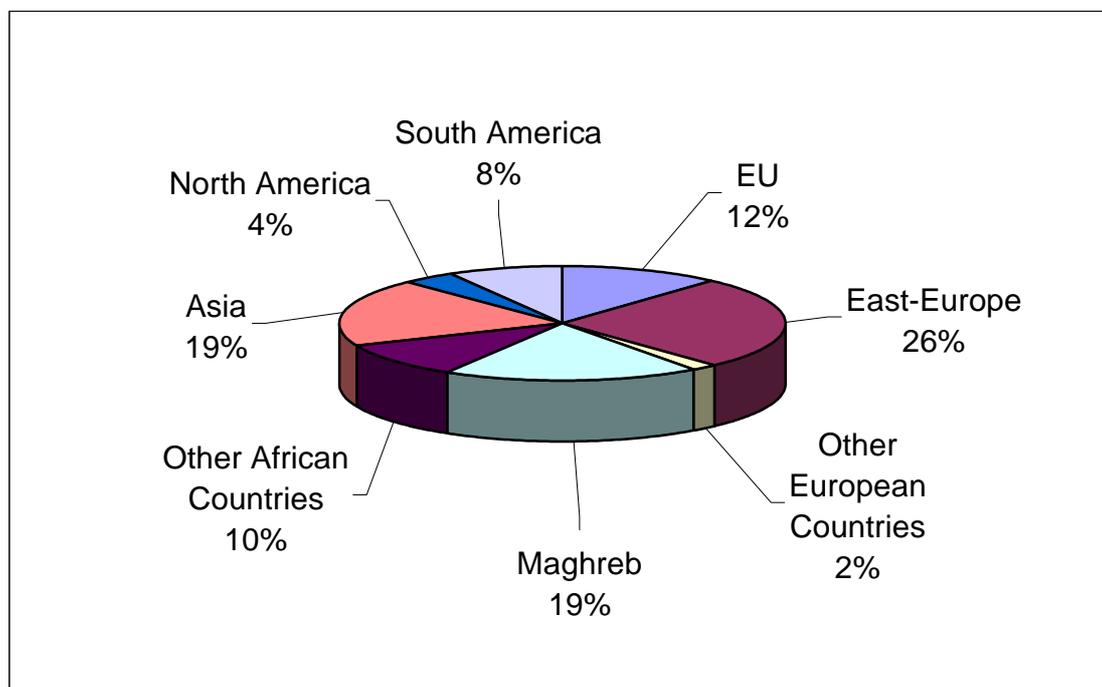
The number of immigrants was quadrupling between 1985 and 2000: while in 1985 there were only some 420000 non Italian residents living in the country representing 0.7 percent their number increased sharply to 1251994, representing 2.6 percent in 1999 (SOPEMI 1998, Caritas 2001). The number of immigrants increased especially during 1986-88 and 1990-1992, when the population of foreigners increased of about 200 000 on both occasions. These figures do not include those foreigners who are in Italy without a residence permit.

Most immigrants come from countries relatively close, especially from other European countries (EU and non-EU), accounting for 39.9 percent, and Africa (especially North Africa), accounting for 28.5 percent. Immigration rates from other geographical areas are the following: America 12.2 percent, Asia 19.2 percent, Oceania 0.2, stateless people 0.1 percent.

With regards to illegal immigration, there are different sources and different evaluations, even because the number of clandestines has always been an argument of political

clash. In any case, the least rigorous evaluation has been made by Minister of the Interior in 1998: it estimated that illegal immigrants were approximately 230000-290000 (20 percent of the total foreign population). In fact, 250000 applications arrived for the regularisation, which began in 1998 and is still ongoing.

TABLE 28. FOREIGN POPULATION IN ITALY 1999



Although the migratory flux from Eastern Europe is more substantial, a particular phenomenon that we should keep in consideration is immigration from Maghreb. Since the beginning immigrants from Maghreb have represented a large part of foreign workers. Italy is the second European country, after France, which gives hospitality to the largest group of foreign nationals coming from Morocco, Tunisia and Algeria. It is estimated that there are more than 200000 people, mostly men (about eighty percent). In fact, the first largest foreign community in Italy is the Moroccan one, with 146491 (11.7 percent of the total) residence permits registered in 1999. The other nine largest communities are those from: Albania (9.2 percent), Philippines (4.9 percent), Former Yugoslavia (4.4 percent), Romania (4.1 percent), USA (3.8 percent), China (3.8 percent), Tunisia (3.5 percent), Senegal (3 percent) and Germany (2.8 percent). Among minority populations, particularly visible are the travelling communities or the Rom (according to statistics from 1990 they accounted for 60000 persons), which are always in an institutionally precarious position in society and in the labour market. According to different sources their number can be estimated to be somewhere between 100000 and 150000 in the late nineties (European Roma Rights Center 2000).

Immigrants are mostly concentrated in the cities of the North (the richer and more industrialised part of Italy), where it is easier to find a regular job in one of the many industries. On the 31/12/99 the foreigners (registered) living in Northern Italy were 670767 (53.6 percent of total foreigners), of which 265833 living in Lombardia, which is the richer and more populated region. Then, 368637 immigrants lived in Central Italy, 143893 in the south and 68697 in the islands.

In the European context, Italy is one of the principal destinations of the migratory flows. In 1999 the Ministry of the Interior granted 268007 residence permits, even though 138000 have been granted to people already resident in the country. Therefore, the remaining amount of 130 000 permits represents the influx in 1999. People coming from EU countries accounted for 7.6 percent; people coming from other countries accounted for 92.4 percent of total permits. The number of women is differentiated as follows: among flows coming from the EU, women accounted for 56.6 percent; as regards flows coming from other countries, they accounted for 42.3 percent. The main reason for which women leave their countries of origin is family reunification.

Table 29. Territorial distribution of foreign residents

Province	Registered 31.12.99	Distribution %	Women %	Incidence on population %
Val d'Aosta	2499	0.2	47.5	2.5
Piemonte	79069	6.3	45.4	2.2
Lombardia	265833	21.2	44.4	3.5
Liguria	34725	2.8	49.2	2.5
Trentino A.A.	29352	2.3	42.1	3.7
Veneto	120515	9.6	42.2	3.2
Friuli V.G.	37891	3	49.9	3.8
Emilia R.	100883	8.1	46.3	3.0
North	670767	53.6	44.9	3.1
Toscana	92627	7.4	47.4	3.1
Umbria	24522	2	49.9	3.5
Marche	30306	2.4	47.4	2.5
Lazio	221182	17.7	50.7	5.0
Centre	368637	29.4	49.6	4.0
Abruzzo	17135	1.4	46.4	1.6
Campania	63360	5.1	49.1	1.3
Molise	1869	0.1	50.4	0.7
Basilicata	3178	0.3	34.6	0.6
Puglia	43058	3.4	43.7	1.3
Calabria	15293	1.2	40.2	0.9
South	143893	11.5	45.9	1.2
Sicilia	56736	4.5	43.4	1.3
Sardegna	11961	1	41.2	0.9
Islands	68697	5.5	43	1.2
Total	1251994	100	46.3	2.6

Source: Caritas 2000

Among the new permits granted for the first time in 1999, 50.4 percent of them have been granted to European migrants (especially from Eastern Europe, they account for 42.2 percent), 23.4 percent to Africans, 15.4 percent to Asian, 10.6 percent to Americans, 0.2 percent to Oceania's migrants. In percentage, by reason for residence, the 268007 permits conceded are shared out as follows: employment 57.7 percent, family 20.9 percent, asylum/temporary protection 7.6 percent, study 4.1 percent, tourism 2.9, religious reasons 1.8 percent, elected residence 1.7 percent, adoption 1.7 percent. In any case, 34.6 percent of new admittances in 1999 was for family reason.

TABLE 30. IMMIGRANT RESIDENTS AND AGE 1999. PERCENTAGES BY PROVINCE

Age	0 -- 18		19 - 40		41 - 60		over 60		Total	
	M	F	M	F	M	F	M	F	M	F
Province										
Val d'Aosta	3.1	3.2	36	32	10	8.2	2.8	4.0	53	48
Piemonte	3.7	3.2	38	31	11	8.0	2.3	2.8	55	45
Lombardia	2.4	2.1	39	30	11	8.5	2.8	3.5	56	44
Liguria	4.0	3.8	29	28	12	11.0	5.2	6.5	51	49
Trentino A.A.	2.1	1.6	39	28	13	7.6	4.5	5.2	58	42
Veneto	3.6	3.1	42	30	11	7.2	1.5	2.3	58	42
Friuli V.G.	4.5	3.9	28	30	15	12.0	3.5	4.1	50	50
Emilia R.	3.2	2.7	41	31	12	6.9	1.8	2.2	57	43
North	3.1	2.7	39	30	11	8.2	2.6	3.3	56	44
Toscana	3.5	2.6	36	32	11	10.0	2.6	3.1	53	47
Umbria	3.9	3.5	34	35	10	8.3	2.1	2.8	50	50
Marche	3.9	3.2	38	34	9	8.0	1.8	2.2	53	47
Lazio	1.4	1.2	30	31	12	13.0	6.2	6.2	49	51
Centre	2.3	1.9	33	31	11	11.0	4.6	4.9	50	50
Abruzzo	3.1	2.6	39	34	9.8	7.6	1.9	2.2	54	46
Campania	2.3	2.2	37	29	9.7	14.0	2.1	3.9	51	49
Molise	3.9	2.1	33	36	10	11.0	2.3	2.0	50	50
Basilicata	4.4	2.5	47	24	12	6.7	1.4	1.4	65	35
Puglia	3.3	2.0	41	29	10	10.0	2.2	3.0	56	44
Calabria	3.5	2.2	40	28	14	8.7	1.8	1.7	60	40
South	2.9	2.2	39	29	10	11.0	2.1	3.1	54	46
Sicilia	3.0	2.8	40	29	13	10.0	1.5	1.9	57	43
Sardegna	1.9	1.4	39	29	16	8.9	2.3	1.9	59	41
Islands	2.8	2.5	39	29	13	9.9	1.7	1.9	57	43
Total	2.8	2.4	37	30	11	9.6	3.1	3.7	54	46

Source: Caritas 2000

Labour Markets Developments

Even if, in the last years, the Italian labour market has registered small improvements, it is still far from the European average. Following the leading indicators of January 2000, there were 20617000 employees; 2647000 persons were looking for a job and the unemployment rate stood at 11.4 percent. Labour flexibility and other kinds of atypical employment (such as part-time job, temporary contracts, etc.) have played particular importance in this improvement. There is a big disparity concerning the geographical areas and the sectors of activity. For instance Southern Italy has an unemployment rate of 22.1 percent, while in Northern Italy the unemployment is 5.2 percent; the South has an economy based on agriculture, while the North is a strongly industrial area.

Italian labour market is dual: on the one hand, it provides good salaries, work permits, etc.; on the other hand, it offers temporary and unpopular jobs, with no protection or social security; it is substantially clandestine or "underground". Foreign nationals have

found their place in the Italian labour market, demonstrating a greater flexibility and adaptation with respect to the national level, even because they often accept to work in the underground labour market. It is sufficient to note that in 1994 only a third of employed immigrants had a regular contract, while the others worked without contract or without the authorisation for self-employment. The regularisation carried out in 1996 slightly changed this situation: fifty percent worked lawfully and lot of residence permits were delivered; but many workers, even those who were (and are) able to work legally, still continue to work in the underground economy indeed (Zincone, 2000: 164). On the other hand, in the legal market, they find work quite easily, but they remain within the lower ranks. Discrimination in the workplace mainly concerns the access to employment, worse working conditions and few opportunities of a carrier.

It seems that immigrants play a complementary role in the market. It is important to recognise that, because according to the common opinions or even some politicians, immigrants are potential deviants, criminals or unfortunates to help. Their role is instead complementary, because they accept unskilled, low profile, poorly protected and paid jobs that the Italian labour force refuses. When there are vacancies for labour force in determined sectors, employers need immigrants to fill them: this is the case of temporary, seasonal and shift jobs. Then, in the regions of the south, immigrants are used for replacing the local workers, who are no longer willing to work without any regularisation and in conditions of exploitation.

In addition, most immigrants from non-EU countries only find employment within certain niches of the labour market and these niches are often reserved for certain nationalities. Filipinos usually work as domestic servants, Black Africans as factory workers, the Moroccans mostly as labourers or bricklayers, Albanians as labourers and bricklayers as well, Chinese as cooks or dealers or restaurant owners or labourers, and son on.

On the 31/12/99, among 1106 207 non-EU citizens, 691 199 were holders of a residence permit for employment, of which 58292 holders of a permit for self-employment. Among the holders of this kind of residence permit, 598150 appear as actually employed; 83263 are registered as unemployed, 8803 have the permit for humanitarian reasons (which qualifies also for work) and 983 are waiting for professional qualification. However, many workers do not have regular contributions (to be paid to the national institute for social security (INPS)) from their employers; this means, among several reasons that immigrant workers often go from regular employment to the irregular one. But sometimes data do not coincide because of short-time contracts in sectors such as agriculture (but industry too) and delays of registration at the public offices.

It is estimated that INPS in 1999 managed 363000 contributive positions, which correspond to 61 percent of persons holding a work-permit and appearing as employed. The

ten first national groups registered by INPS are: Morocco 45306, Albania 37017, Philippines 36637, Tunisia 23495, Senegal 19941, Former Yugoslavia 18206 percent, Peru 14259, Romania 12969, Sri Lanka 12912, Ghana 11411. Some communities are less represented in the list above; it is the case of national groups coming from Philippines, Sri Lanka or Latin America, who are usually employed in sectors such as domestic-collaboration and other specific jobs for which it is easier to avoid the contributions.

In absolute figures, in 1999 foreign nationals were employed in the following sectors: 97000 in industry, 24000 in the building sector, 72000 in the services, about 110000 in the domestic sector and about 60000 in agriculture [Commissione per le politiche di integrazione degli immigrati, 2000:168]. The total is 363000.

Table 31. Employment sectors of non-EU workers. Distribution percent

Area	Agriculture	Industry	Building	Domestic	Services
Northwest	9.2	26.3	11.7	30.7	22.2
Northeast	22.0	39.7	7.9	8.5	21.8
Centre	15.4	33.0	9.0	22.2	20.5
South/Islands	38.3	7.6	2.8	39.7	11.6
Italy	14.9	27.7	7.0	29.7	20.7

Source: Commissione per le politiche di integrazione degli immigrati 2000

In 1998 there were 215872 domestic workers (included the Italian ones), the majority of them were women (87.2 percent). Workers from non-EU countries made up 109797, nearly twice the amount of workers in 1995. This means that, before the regularisation carried out by the government in 1995, many domestic workers were not regularly registered by their employers, in order to evade social contributions. Today as well, domestic work is a large branch of the labour market where it is very easy to avoid regularisations and laws.

Concerning the agricultural jobs, in 1998 44807 workers (from non-EU countries) have been employed for short periods and 7269 for long periods. They were distributed especially in Northern Italy. Self-employed workers registered by INPS were 5611, divided in artisans, traders, and farmers. An important share of self-employment seems to relate to street vending. According to the EU employment observatory, other important sectors for self-employment are restaurant and hotel, the construction sector and commerce.

In 1999 foreign nationals non-EU included in the job-seekers' list amounted to 204573 (calculating the three-monthly average registrations); of which 63.1 percent were men and 36.9 percent women. Comparing the geographical presence (mentioned above) with the unemployment rate, we can state that the foreigners unemployed are 50.5 per-

cent in the North, 25.7 percent in Central Italy, 14.6 percent in the south and 9.1 percent in the islands.

Looking at unemployment rates of a national group as a share of the total active population, immigrants from Maghreb countries are the most affected: 17.5 percent of the active Moroccans, 21.1 percent of Tunisians and 25.3 percent of the Algerian active population living in Italy were unemployed in 2000, the average for the total non Italian population being 11.1 percent (Caritas 2000). Usually the total of foreigners non-EU unemployed is composed for two-third by men and one-third by women, but such a ratio varies according to the country of origin; for instance, among unemployed Pakistani 93.3 percent are men; and among unemployed Brazilians women are the majority, accounting for 84.1 percent.

The unemployment rate of migrant women is high. According to a survey carried out in Milan, thirty percent of respondents are jobless, 28 percent are domestic workers, 5.7 percent take care of elderly persons, 6.4 percent work as waitress or barmaids, 3.7 percent work in the sector of cleaning, 3.2 percent are unskilled workers, 3.7 percent are prostitutes. These figures represent the city of Milan, but they also reflect the situation of the whole country. Immigrant women, especially those who have no residence permit, are often employed by people of the same nationality, who subordinate their fellow-countrywomen under their power. Another case of exploitation is, when Italian entrepreneurs recruit women (and men as well) in a foreign country and send them to Italy with a visa for tourism or for study purposes; but once there, these persons are employed in factories, often in the underground economy, so that they are completely subordinated to their employer (see Zanfrini, 2000).

In any case, there are some exceptions. More and more foreigners choose, if and when they can, self-employment. After years of unskilled work, they manage to create their own little enterprise. The Chinese community is a good example. In addition, as mentioned above, they often have an advanced education, therefore they begin to find specialised jobs, for instance as nurses. Unfortunately, the qualifications they have acquired in their country of origin are often not acknowledged in Italy.

2. Anti-discrimination Legislation with regard to the Labour Market

Although Article 3 of the Italian Constitution (1948) states that "all citizens are invested with equal social status and are equal before the law, without distinction as to sex, race, language, religion, political opinions and personal or social conditions", in Italy there are no specific norms concerning racism and ethnic discrimination.

Nevertheless, new laws approved in the following decades, and included under criminal

law, enriched regulations on the subject. These are Acts 645 of 1952 and 654 of 1975, which ratifies the CERD, and Act 205 of 1993. This last Act is about discrimination for racial, religious, ethnic and national reasons. The Italian Government enacted it because of a rise in racial violence, intolerance and xenophobia; it strengthened the preventive measures and increased the penalties.

In the branches of Civil and Administrative Law there are few provisions against racial discrimination and other forms of intolerance provided in the labour law, prison law, law on education and so forth. However the only provision accompanied by effective penalties seems to be the ban on discriminatory acts in labour law. An important provision is Act 903 of 1977. Section 13 declares null all acts on hiring, dismissals, transfers and promotions related to the employment relationships which are detrimental to women because of their sex. But section 13 also provides that there must be no political, religious or racial discrimination; this means that the sanction can be applied to any discriminatory act against employees because of their race, colour, religious or political opinions, ethnic or national origins.

Act 604 of 1966 concerns unlawful dismissal of individual employees. Although it is not explicit, it may also be considered as anti-discriminatory. It states that an employee, submitted to a contract of employment of unfixed duration, can be dismissed only for justified motives or if evidence of sufficient grounds is provided. An amending Act of 1990 provides that when a judge declares a dismissal null, the employer should reinstate the worker.

- Then, we should remember that Italy subscribed several international agreements whose aim is to counter various forms of discrimination:
- United Nations Convention on the Elimination of All Forms of Racial Discrimination (CERD), of 21 December of 1965;
- UNESCO Convention against Discrimination in education of 14 December 1960;
- Discrimination - (Employment and Occupation) Convention (no. 111) of the ILO of 25 June 1958.

Italy has ratified the treaties above. The Article 10 of the Constitution states that Italy's legal system conforms to the principles of international law; therefore any Convention ratified by the State is applicable directly. This is maybe the reason why there is not any specific law on racial discrimination, making exception for section 13 of Act 903 of 1977. Regarding these international agreements there is the doubt whether they can be applied in disputes against a private individual or employer. In such a case an individual subject to discrimination is not supposed to rely directly on the Convention, but he should rely on the rights granted in the Constitution and in Act 903.

As Italy has been affected by migratory phenomena only in the recent decades, the first Act regulating the matter was approved in 1986 (Law 943/1986). The fundamental feature was the provision for the regularisation of non-EU immigrants. However, the shortages of this Act (for instance the status of political refugee) and the continuing inflow of immigrants required the approval of a new Act in 1990 (Law 39), which recognised self-employment (even through a specific rule) as a reason for entry and planned migratory flows for the following years. It also provides the residence permit for family reunification and establishes new rules for persons coming from areas of high emigration risks.

Act 39 of 1990 also abolished the "special employment lists" reserved for foreign workers. This means that immigrant labourers, residing legally in Italy and with work permits, benefit from the same rights and treatment as Italian workers. As a first visible effect, any cancellation of the labour contract does not imply the revocation of the resident permit. Furthermore, disabled foreign workers are able to register in the list of disabled unemployed persons. However foreign nationals are still excluded from a variety of jobs and professional fields.

In any case, only the recent Law 40/1998 appears as a systematic attempt to regulate the phenomenon of immigration looking for a balance between planning of flows, integration policy and fight against irregular inflows. Regarding the planning of flows, this new Act states that foreign workers can enter Italy mainly in three ways: a) on the basis of a national quota negotiated by the Ministry of Foreign Affairs (in co-decision with the Ministry of the Interior and the Ministry of Labour and Social Security) with their countries of origin, generally non-EU countries (Art. 19); b) upon request from an Italian employer (Art. 20); c) through sponsorship by a permanent resident (Art. 21). This legislation aims at promoting the integration of foreign nationals residing in Italy, also giving them equal opportunities in the labour market.

The law presents a series of articles concerning disposals on social integration and discrimination. Art. 40 asserts that the Italian State, the Regions, the Provinces and the Municipalities, also in collaboration with associations of foreigners, encourage activities undertaken by foreigners, foreign schools and cultural institutions in order to spread useful information for a positive insertion of foreigners in the Italian society and to increase the value of cultural, social, economic and religious expressions and any initiative aiming to prevent xenophobia and racial discrimination.

According to Art. 41, any behaviour acting as a distinction, exclusion or preference based on race, colour, ethnic origin and religion, or aiming at destroying or compromising human rights in economic, social, political and cultural fields is considered discriminatory. As regards work places, any treatment causing proportional disadvantage to workers belonging to a determined race, linguistic or ethnic group, religious belief, citi-

zenship and other requirements, which are not essential to working activities is considered discriminatory. A peculiarity of this article, tracing out a difference with respect to the previous legislation, is that it identifies not only direct and individual discrimination, but even indirect and institutional one, which can occur through the act of a public officer or a person charged of public service or a person practising a service of public necessity.

Art. 42 aims at juridically regulating the cases of discrimination provided by the previous article. Furthermore it assigns the regions (in collaboration with provinces, municipalities, associations of immigrants and of volunteers) the task of planning observation, information and legal assistance centres for victims of discrimination.

This law also foresees financial subsistence of intercultural projects (several billion Italian Lira are distributed to the various regions, which in their turn distribute money to NGOs for financing various projects in this field). However, the law has given much importance to topics like borders control, expulsion, migration flows and policies, health service and labour, but it does not define a particular anti-discrimination policy in work places. It has been already noted that discrimination, more than working conditions and wages (in case of regular jobs, of course), concerns jobs opportunities and carriers, and there is no rule regulating this issue. Such initiatives, if any, are in the competence of employers and enterprises; but immigrants advancing in their profession are very rare. Moreover, there is no article focusing on the acknowledgement of foreign certificates, degrees, qualifications, etc.; therefore, immigrants cannot register themselves in professional roles and the public workplace is forbidden for them.

3. Institutional Development in the Area of Cultural Diversity in the Workplace

Since the coming into force of Law 40 in 1998, ethnic discrimination and the fight against discrimination and racism have become central issues of government politics. Above other things the Italian government has therefore started a pilot project, which aims at understanding what discrimination is and how individuals might defend themselves against discriminatory acts. The pilot project is based on various levels. The first level is the strengthening of the public institutions in the Italian regions by establishing observatories for discrimination and racism, the so-called "Territorial Council on Immigration". For this purpose, regions have to change their laws according to the new national law. Only in some provinces such as Puglia or Bergamo are these councils working effectively up to now. The ministry is now waiting for further implementation of observatories and their experiences. Furthermore, the government sets up free telephone lines for victims of discrimination. The system of giving a free telephone number to peo-

ple ringing for certain complains is known in Italy in the area of prostitution etc. The newly agreed numbers for equal opportunity are working since spring 2001. Furthermore, in future, the regional observatories or the government might take over meaningful cases to establish a strategy against such discrimination. Law number forty also foresees the financing of intercultural training courses for staff members of public authorities (communes) as well as health authorities (hospitals).

On the regional level for example the Territorial Council of Bergamo was created in February 2000 and serves as an observatory on immigration for the province of Bergamo and performs systematic monitoring and research into immigration and integration. It is also responsible for keeping a demographic and statistical record of all non-EU citizens residing in the province, dividing the data into various categories such as male/female, minors, nationality, etc. The Council is a little parliament made up of 35 representatives from various organisations concerned with migration such as public authorities, non-government organisations, welfare organisations, immigrant self-help groups, trade unions, employer associations, health authorities and school authorities. One of the main ideas behind the creation of this Council was to create a network of all the actors concerned, in order to deal with the issue of immigration more effectively. Concerning the integration of immigrants, the council is divided into four commissions: the Commission for Professional Formation; the Commission for Accommodation; the Commission for Schools and the Commission for Health. The Council co-operates with the police headquarters, public and health authorities and the schools in order to monitor, as well as promote initiatives of intercultural practices. With government authorities they co-operate in relation to the regularisation of immigrants (e.g. getting all the documents done), while with public institutions they co-ordinate activities necessary for the regularisation of immigrants.

On the regional level furthermore administrations dealing with immigrants and refugees promote intercultural training courses for their staff. For example in Milan the staff of the Foreigners Office was offered a number of intercultural training courses. These courses revolve around the characteristics and cultural practices of various ethnic groups as well as around administrative procedures regarding family reunion, political asylum and naturalisation. In addition, the province of Milan regularly organises intercultural training courses for people working in the administration, the educational-, health- or social sector. The attendance at these courses is however not obligatory, even though participation is generally insisted upon.

On the national level the Ministry of Education has taken care that the official ministerial school programmes, as well as the ministerial circulars for schools contain an explicit clause regarding the implementation of intercultural practices within the educational cur-

ricula, although they leave the nature of these practices open for the individual schools to decide.

The trade unions in Italy have started quite early in the middle of the eighties to deal with immigrants and established immigrant work between 1986 and 1989. While in the beginning immigrants were affiliated to the trade unions, but did not work as functionaries, the situation has changed by the end of the nineties and now immigrants are represented in the co-ordination structures at the national, regional and local level. For example in the *Confederazione Generale Italiana del Lavoro (CGIL)* (General Italian trade union confederation), which is one of the central trade unions in Italy, there are ninety-seven immigrants active in the area of taking of specific consultation and services for immigrants. Altogether 180 immigrant delegates are found, forty functionaries in the political structure and three secretaries of the Union. One is the head of the metal workers in the town of Pulia; one is responsible in Rome for the Agricultural Union and another one in La Spezia for the Construction Union. There have not been any strikes and working struggles with immigrants involved yet, and there are problems with contracts with smaller employers, but immigrants are starting to defend their rights. The *CGIL* is now trying to establish an observatory on discrimination. Until now the Italian trade unions have not been involved in second-generation issues. With the second generation there seemed to be no general problems.

The *Istituto di Ricerche Economiche e Sociali (IRES)* (Institut of Social and Economic Research) is a research centre of the *CGIL*. *IRES* has published a book, in which the setup of specific observatories on migration and workplaces are postulated with the idea to establish new attitudes of management and to deal with migration in a more conscious way and to adjust struggles among working people. This documentation includes also issues of housing and social welfare.

In December 1989 workers in the agricultural sector established a national association under the title "crossing the boundaries" (*ANOLF*). 18 months later the organisation already had regional branches in more than 28 provinces of Italy. Today *ANOLF* organizes more than 25 000 immigrants and around 350 Italians. *ANOLF* is mainly a self-organisation of immigrants staying in Italy. Both, the president as well as the vice-president of *ANOLF*, are immigrants. *ANOLF* has been supported by the *CGIL* especially concerning discrimination in the workplace but also regarding other issues concerning the daily life of the immigrant. The main idea of *ANOLF* was to set up a forum where immigrants can represent themselves and speak for themselves. At first there was resistance within the trade union movement to organise a separate immigrant forum. It was preferred that immigrants integrate themselves into the already existing trade union structures. This has changed over the year and *ANOLF* has become a

widely respected organisation. *ANOLF* is also providing advice to illegal workers and immigrants. The engagement of immigrants within *ANOLF* further motivates immigrants to affiliate with the trade unions. Today *ANOLF* has more than 100000 members of which around 80000 are affiliated to a trade union. (Around 25000 in the service sector, around 25000 in the construction sector, further 15000 in the metal industry and another 25000 in the agricultural sector). At the moment *ANOLF* tries to organise immigrant workers in the health sector. The work of *ANOLF* differs from region to region, as the immigration process is different in the various Italian provinces. Already in 1995 in Friaul *ANOLF* was active in supporting the establishment of an observatory on immigration and the setting up of free telephone lines supporting the victims of discrimination and racism.

Another activity by the different trade unions in Italy was the establishment of the NGO *Chances*. *Chances* was mainly founded with the support of the CGIL, Catholic Trade Union (*CISL*) and the Socialist Working Class Association (*UIL*). They are financing *Chances* since 1995 to develop a common effort for all immigrants. Furthermore, it is an official agency of the community of Rome. So the local government of the town of Rome finances it. *Chances* is consulting and advising employers and institutions in order to make the qualifications of immigrants known to them. They try to match the specific skills of immigrants with the needs of the individual enterprises. By this they try to create more employment for immigrants and ethnic minority groups.

While the main employers and organisations such as the *Confindustria*, an association of industrial enterprises in Italy, are not concerned specifically with immigrant issues or anti-discrimination issues as they concentrate primarily on overall business politics, there are groups of enterprises and individual enterprises concerned with these issues and intercultural practises in the workplace. Here above all the ENI-Group (state owned enterprises), the Benetton-group and the Fiat-group. As finding appropriate housing is a central problem for labour migrants and immigrant workers in Italy, different industries and enterprises have established special consulting offices supporting their immigrant staff in finding accommodation. In Vincenca and Treviso the industry has signed agreements that guarantee the provision of accommodation to immigrants. Also FIAT is active in this area. Apart from this some bigger enterprises with a high percentage of immigrant or ethnic minority workers have employed cultural mediators in order to deal with possible conflicts in the workplace and to aim for an intercultural workplace. Other enterprises have made special food and cantina arrangements taking into account the needs of Muslims and other religious groups. In general religious differences are wildly respected within the Italian labour market. Some companies, such as for example Zanussis have implemented special holiday regulations allowing immigrants to collect more free time in order to have a long holiday.

The media in Italy are trying to incorporate intercultural activities into their work. Many radio stations on the regional level and even some local Television channels are beginning to include programmes in various community languages. The local television channel in the city of Breshia for example conducts programmes in Arabic, Chinese and Senegalese. One major problem is however that the immigrants conducting these programmes are not professional journalists and their quality tends to be rather poor. While immigrants and members of ethnic minorities are presented in the television and in the radio it is done mostly for the curiosity of the Italian public. When they hear a foreign accent on TV or on the Radio, a fact, which is still perceived as quite unusual and somehow entertaining, the public wants to hear what this person has got to say. Having foreigners on a TV or Radio programme is thus simply a business aimed at increasing the number of viewers and listeners, it is not seen as a social obligation. An intellectual discussion, on equal footing between Italians and immigrants, is hardly ever seen on TV or heard on the Radio.

One of the other important actors in the sector of cultural diversity is Caritas, a Catholic welfare organisation based in Rome acting at the local, national and international level, dealing with issues concerning the South of the world, migrants, refugees, minorities and generally those people who need help and solidarity. As far as immigration is concerned, Caritas is involved in promoting the cultural diversity both acting strictly with immigrants on the field and producing material. For instance, it publishes several reports, dossiers and books focusing on interculturality, migration, and so forth. Recently, it has published "Immigrazione: dossier statistico 2000", one of the most comprehensive books produced on this subject (Caritas, 2000).

4. Measures Taken to Improve Cultural Diversity and Remarks on the National Situation

While only some enterprises and employers in the public sector are openly active in promoting cultural diversity in the workplace, there have been various state initiatives safeguarding the future initiatives in this area. Above all in this context the establishment of the Territorial Council can be mentioned, which through the organisation and cooperation of all relevant actors in one region will initiate further activities. Furthermore the trade unions have developed innovative approaches creating a setting, which is promoting cultural diversity in the workplace. The following good practices are worthwhile mentioning as they are new to the Italian context.

In the area of enterprises trying to promote cultural diversity in the workplace, the enterprise Zanussi is a successful example as it tried to implement a wide range of measures in a comprehensive way. The Italian enterprise Zanussi, which produces household ma-

chines etc in Treviso, Porto Nourre and employs around 5 000 immigrants, has set up an integration agreement. Under this agreement a special commission on the integration of immigrant workers has been established, which is made up of various specialists, Italian employees, immigrant workers from the company and outside advisors. The commission for integration is dealing with the needs of immigrants. Apart from this immigrants, who join the factory, will be paid for a language course in Italian. Furthermore there are seminars for instructing managers in the language and culture of the countries the immigrant workers come from. The main aim of the contract is to ensure that immigrants can be given forty-five days holiday on a block in the summer time, which they collect by working overtime and working in their free time. However this holiday regulation only applies to immigrants, who come from countries "further away". Zanussi is dealing with immigrants as a strategic work force. They are taking care to have a good multicultural climate and have agreed that there will be labels on food deliveries in the cafeteria and canteen so that people from various countries can select, what kind of food they might eat. Since most of the work at Zanussi is continuous production-line work, there are no possibilities to have breaks for praying, but they are allowed to pray during the general breaks. However, the breaks are only ten minutes long so that it is mostly impossible to pray in the workplace.

In the area of state activities the most important measure was the implementation of the law 40. Above other things the Italian Law on Immigration (Law number 40 of 1998) foresees financial subsistence of intercultural projects. Several billions of Italian Lira are distributed to the various regions, which are then again distributed to NGO's for financing various projects in this field. Further subsistence for intercultural projects can also be obtained from the City Councils. Law no. 40 foresees the financing of intercultural training courses for staff members of public authorities (communes) as well as health authorities (hospitals). Art. 40 of the law asserts that the Italian State, the Regions, the Provinces and the Municipalities, also in collaboration with associations of foreigners, encourage activities undertaken by foreigners, foreign schools and cultural institutions in order to spread useful information for a positive insertion of foreigners in the Italian society and to increase the value of cultural, social, economic and religious expressions and any initiative aiming to prevent xenophobia and racial discrimination.

Another measure implemented by the state indirectly promoting cultural diversity in the workplace through improving the working conditions for immigrant workers was the establishment of the "Pacts for work". The so-called "pact for work" (*patto di lavoro*) was born out of an agreement between employer associations, city councils and trade unions. Because most immigrants in Italy work in the informal sector, the "pact for work" foresees that companies can employ immigrants at favourable conditions. The retribution of these immigrant workers lies approximately at 10 percent below the minimum

wage. In practice however, this policy has proved quite successful as many companies have taken advantage of these favourable conditions and consequently employed more and more immigrants. This means that many immigrants are undergoing a transition from the informal sector to the formal one, and are consequently paying their medical and work insurance as well as social contributions.

In the context of the initiatives taken by the Italian trade unions in order to promote - directly or indirectly - cultural diversity in the workplace, the establishment of the immigrant self organisation *ANOLF* and the non-governmental organisation *Chances* can be evaluated as positive measures. *ANOLF* has been successful in recruiting more than 120 000 members of which eighty percent are affiliated with trade unions. *ANOLF* is a lobby organisation of immigrants, and more specifically immigrant workers trying to contribute to improved working conditions and a culturally diverse setting at the working place. They are active all over Italy and have established special committees in all provinces of Italy (see also Chapter before). *Chances* has only been established more recently and aims at the labour market integration of immigrants and members of ethnic minorities through the direct co-operation with enterprises and public employers.

In the area of education, Italian schools have started to make extensive use of so called linguistic/cultural mediators who perform a bridging function between teachers and foreign families. For a few years there are courses available, which qualify these cultural mediators and thus professionalize this whole sector. These cultural mediators are not employed directly by the schools but work on a freelance basis. In Milan for example there are various intercultural centres which schools are able to contact for obtaining the services of a cultural mediator. The mediators' work is not simply limited to the role of an ombudsperson but they also get involved, together with the teachers, in developing and planning intercultural teaching programmes in the form of film, theatre, and poetry performances, etc. The intercultural part will of course need to fit into the normal teaching programme so that it can accompany the standard subjects. For the teachers themselves there have been, in recent years, more and more intercultural training courses available. Although these courses are offered on a voluntary basis, considerable pressure lies on teachers to attend them. Despite these training courses however, teachers continue to increasingly ask cultural mediators for their intervention. For students studying to become teachers, intercultural education is now an obligatory part of the university curricula since the year 2000. Many schools develop and implement intercultural programmes. Due to a new government regulation, schools now have a budget at their disposal with which they can independently decide what kind of intercultural programmes and projects they wish to implement.

As an example for a good practice in the cultural area the work of the multicultural Radio

can be referred to. The multicultural Radio programme *Radio Circuit Marconi* is integrated within a normal Italian radio station, whose reception extends to the Lombardy region only. The project was born because in Italy the mass media still fail to represent the whole of society. The programme is on for an hour every evening at 21:00 from Monday to Friday and offers local, national and international news, spreads information relevant to immigrants (e.g. work, official documents, accommodation, family, religion, women, young people, etc.) and plays music from all over the world. It is entirely conducted in Italian by immigrants.

In Italy there is no anti-discrimination policy as such, of course the Italian Constitution forbids any discrimination against people on the basis of sex, religion, ethnic origin or political affiliation like in all other democratic countries. This principle naturally also applies to the workplace and standard work contracts do include a clause, which forbids discrimination.

Also there is up to now no real anti-discrimination and multicultural activity in companies and firms, there are some larger firms with a higher percentage of immigrant workers which have started activities in the last years. The reason for the marginality of pro-multicultural activities and anti-discriminatory institutions in the workplace are first of all that immigrants started to come to Italy only recently during the eighties and early nineties. Secondly, that there is no affinity in Italy to ideas of group specialisation. Especially employers and employee organisations have still class concepts in their mind. There is only one exception, which is the women issue.

Italy is at the beginning of a multicultural process. However, there are now some agreements, which cover the needs of immigrant workers concerning enterprises. The problem in Italy is that most enterprises are small. There are only a few larger enterprises. In district economies and small business there is practically no co-ordination of enterprises with regard to immigrants. There is practically no routinisation and formal co-ordination. However on the 21 of March and the day against racism Caritas and the trade unions organise demonstrations. Other firms, which come from a production background, like Benetton of a middle-class international firm, are doing advertising with multicultural labels, but internally there is not much established in favour of immigrants and multicultural activities. "Multicultural" is only a marketing strategy.

As far as intercultural practices in the workplace are concerned there are a number of firms in northern and northeastern Italy, which have made appropriate arrangements so that their canteens respect the dietary requirements of Muslims. Some firms such as Zanussi also modify the working hours for their Muslim employees during the time of Ramadan. Other companies in the Veneto region have even made special prayer rooms available and arranged appropriate breaks for praying. However, it must be said that the

religious diversity within companies is often exploited and some firms now produce seven days a week giving their Muslim staff Friday off and making them work on Sundays when their Christian employees are off.

As far as discrimination in the workplace is concerned, the major problems arose when immigrant workers rose to higher positions and had other Italians under their command. When this happens most Italians leave their job and become self-employed or simply find another job.

In Italy there is much reliance on these so called cultural mediators who are active within schools, health, family counselling and also in the workplace if required. However it is not always very clear what their precise role is supposed to be. They are interpreters as well as mediators between immigrants and public services and are made use of only in situations where problems arise.

One area of work in which immigrants have established themselves quite well, without remaining in the lower ranks, are trade unions. Trade unions were the first employers of cultural mediators and many ex-refugees who have had the privilege of a university education and have been living in Italy for quite some time are now working as operators for trade unions. Often however there is a barrier between the masses of immigrants searching help at the trade unions and the immigrant operators working there.

While many activities to promote cultural diversity in the workplace only have started recently, there is a growing discussion on the question of cultural diversity and discrimination. These debates are specially taking place in the framework of the Territorial Council and the newly established observatories. Furthermore immigrant organisations such as *ANOLF*, but also traditional welfare organisations such as Caritas which is very important in the Italian context, have become active in the area of anti-discrimination and promotion of cultural diversity. Combined with different legal measures and a future anti-discrimination law, which will have to be implemented as foreseen in the European Council directive on ethnic discrimination, a framework for future measures and activities to promote cultural diversity in the workplace and in other areas has been established.

5. List of Organisations and Agencies active in the Field

5.1. Public Institutions

Consulta Nazionale per l'Immigrazione
Presso il 'Comitato Nazionale Economico e Lavoro'
Piazzale Davide Lubin 2
00196 Roma
Tel. 0039 6 369 2354

Fax: 0039 6 369 2305

Interior Ministry
'Commissario Straordinario del Governo per l'Immigrazione dai Paesi Extracomunitari'
Vincenzo Grimaldi
Piazza del Viminale
00184 Roma
Tel. 0039 6 4653 6150
Fax: 0039 6 4825 418

5.2. Trade Unions

Confederazione Generale Italiana del Lavoro (CGIL)
Foreign workers Office
Carlo Chiapelli
Borgo dei Greci 3
50122 Florenz
Tel.: 0039 55 270 0472

Confederazione Italiana Sindacati Lavoratori (CISL)
Ufficio Confederale Migrazione
Roberto Magni
via Po 21
00198 Rom
Tel.: 0039 6 841 5651
Fax: 0039 6 884 2357

Associazione Cristiana Lavoratori Italiani - Patronato ACLI Sportello Stranieri ACLI
(Italian Christian Workers' Association - Foreigners Section)
via Falamonica 1/7
16123 Genova
Tel.: 0039 10 203412

5.3. NGOs

ARCI Coordinamento die Immigranti del Sud del Mondo (RCI-CISM)
Via Francesco Carrara 24
00196 Roma
Tel. 0039 0648 161 413
Fax.: 0039 0648 161 420

Consorzio Italiano di Solidarietà; Italian Consortium of Solidarity
Anna Maria Gravina
Via Salaria n. 89
00198 Rome
Tel. 0039 06 853 55 081
Fax.: 0039 06 853 55 083

Federazione Italiana-Lavoratori Emigrati e Famiglie (FILEF)
Via IV Novembre 114
00187 Roma
Tel. 0039 06 6795484

Nero e non Solo!
Via dell'Ára Coeli 13
00186 Roma
Tel. 0039 06 6793101
Fax.: 0039 06 6784160

SOS Razzismi Italia
Via del Leone 13
00186 Roma
Tel. 0039 06 4820965
Fax.: 0039 06 6875184

5.4. Research Institutes

Professor Dr. Giovanna Campani
Università degli studi di Firenze
Dipartimento di Scienze dell' Educazione
Via di Parione 7 11/B
50123 Florenz
Tel.: 0039 055 28 05 62
Fax: 0039 055 2 38 20 98
campani@unifi.it

Mr. Francesco Carchedi
Parsec
Piazza Orazio Marucchi 5
00162 Rome
Tel.: 0039 06 81 75 680
Fax: 0039 06 86 11 067
parsec@flashnet.it

5.5. Others

Confindustria
Relazioni Industriali e Affari Sociali
Dr. Ivano Boragine
Viale dell'Astronomia 30
00144 Roma
Tel.: 0039 6 590 3538
Fax: 0039 6 590 3263

Ms. Maria Giuseppina Scala
c/o UST CISL
Lungadige Galtarossa 22
37133 Verona
Tel.: 0039 45 809 6911
Fax: 0039 45 809 6043

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Luxembourg

1. Developments of Migration and Population

The discovery of iron ore in the late nineteenth century generated the first organised flow of immigrants into Luxembourg. Due to the lack of expertise in the extraction and processing of iron ore, German engineers and managerial staff were initially called in to supply assistance. Furthermore, there was a shortage of unskilled labour in other sectors and combined with the government's ambition to maintain the agricultural structure of the country; foreign labourers were recruited, primarily from Italy. During the Second World War, the iron extraction and processing industries were given particular importance since they provided the raw materials needed for the arms production. Eventually, despite their continuing dominance in the sector, Luxembourg nationals replaced German managerial staff and engineers. Unskilled labour was still recruited from other countries into other sectors, too.

A shift in occupational orientation towards the construction sector of the foreign labourers occurred in the interior period, which laid the basis for future employment structures. The reconstruction necessary after the Second World War temporarily generated a further demand for manual labour, which was filled by migrants from southern Europe, mainly Italy. Although at first they were drafted into seasonal and temporary work, immigrant labourers later decided to settle in the country and bring their families. As the italians didn't bring their families with them and often returned to Italy, Luxembourg made a demand for Portuguese workers.

TABLE 32. LUXEMBOURG, STOCK OF FOREIGN POPULATION BY NATIONALITY (THOUSANDS)¹

	1985	1990	1995	1996	1997	1998
Portugal	29.0	39.1	51.5	53.1	54.5	55.9
Italy	20.7	19.5	19.8	19.8	19.9	20.0
France	12.6	13.0	15.0	15.7	16.5	17.5
Belgium	8.5	10.1	11.8	12.4	13.2	13.8
Germany	8.9	8.8	9.7	9.9	10.0	10.3
Spain	2.2	2.5	2.8			
Other countries	16.0	20.1	27.5	31.9	33.6	35.4
Total	97.9	113.1	138.1	142.8	147.7	152.9

Source: SOPEMI 2000

In 1998, Luxembourg's total population amounted to 427000 inhabitants. Of the total population, about 152000 are foreign nationals (39 percent). The annual population growth rate fluctuated around 1.6 percent during the last ten years (von Barratta, 2000:

513). Over the same years, the foreign population in Luxembourg has increased by over forty percent, rising from 113000 in 1991 to nearly 160000 in 2000. Since the beginning of the 1990s, Luxembourg's population has risen by an average of 5600 per year, composed of a natural increase of just over 1000 and a net migration of around 4000.

Since 1990, the annual average inflow of foreigners has been 10000, exceeding the yearly outflow by approximately 4000. Although there is an upward trend in arrivals of foreign nationals outside the EU (3500 in 1998 as compared to 2800 in 1997), the majority of new immigrants are from Portugal, France and Belgium. The increased influx of non-EU foreigners can partly be attributed to the laxer asylum policy of Luxembourg's government since 1989, although most asylum applications have been filed by citizens of Former Yugoslavia since then.

The proportion of foreigners from non-EU countries is increasing steadily (from nine percent of the total population in 1991 to thirteen percent in 1998). Until the late seventies, Italians constituted the largest group of foreign nationals in Luxembourg. However, since the early eighties, the Portuguese have become the largest group. The growth of this latter group is remarkable in that it has grown from around 1500 to its present number in less than forty years. There were 57000 Portuguese residents in 2000, followed by the Italians (20000) and the French (19000). Nevertheless, the increase in the number of new arrivals has been due to the influx of refugees from the Former Yugoslavia (cf. Centre Intercommunautaire 2001).

Today, Luxemburg is the country with the highest number of asylum seekers per inhabitant within the EU. The number of applicants increased especially since the late Nineties, the main countries of origin being the Yugoslavian successor states and Albania. The share of people being granted refugee status is very low though.

TABLE 33. TOTAL NUMBER OF ASYLUM APPLICATIONS IN LUXEMBURG

1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
114	238	120	225	165	155	291	431	1709	2921

Source: Country Profile Luxembourg 2001 (based on ECRE-data).

TABLE 34. MAIN COUNTRIES OF ORIGIN AND ARRIVAL PERIODS FOR ASYLUM SEEKERS

Country of origin	Total number of applications	Arrival periods
Ex-Yugoslavia	4049	1989-1999*
Albania	304	1997-1999
Vietnam	283	1979-1982
Iran	155	1982-1986
Czechoslovakia	105	1969-1971
Poland	105	1982, 1991-1992
Zaire	95	1991-1993
Chile	84	1974-1977

* Between 1992 and 1995, the vast majority of refugees from former Yugoslavia were received not under the Geneva Convention, but under a special temporary protection regime.

Source: Country Profile Luxembourg 2001 (based on ECRE-data).

Within the larger groups of foreign nationals the ratio of males to females is relatively balanced. However, amongst the smaller groups the ratio of men and women is less balanced. The most extreme excess is that of women amongst Ukrainian nationals, of which more than 90 percent are females. Other national minorities display similar imbalances - these are less extreme but still noticeable.

TABLE 35. AGE DISTRIBUTION

Ages	Luxembourgers	Foreigners	Total
0-19	21.4%	27.2%	23.1%
20-44	36.6%	49.1%	40.3%
45-59	18.5%	15.8%	17.7%
60+	23.5%	7.9%	18.9%

Source: Kollwelter 1994

In 1994, among the immigrant population, almost 77 percent were under 44 years of age, whilst for Luxembourgers the proportion was 58 percent. Accordingly, only 23 percent of the immigrants were 45, and older with only 7.9 percent being older than 60 years of age. The corresponding percentage for Luxembourgers is 42 percent (45 years and older) and 23.5 percent (older than sixty) (Martens and Sette 1997: 4).

Most foreign nationals reside in and around Luxembourg-Ville and Larochette. Foreigners constitute fifty-eight percent of the residents of the former; the only township with a higher percentage is Larochette (61 percent). However, it should be noted that in none

of the municipalities less than 12.6 percent of the residents are foreigners (Répertoire general des personnes physiques 1995).

Labour Market Developments

Luxembourg's labour force was estimated at approximately 185 000 in 1999, excluding all cross-border workers, of which there are around 84 400 (35 percent of the labour force). Labour market trends in recent years have been characterised by a continual decline in the share of nationals in salaried employment (forty percent in 1998, as compared to 54 percent in 1990). Nationals of the European Economic Area hold 57 percent of salaried jobs while the share of foreign workers from non-EU countries is 3 percent. The overall unemployment rate was 5.5 percent in 1998; 59.4 percent of the job seekers were foreigners.

Cross-border workers have benefited most from the favourable economic situation and their relative share of overall employment is higher than thirty percent (around 70 800). Whilst the numbers of non-EU workers and those of Luxembourgian origin have been relatively constant over the last ten years, those of cross-border workers have almost tripled over the same period (ca. 33000 in 1990 to 84402 in 1999), and that of workers of EU origin have grown by approximately fifty percent. Attracted by high wage levels, the largest numbers of cross-border workers come, in descending order of importance, from France, Belgium and Germany. Overall, the three largest groups of foreign workers are from France, Portugal and Belgium.

Table 36. Stock of foreign labour by nationality (Thousands)

	1991	1992	1993	1994	1995	1996	1997
France	24.1	26.9	28.4	30.7	33.2	36.0	39.7
Portugal	24.7	25.7	26.0	26.4	27.3	27.8	28.3
Belgium	16.0	16.7	17.2	18.4	19.6	20.9	22.4
Germany	9.9	10.4	11.1	12.0	12.7	13.6	14.6
Italy	8.5	8.3	7.9	7.8	7.7	7.6	7.7
Former Yugoslavia	1.4	1.8	1.8	1.7	1.7	1.5	1.5
Spain	1.0	1.0	0.9	0.9	1.0	1.0	1.0
Other Countries	7.0	7.4	7.7	8.4	8.6	9.4	9.6
Total	92.6	98.2	101.0	106.3	111.8	117.8	124.8
Of which: EU	87.0	92.1	96.4	99.5	105.4	111.2	118.0

Source: SOPEMI 1999

Only 36 percent of the total labour force is female (15 percent from Luxembourg and 21 percent of foreign origin). Thus, foreign males form 39 percent of the total labour force, whilst male workers of Luxembourgian origin account for only a quarter of the economi-

cally active population.

Overall, foreign wage earners participate in all economic sectors with the exception of public administration. However, among individual national groups certain sectors are predominant. Thus, almost thirty percent of the economically active Portuguese population works in construction, whilst between ten percent and 15 percent are employed in the industry, trade and real estate sectors. The French and Italians are distributed more evenly across the different sectors; although they are much more involved in white-collar professions than are the Portuguese. More than 35 percent of the Belgians and an equally large proportion of Germans are employed in the finance and insurance sectors whilst another 25 percent of the Belgians and 15 percent of the Germans work in the real estates sector.

Overall, foreign labourers dominated in the primary sector, while cross-border workers dominate the secondary sector and transport related occupations. Most foreigners do manual jobs or are employees of the private sector.

In the report of its annual meeting the *Comité de Liason et d'Action des Etrangers (CLAE)* points at several discriminations of non-EU workers in Luxembourg. First of all the *CLAE* does not agree with the five-year clause imposed on non-EU residents to be entitled to minimum guaranteed income. Secondly they plea for the extension of social security rights to foreign workers which are already afforded to EU-workers under article CEE 1408/71. Thirdly they stress the need to respect working regulation in areas where this is not the case, that is where the proportion of immigrant workers is very large as in the hotel and restaurant sector, agriculture and transport areas.

Finally the demands concern the different work permits, **as foreseen by the law of 1972**. There are three different work permits in Luxembourg: A, B and C. Each has a different validity period. Permit A is valid for one year; permit B for four years and permit C is permanent. Non-EU workers who enter the Luxembourg employment market within the framework of permits A and B are seriously constrained. Indeed workers are dependent upon their employer for their permit to be renewed. They cannot change job without the risk of not being entitled to unemployment benefits if they lose their new employment. In other words, foreign workers can easily find themselves in dire situations when they find themselves out of job or when their permit expires (CLAE 2000)

2. Anti-discrimination Legislation with regard to the Labour Market

Article 111 of the Constitution regulates the protection of foreigners. According to a decision of the Council of State from 1964 foreigners enjoy all rights, which are not specifically denied to them. Unless prescribed otherwise, foreigners are equated with nationals. No right may be denied to a foreigner, unless the legislator has explicitly decided to that effect.

The criminal law has several provisions concerning discrimination, which are also relevant in the field of discrimination in employment. Three of these Articles are specifically focussing on the theme of discrimination in the area of employment. Article 454 defines discrimination as a distinction of origin, skin, colour, sex, sexual orientation, family status, state of health, disability, lifestyle, political or philosophical opinion, trade union activity, religion or membership of an ethnic group or race. Luxembourg has therefore a very wide legal definition of discrimination based on a variety of grounds. Article 455 (1) and (2) covers the refusal to offer goods and services to a person, group or community because of the distinction prohibited in Article 454. Article 455 (3) includes all forms of discrimination when offering or supplying goods and services. Article 455 (5) covers discrimination intended to interfere with the normal pursuit of an economic activity. Article 455 (6) prohibits discrimination consisting in refusal to employ, penalties or dismissal on the grounds specified in the definition of discrimination and Article 455 (7) covers discrimination consisting in making the offer of employment subject to a condition relating to the points covered by Article 454. In 1997 the penal code has been modified in order to allow persecution of discrimination. Persons found guilty to have violated Article 455 of the Penal Code can be punished with a fine between 10000 and 1000000 Franc or can be sent to prison from four days up to two years. Furthermore a law on minimum income guarantee was approved. Article 457 of the Penal Code states that foreign nationals are not discriminated against if they cannot hold certain public state function. Here a Luxembourg citizenship is required.

In 1999 a new law has been approved opening up the education sector and the health sector for people of other EU countries and to some extent to other immigrants. However until now the number of immigrants working in the administration or other state agencies is still very low. There is a discussion in the immigrant council if a quota regarding ethnic minorities should be introduced.

Besides the provisions in the penal code sanctioning ethnic and racial discrimination in different areas and therefore supporting the promotion of cultural diversity, the law on the integration of foreigners in Luxembourg which came into force in 1993, has a specific chapter on measures to reinforce more activities against all forms of racial, ethnic

and religious discrimination.

Overall there are no anti-discrimination bodies in Luxembourg, which are independent from the state. The subcommittee on racial discrimination (*Commission Speciale Permanente contre la Discrimination Raciale*) of the Conseil national pour étrangers (*CNE*) (National Council for Foreigners) which was established in 1997 and set up an office in 2000 can file complaints, but has only limited powers in persecution. Until now there have been no cases registered by the subcommittee. Apart from this some years ago a human rights commission, which is also dealing with cases of discrimination by the police (e.g. regarding refugees) came into existence.

3. Institutional Development in the Area of Cultural Diversity in the Workplace

As a relative small country Luxembourg has, on the state level, only very few institutions dealing with immigrants and even more specifically with the promotion of cultural diversity. Central is the *Commissariat du Gouvernement aux Etrangers (CGE)* (State commission for the support for immigrants) which was founded in the late sixties in Luxembourg. At first, it mostly served as a state agency for the support of labour migration from other EU countries coming into Luxembourg. Luxembourg approved its first law concerning immigrants and immigration in 1972. This law also builds the basis for the work of this agency. Most work focussed on practical issues such as problems regarding work, access to the health system and language training. At the end of the seventies the situation changed drastically with the arrival of a great number of boat people. In particular in the nineties there was an increased focus on refugee work. Besides acting as a consultancy, the agency financially supports around 44 of the more than 100 registered self-organisations and NGOs working in the field on a regular basis. The *CGE* itself does not carry out training courses of immigrants or other people. However it offers translation services. Especially in the beginning of their work, translation and enabling communication between immigrants and native people was of great importance. Furthermore they have provided translated documents regarding health insurance and other information packages in different languages regarding practical issues of the day-to-day life of immigrants. For 15 years the *CGE*, in co-operation with *CLAE* (see above), organises the festival of migration and cultures. Besides music, theatre and other artistic events, this includes also a presentation of the activities of the immigrant organisations in Luxembourg. The last festival took place in March 2001 and had a specific focus on bridging the gap between immigrant and Luxembourg nationals. Furthermore once a year the European Day is celebrated.

In 1993 the *Conseil National pour Etrangers (CNE)* (National council for Immigrants) has been set up by the government. Its members come from NGOs, immigrant self-organisations, church organisations, trade unions, different ministries involved in immigrant issues and the political parties. The Council for Immigrants only has advisory functions, but also can give recommendations regarding new legislation etc. It has three sub-committees. One of them focuses particularly on fighting and preventing racism and discrimination. The subcommittee was set up in 1996 and established a special office in September 2000 (*Bureau de Plant **Plaintes***), which will act as a claims' office, where people who have been discriminated against on the grounds of race and ethnicity can file their complaints. Until now only three claims have been made, of which two had to be turned down before going to the prosecution. One case is still pending which regards discrimination in the area of housing. The *CNE* does not have much influence; it has more of a symbolic function. The same accounts for its subordinate bodies such as the Committee for Racism. This committee is not independent and therefore cannot serve as a real anti-discrimination board. On the level of the different local council individual commissioners for immigrants and the *Commissions Consultatives Communales pour Etrangers (CCCE)* (Immigrant consultative councils) have been set up since 1989. These Commissions are obligatory in areas with an immigrant population of more than twenty percent. The main aim of these local consultative commissions is to ensure the participation of ethnic minorities in local life, advice the local municipality in all questions concerning immigrants and ethnic minorities and to promote a dialogue between ethnic minorities and Luxembourg nationals. To this end the consultative commissions can inform the municipality about the situation of foreigners, organise language courses, carry out information campaigns for local residents with an ethnic background, support the local immigrant associations and organise cultural activities. The maximum number of persons sitting in the consultative commission is six (three nationals and three foreigners). These councils usually meet once a month and vary in the degree of organisation and influence.

The Ministry of Labour is not actively engaged in the promotion of cultural diversity in the workplace. It is mostly concerned with issuing work permits to foreign workers and is thus regulating the immigration of third country nationals into Luxembourg. Furthermore the issues of irregular migration and the setting up of a large regularisation campaign for irregular workers is currently a major issue for the Ministry of Labour. However in co-operation with the Ministry for Families and the Commission for Foreigners, the Labour Ministry, is financing a project concerning the acquisition of Letzebuergsch. The project "*MOIEN*" was set up in 1996 and is co-ordinated by the *CNE*. It intends to increase the chances of labour market integration of foreigners in Luxembourg by teaching them the national language Letzebuergsch. Apart from this round tables have been organised to

discuss the possibilities of improving language courses for foreigners. Also language teachers have been trained in special courses to consider the special needs of foreigners when studying Letzebuergsch.

Anti-racism has been discussed in the context of the trade unions in Luxembourg since the early eighties. They have organised anti-racist demonstrations and similar activities. In the early eighties when the right wing parties in Luxembourg were gaining influence, they were participating in a platform against racism and right wing tendencies organised by the church, left parties, trade unions and other groups. Around forty percent of all workers in Luxembourg are affiliated to a trade union. This level is decreasing in the last years to a growing number of commuting migrants. The traditional labour migrants, mostly from Portugal and Italy, are organised on the same level as Luxembourg nationals. However it took a long time before immigrant participation stood at this level. There is also a high participation of immigrants in the workers councils. Immigrants have active and passive voting rights in the workers council. Regarding the workers chambers, it took ten years of lobbying before immigrants were allowed to participate. Also third country nationals and border passers are allowed to vote for the workers chamber. The workers chamber is a special committee advising in legal questions. The Portuguese immigrants living in Luxembourg are well organised and have a high level of affiliation to the trade unions. Regarding racism and discrimination in the workplace, it is clear that there is still a lot to do. In 1996 the *Onofhängege Gewerkschaftsbond (OGBL)* (Confederation of Independent trade unions) tried to encourage enterprises in Luxembourg to draw up codes of conduct, but there was not much interest from the employers side. The *OGBL* has tried to recruit Portuguese members to its administrative sections in order to secure a mother tongue service and appropriate counselling to their Portuguese members. Already in 1985, the *OGBL* has set up a specific immigrant department, which is offering individual support to its members regarding all legal issues concerning work and regarding all contacts with the state authorities and administration. The main aim of the department is to promote the integration of immigrant workers and ethnic minorities, improve the working conditions for these groups as well as to fight discrimination and racism. The department also organised two national immigration conferences in 1989 and 1994. In order to be available to all affiliates with an immigrant background, which make up 25 percent of all *OGBL* members, the department for immigrant workers has installed various city and regional branches. The *OGBL* is also co-operating with the Italian and the Portuguese trade unions regarding these activities. The Italian trade union is still offering special service hours for Italians. During the European Year against Racism the *OGBL* carried out an awareness raising campaign to make its members and workers aware of racism in the workplace and in the larger society. According to the *OGBL*, there are not many complaints regarding discrimination in the workplace. This

could have to do with the fact that the majority of the work force in Luxembourg comes from an ethnic minority background. Still there will be cases of discrimination, which are not reported to the *OBGL*. Also in the trade unions there is not much discussion about the question of racism inside the trade union or in the workplace. There is only a moral discussion focussing on equal rights and equal treatment for all persons.

For private employers in Luxembourg who since many years work with a polytechnic work force the issues of a specific promotion of cultural diversity seems nearly non-existent. In the health sector the participation of immigrants is quite high. However, there is still a problem of communication. Therefore some parts of the health service are now thinking to offer special language training courses to immigrants. Since 1999 there is law regarding the right of vocational training for workers. According to this Law all workers have the right to further education. In this context it would be possible to offer language courses to immigrants.

Immigrant self-organisations in Luxembourg are rare. There is an organisation of Cape Verde; furthermore there are some activities of immigrants from Eastern European countries. However there is not much support for immigrant self-organisations of third country nationals. Immigrant self-organisations only exist regarding immigrants coming from other European Member States. They are working together in the framework of the *Comite de Liaison et d'Action des Etrangers (CLAE)* (Committee of Ethnic Relations and Immigrant Activities), which is an umbrella organisation of 100 associations in this field. The *CLAE* has 120 member organisations from different ethnic backgrounds focussing on political, cultural and social activities. It was founded in 1985 by different immigrant self-organisations. Every five years they are organising a big congress on immigrant issues. All decisions are taken by the central committee, which has forty members who are elected by all member organisations of *CLAE*. There are also members of the trade union represented in this committee. One of the main tasks of *CLAE* is to provide information on the activities of their member organisations to the wider society. Therefore they are co-operating closely with the media. The independent radio stations *Radio Latina* and *Radio ARA* are reporting on the activities of *CLAE*. Furthermore every two months *CLAE* publishes its own magazine regarding the activities of its members. Secondly *CLAE* is offering evening courses on the history of Luxembourg, on the education system in Luxembourg and other issues concerning practical life in Luxembourg. These courses are open to immigrants and Luxembourg citizens. The third task of *CLAE* is to offer its services to groups of immigrants and ethnic minorities who want to establish their own associations. They advice these groups in all legal matters and find adequate resources and funding. Furthermore the premises of *CLAE* are open to all member organisations. They can use their rooms for meetings and conference and all use the computers, Faxes and copying machines. Besides this they advise the local foreigner

councils (*Commissions Consultatives Communales pour Etrangers*) in political questions and questions in regarding how to deal with the administration, politicians and other relevant actors in Luxembourg.

Another central immigrant organisation is the *Association de Soutien aux Travailleurs Immigrés (ASTI)* (Association of Immigrant workers), which was founded twenty years ago with the main goal of increasing the political participation possibilities of immigrants and persons with ethnic minority background. In its leading committee 17 people from 11 different nationalities are engaged. For many years *ASTI* has been lobbying for the voting rights of third country nationals. The main activities of *ASTI* are directed towards refugees and irregular migrants. They organise child care, homework support of students, language training, support parents organisations, carry out training and projects in schools including intercultural training for teachers. In this context they have also prepared intercultural training materials for teachers and an intercultural calendar.

There are also some NGOs in the field of anti-racism such as SOS Racism. The *Centre Intercommunautaire (SESOPi)* is a non-profit NGO, which was founded in 1987 with the aim of promoting an inter-religious dialogue and activities in Luxembourg. Furthermore it aimed to support local protestant communities working with immigrants and refugees. SESOPi advises the local church communities on pastoral activities, which can be implemented regarding immigrants and refugees. In this context once a year they organise a bigger seminar and conference for all local church communities in order to discuss specific topics with them. Furthermore they offer training courses and seminars for pastors and other members of the pastoral community, including seminars on intercultural issues. For four years SESOPi has been engaged in the project "class interculturelle" which is focussing on intercultural education in schools. Different schools are involved in this project and workshops are organised during three months concentrating on how to deal with others, how to prevent exclusion etc. They have also offered some intercultural training courses for teachers.

Also worth mentioning are the activities of Caritas Luxembourg whose main activities fall in the area of integration work for refugees and immigrants. Above other things it has carried out the model project *Oasis* with the aim of establishing a multicultural meeting place in the district of Wiltz which hosts a high percentage of Former Yugoslavian refugees and ethnic minority members from Portugal. The project started in 1998 and finished at the end of 2000. At first it concentrated mainly on awareness raising of women and children, as they were perceived as the main agents for creating social relations in an intercultural environment. Through concrete activities such as the offering of homework support groups for local children, youth summer camps and other free time activities intercultural experiences for children and young people are made possible, thus in-

roducing them to a multicultural environment. Furthermore language course for adults, intercultural meetings and courses for women are offered. *Oasis* has also created its own radio programme, which is disseminating information on the integration processes, on the home countries of refugee and immigrants and also trying to raise the awareness of the majority society regarding immigrants and refugees

4. Measures Taken to Improve Cultural Diversity and Remarks on the National Situation

Although Luxembourg has a very high percentage of migrant workers and therefore one could assume that the promotion of cultural diversity plays a crucial role in the workplace, there is only a limited interest into this issue. Until now only few measures can be found, these are indirectly promoting cultural diversity in the workplace. The following measures seem innovative in the context of Luxembourg.

In 1993 the *government set up the CNE*. Its members come from NGOs, immigrant self-organisations, church organisations, trade unions, different ministries involved in immigrant issues and political parties. The National Council for Foreigners has advisory functions, but can also give recommendations regarding new legislation etc. It has three sub-committees. One of them focuses especially on fighting and preventing racism and discrimination.

There are two major cultural events in Luxembourg focussing on intercultural issues. First of all, the festival of migrations, which is celebrated for the 19th time this year and the Carnival of World Cultures, which has been copied from the German model and is organised for five years by *ASTI*. The festival of migrations is mainly organised by *CLAE* in co-operation with the state commission on foreigners and other associations. It is used to create an intercultural meeting space and give the different immigrant and ethnic minority organisations a chance to present their work and activities. As the festival also attracts a large number of Luxembourg nationals it has the power to function as awareness raising tool concerning multicultural issues.

The *OGBL* has set up parallel structures for immigrant workers and members of the trade union. They have organised six to seven regional reunions only for immigrant members of the trade unions. At these reunions different topics specifically concerning the situation of immigrant workers were discussed. This has been a very important issue for the labour migrants organised in the *OGBL*. In co-operation with Portuguese immigrant groups the *OGBL* is organising cultural activities, festival and other projects. In 1996 the *OGBL* tried to encourage enterprise to draw up codes of conduct, but there was not much interest from the employers side.

Generally speaking the labour market in Luxembourg is intercultural. This is due to the very large number of immigrants working in the labour market. Of course many of them are regular commuters and only come into Luxembourg during the day, but live in Belgium, France and Germany. Their number has been growing throughout the last years and is expected to grow further. Already today they make up one third of the entire labour force in Luxembourg. There exists discrimination in the labour market, but it is not as severe as in other European countries and not really seen as a problem. Most discrimination is linked to lack of language proficiency and low qualifications of immigrants.

The importance of immigrants coming from third countries has grown during the last years. Especially in the banking sector as the majority of the management level is coming from third countries such as Japan or the United States. Five years ago, Luxembourg has set up a similar procedure to the Green Card, trying to attract highly qualified professionals especially for the service and IT sector. There are no problems of cultural understanding in these companies. However one has to make a distinction between the highly qualified immigrants and the lower qualified ones. For the latter there is a growing competition with natives and an increasing pressure to employ persons of Luxembourg nationality. Therefore qualifications become a crucial factor, which has been taken into consideration when looking at a new immigration.

A still severe problem is regarding the second generation of migrants are their difficulties in adapting to the specific education system in Luxembourg. The children first have to learn German, then French and apart from this Letzenburgerisch. In order to work for the public sector it is still a requirement to know all three languages in order to be eligible to work there. Therefore the number of ethnic minorities or people with ethnic minority background working in the public sector is very low. This is also given to the quite restrictive view on how to interpret services and duties, which can be only done by people with Luxembourg nationality. An inter-ministerial working group has been set up in order to discuss the problems in the area of education. Intercultural training is still lacking in Luxembourg. This has also to do with a lack of qualified trainers in this area. There are no vocational training measures for trainers in this area. There are mostly only punctual initiatives in this area.

In general the relationship between native people and immigrants is difficult. This is especially due to problems regarding the language. There is a growing tendency that native people are seeing their own language, Lëtzebuergesch, vanish as more and more French is spoken throughout the country. There is a growing sense of nationalism based on this problem. Immigrants usually tend to learn French more easily (especially those coming from Portugal) and they are seen as a danger to Lëtzebuergesch. Since the nineties problems of racism are rising due to a growing number of asylum seekers and refu-

gees especially from the Balkans. Until now there has not been much public discussion on questions of racism and discrimination or intercultural issues. Many questions regarding racism e.g. in education or in the workplace are not reviewed. As social cohesion is one of the central goals of politics in Luxembourg, there is a continuous Dialogue between the state and foreigner councils in order to prevent conflicts and promote integration. The real influence of this foreigner council is only limited, they have more of a symbolic function. Luxembourg does not have a history of big demonstrations regarding anti-racism, only since a few years there were some protests regarding the expulsion practices of refugees. Trade unions in Luxembourg are not very interested in this issue. However there is a focus on the responsibility of the education system in this context.

5. List of organisations and agencies active in the field

5.1. Public Institutions

Commissariat du Gouvernement aux Etrangers'
12-14, avenue Emile Reuter
L - 2919 Luxembourg
Tel. 0035 2 478 6559
Fax: 0035 2 478 3672

Conseil National Pour Etrangers (CNE)
Sandra Thoss
Secrtaire de CNE
12-14, avenue Emile Reuter
L – 2919 Luxembourg

Ministère du Travail
Joseph Faber
rue Zithe 26
2939 Luxembourg
Tel.: 00352 478 6112
Fax: 00352 478 6328

5.2. Trade Unions

Onofhängege Gewerkschaftsbond Letzebuerg (OGBL)
Postfach 149
L-4002 Esch/Alzette
Tel.: 00352 54 05 45-1
Fax: 00352 54 16 20

Letzeburger Chreschtleche Gewerkschafts-Bond (LCGB)
Marcel Mersch
11, rue du Commerce
Tel.: 00352 499424-1
Fax: 00352 499424-49
lcgb@euromail.lu
www.lcgb.lu

5.3. NGOs

Comite de Liaison des Associations d'étrangers (CLAE)
Manuel Malheiros (president)
26, rue de Gasperich

L-1617 Luxembourg
Tel.: 00352 298686
Fax: 00352 298601

Centre Innercommunautaire SESOPI
attn René Cescutti or Sylvain Besch
5, avenue Marie-Térèse
L-2132 Luxembourg
Tel.: 00352 44743
Fax: 00352 4474 51

Association de Soutien aux Travailleurs Immigrés (ASTI)
Serge Kollwelter (president)
10, rue A. Laval
1922 Luxembourg
Tel.: 00352 43 83 33
Fax: 00352 420871
ensemble@asti.lu

Caritas
Projekt OASIS
Agnes Rausch
Tel.: 00 352 40 21 31 530

5.4. Research Institutes

Centre Universitaire de Luxembourg
Vice-president
162a, avenue de la Faiencerie
L-1511 Luxembourg
Tel.: 00352 466644-210
Fax: 00352 466644-508

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The Netherlands

1. Developments of Migration and Population

During most of the history of the Netherlands, its population has been constituted by ethnically diverse groups, not least due to the impact of colonialism. Moreover, many political fugitives – or migrants for other purposes – have found refuge in the Netherlands. Most notable amongst these groups were the Huguenots of France and the Jews of Eastern Europe. Thus, even during the decades preceding the post-colonial period, the Netherlands played host to a variety of groups of people of diverse geographic origins.

After Second World War migration to the Netherlands increased steadily. The repercussions of Indonesian independence from Dutch colonial rule not only generated an influx of Indonesians, but also that of a creole population and Dutch nationals of East Indian descent. An increasingly anti-Dutch climate in Indonesia after independence fostered the emigration of the latter. Their origins in middle- or upper class social groups abroad and the associated educational level ensured their smooth and swift integration into Dutch society. The situation was less fortunate for a group of South Moluccans, mostly ex-conscripts of the Royal Dutch East Indian Army, the members of which viewed their stay in the Netherlands only as temporary for various reasons. It is disputable whether their integration has been fully achieved to date.

During the sixties and early seventies labour market requirements resulting from economic expansion and inadequate size of the Dutch labour force generated the demand for so-called *Gastarbeiter* – unskilled industrial labourers – from various European countries (Portugal, Spain, Italy, Yugoslavia, Greece, Turkey and Morocco). At the same time, migrants from the former colonies of Surinam and Netherlands Antilles arrived until the independence of the colonies was declared in 1975 and 1986 respectively.

Despite the economic repercussions of the 1973 oil crisis, which brought to a halt the increasing demand for and eventual influx of Mediterranean *Gastarbeiter*, the number of individuals of Mediterranean descent – although at a slower pace as previously – continued to grow, amongst other things, resulting from accelerated levels of family reunification.

Difficulties in drawing a clear-cut picture of the ethnic composition of the people inhabiting the Netherlands result partly from the inconsistency of categorising terms employed by the authorities over the years. The Dutch term *allochtonen* – people of ethnic origin –

was first defined legally in 1989 as 'aliens in the legal sense, former aliens who have become Dutch by naturalisation, Dutch nationals from the (former) overseas territories, together with their descendants up to the third generation provided they wish to regard themselves as people of ethnic origin' (cf. Abell 1997: 11, quoting a report of the Advisory Council on Government Policy, 1989). The CBS (*Centraal Bureau voor de Statistiek*) loosely uses a narrower definition of 'ethnic people' as 'people who do not have Dutch nationality and people who have Dutch nationality but were not born in the Netherlands' (CBS 1997: 27). Other definitions of ethnicities vary according to specific circumstances, uses and purposes. For these reasons, the usage of the concept of ethnicity will be avoided as far as possible under the present circumstances. However, the latter definition leaves unresolved the question of how to categorise second or third generation immigrants.

A result of the specific immigration history of the Netherlands is this somehow awkward signification of migrant groups for statistical purposes. In what follows, therefore, foreign-born residents or similar expressions signify those, who have come from other countries, most notably the former colonies, and have acquired Dutch citizenship. Foreign citizens or population, on the other hand encompass all those who reside in the Netherlands, without having acquired the Dutch citizenship.

In 1998, the total number of residents living in the Netherlands was 15.76 million. Of these, 1.51 million were born in countries other than the Netherlands (9.8 percent of the total population), whilst residents without Dutch citizenship amounted to 662400 in 1998. Overall, the population growth rate has been fluctuating between 0.05 percent and 0.07 percent in the last few years and is still positive.

In the nineties, the five largest groups of foreign-born residents were the Surinamese followed by Turkish, Indonesians, Moroccans and Germans. On the other hand, migrants from Morocco, Turkey, Germany, the United Kingdom and Former Yugoslavia constitute the five largest groups of foreign nationals residing in the Netherlands.

TABLE 37. FOREIGN POPULATION [THOUSANDS]

	1995	1996	1997	1998
Total foreign population	725.4	679.9	678.1	662.4
of which:	725.4	679.9	678.1	662.4
Morocco	149.8	138.7	135.7	128.6
Turkey	154.3	127.0	114.7	102.0
Germany	53.9	53.3	53.9	54.1
United Kingdom	41.1	39.3	39.2	38.8
Former Yugoslavia	33.5	32.8	28.4	22.3
Total foreign-born population				
of which	1407.1	1433.6	1469.0	1513.9
Surinam	181.0	181.6	182.0	184.2
Turkey	167.5	169.3	1872.7	175.5
Indonesia	177.7	174.8	172.1	170.3
Morocco	140.7	142.7	145.8	149.6
Germany	130.1	128.0	126.8	125.5

Quelle: SOPEMI 2000

In 1993 there were 779800 foreigners living in the Netherlands; by 1999 this number had dropped to 662400, the lowest level since the 1980s. This could be attributed to increased levels of naturalisations (12800 in 1990; 59200 in 1998), which more than offset the migration gain and the natural increase in the foreign population for some years. The rate of naturalisations has increased considerably since dual nationality was officially recognised in 1992. With regards to lower birth rates, there has been an adjustment amongst the Turkish and Moroccan communities in particular. Another cause is the decreasing birth rate among the foreign population, which in 1998 was lying below national average. This happened before a background of increasing numbers of immigrants in the second half of the nineties, succeeding a decline until the mid-nineties. During the same time, the annual outflow of foreigners remained relatively constant, fluctuating around 21000 persons per annum.

In 1999, of the 15.7602 million residents of the Netherlands, 7.967 million were female, yielding a female to male ratio of 1.022. Over the nineties, this ratio has been fairly constant. Amongst the foreign population in the Netherlands there has been a surplus of men over women during the eighties and nineties. Over the years, however, this surplus seems to have decreased. In 1998, the three largest communities of foreign residents (Turkey, Morocco and Germany) had ratios below unity, except for the German residents, for which the number of women almost equalled that of men. However, many other groups of foreigners, most notably those from Greece, Spain, Portugal and Tunisia had a ratio below 0.6, with Portugal having the smallest number of women (1900 women and 8800 men).

Like in other European countries, the vast majority of foreigners and foreign-born residents live in the larger municipalities. Around forty-five percent of the former reside in

the so-called Randstad (cf. Firley 1997: 117), comprising the four largest cities in the Netherlands (Amsterdam, Rotterdam, The Hague and Utrecht), with Amsterdam having the largest proportion: 42.4 percent in 1996 (Abell 1997: 20).

Labour Market Developments

In 1997 the total number of foreign workers was 208000, which accounted for 30.7 percent of the foreign population; whilst the number of Dutch nationals born abroad and foreigners was 663000 in 1998. The absolute number of the labour force of the population born in the Netherlands was 6.29 million in 1998.

Table 38. Foreign Labour [Thousands]

	1995	1996	1997	1998
Total foreign employment	221	218	208	..
% of total foreign population	30.5	32.1	30.7	..
Dutch nationals born in the Netherlands				
Working age population	9391	9406	9433	9443
Labour Force	5986	6061	6192	6294
Employment	5574	5678	5857	6029
Unemployment	412	383	335	265
Dutch nationals born abroad and foreigners				
Working age population	1107	1124	1130	1160
Labour Force	610	620	646	663
Employment	489	509	543	579
Unemployment	122	111	103	84

Source: SOPEMI 2000

In an attempt to meet growing requirements of the labour market, reoccurring as a problem in the nineties, combined with the appearance of the same problem in other European countries, migration from non-western countries has played an increasingly important role. The number of immigrants from outside the European Union increased by more than forty percent between 1994 and 1998 (SOPEMI 2000: 226). Within the population category "persons with foreign background" (first and second generation immigrants) the share of non-European population reached 1.5 million in the beginning of 2001 (9.3 percent of the total population). It has thus surpassed the European population with a foreign background (Alders 2001).

This extent is not due to the migration from traditional labour migration countries, like the USA or Japan. The majority of these labour migrants are from Eastern Europe and from developing countries.

Over the latter half of the nineties, the overall unemployment rate decreased from eight percent in 1995 to four percent in 1999. The unemployment rate of Dutch nationals born

in the Netherlands sunk to three percent, after a temporary peak in 1994 (6.4 percent). Despite the relatively low overall level of unemployment, migrant workers and those of non-Dutch origin face a somewhat harsher situation. Despite a continual decrease since 1995, unemployment amongst these groups is significantly higher than among the native population (1995: twenty percent; 1999: 13 percent), of which the unemployment rates of Turks (28 percent), Moroccans (twenty percent) and Surinamese (17 percent) are especially high.

Unemployment of the Surinamese of working age was slightly higher in 1996 than in the previous year, whilst unemployment amongst the Antillean working population was unchanged from 1995. Long-term unemployment also seems to have increased markedly amongst groups of ethnic origin, from 58 percent (1990) to 66 percent (1995), whilst amongst the non-immigrant working population it decreased over the same period from 55 percent to fifty percent.

Participation rates of foreign workers and Dutch nationals born abroad appear to be lower than those of Dutch nationals born in the Netherlands. These divergent rates could have a cultural foundation: it is noticeable that particularly groups with affiliations to Islamic countries display a relatively low rate for women vis-à-vis Dutch nationals and those of the non-Muslim world.

One reason for the discrepancy between the unemployment rates of Dutch-born and foreign residents seems to be the mismatch between employer requirements and foreign labour skills profiles. However, Tesser (1993) lists various other reasons for this disparity amongst which the discrimination of non-Dutch labourers assumes relative importance. Moreover, general trends in the economy and therefore labour market affect employment rates of non-Dutch residents adversely in that the demand for cheap unskilled labour has continually decreased over the last decades.

For the employed of non-Dutch origin, problems of discrimination appear to be present as well. Not only does the distribution of workers from the various ethnic groups over levels of the hierarchy seem to be heavily skewed, but also minorities hold less senior jobs and their employment is often less secure than that of workers of non-immigrant origin with an equivalent level of education (cf. Abell 1997: 20). It is relatively more common for minorities to be employed on short-term contracts (Veen and Riemersma, 1990). In particular, Turkish and Moroccan workers do simple – and largely arduous – work which requires no or virtually no education (Tesser, 1993). This fact is underlined by a study of Ankersmit et al. (1989), which shows that fifty percent of Turkish workers with a level of education between MBO (senior secondary vocational education) and VWO (pre-university education) do simple jobs, against seven percent of similarly qualified non-immigrant workers.

Table 39 Unemployment rates according to origin

Unemployment Rates (%)	1995	1996	1997	1998
Dutch nationals born in the Netherlands	5.8	5.4	4.0	3.0
Dutch nationals born abroad and foreigners	19.0	19.0	16.0	12.0
of which:				
Turkey	41	36	31	28
Morocco	27	25	24	20
Other Mediterranean countries	19	21	20	14
Other European countries	8	7	7	5
Surinam	15	16	13	9
Netherlands Antilles/Aruba	28	28	24	17
Indonesia/Former Dutch Indies	8	9	7	4
Other	28	25	22	17

Source: SOPEMI 2000

Moroccan and Turkish immigrants are concentrated on blue-collar jobs in the industrial and in the service sector while immigrants from southern Europe and Surinam also work in the public sector (Tesser et al., 1998, cited in European Employment Observatory (1999b)).

Immigrant self-employment plays a considerable role in the Netherlands and is also well documented through statistical data and scientific activity. In the case of the Turkish immigrant group self-employment is even more important than for the total resident population.

Table 40: Development of the number of entrepreneurs 1986-1997

Countries of origin	Absolute number*			% labour force**		
	1986	1992	1997	1986	1992	1997
a) Surinam	1725	4148	6223	2.0	4.5	5.4
b) Dutch Antilles + Aruba	405	1003	1629	2.9	4.6	6.3
c) Turkey	1895	5385	7453	4.4	7.8	12.2
d) Morocco	866	1912	2844	3.3	5.0	5.9
e) Other Mediterranean countries***	2074	3241	4204	4.9	7.7	7.9
Total ethnic entrepreneurs in categories a-e	6965	15689	22353	3.3	6.0	7.4
Total for the Netherlands (including ethnic entrepreneurs)	460000	560000	660000	8.0	8.9	10.1

* On the basis of birthplace.

** On the basis of birthplace and nationality (CBS, Maandstatistiek van de bevolking – Statistics Netherlands, monthly population statistics). As a result, the share of self-employed ethnic entrepreneurs in the labour force tends to be underestimated.

*** Greece, Italy, former Yugoslavia, Portugal, Spain, Tunisia, Algeria. The latter category is not one of the official target groups of Dutch ethnic minority policy.

Source: Tillaart & Poutsma (1998, p. 40), cited in European Employment Observatory (1999b).

2. Anti-discrimination Legislation with regard to the Labour Market

In the Netherlands the principle of non-discrimination and equal treatment is laid down in Article 1 of the Constitution, which states, "all persons in the Netherlands shall be treated equally, in equal circumstances. Discrimination on the grounds of religion, belief, political opinion, race or sex, or any other ground whatsoever, shall not be permitted". This provision was introduced in 1983 and came into force in the same year. Furthermore several articles of the Dutch criminal code, such as Article 90 quarter (definition of discrimination), 137 c, d, e (discriminatory expressions) 137 g and 429 quarter (Discrimination in the exercise of an office, a profession or trade), sanction racial discrimination in the labour market and direct as well as indirect discrimination. Article 429 quarter also allows for the possibility of positive action enhancing immigrants and ethnic minorities chances to find employment.

Since 1988 with the coming into force of the "Act Altering the Requirement of Possession of Dutch Nationality for Certain Functions" the necessity of having Dutch nationality for holding a position in the public sector has been eliminated. However there are still some exceptions from this general equal treatment laws. For example Dutch nationality is still required for some public functions, e.g. for becoming a police officer. For employers in the private sector Article 5 of the "Act to Implement the European Convention on the legal Status of Migrant Workers" explicitly prohibits distinguishing on grounds of nationality.

In the sphere of Labour Law there are different laws governing the permissible content of collective agreement. Article 1 paragraph 3 of the "Act on the Collective Agreement" which came into force in 1927 and was amended in 1971 obliges the employer not to employ or exclusively employ workers from a particular race, religion or belief or members of a particular association. The Act on Economic Competition from 1971 outlaws all provisions in collective agreements, which have a discriminatory effect on specific racial groups. Finally Article 28 of the Act on Works Councils empowers work councils to take up action against discrimination in an enterprise.

In addition the Netherlands are signatory to various international conventions prohibiting discrimination in the labour market including the European Social Charter of 1965, the International Convention on Elimination of All Forms of Racial Discrimination of 1969, the International Labour Organisation Convention No. 111 on Discrimination in Employment and Occupation of 1974 and the European Convention on the Legal Status of Migrant Workers in 1983 (confer Bovenkerk: 1994).

The number of cases brought to Court especially under the provisions of the Criminal

law are still very low which is due to a reluctance to lodge complaints on the part of the victims, which is due to the way the police and the Public Prosecutor deal with complaints of racial discrimination. These complaints are often not dealt with seriously by the Public Prosecutions Department. Furthermore, the low number of court procedures could be explained by the difficulties faced by victims in trying to prove that racial discrimination took place. In criminal cases the onus of proof that the accused committed the crime rests with the Public Prosecutor. The heavy burden of proof of racial discrimination and the lack of experience of the Public Prosecutors also explain the low number of cases brought to the court.

In March 1994, the Netherlands adopted the Equal Treatment Act, which extends the non-discrimination principle of the Constitution into civil law in the areas of employment, housing, education, health care, care of the elderly and other public provisions of goods and services. The Equal Treatment Act extends the individual victim's right to institute legal proceeding before a civil court, that is, to an organisation that represent the interests of individuals. In the area of employment the Equal Treatment Act is especially referring to offer, terms and conditions of employment, including salary, training during or prior to employment, promotion and dismissal.

Furthermore in 1994 the *Wet Bevordering Evenredige Arbeidsdeelname Allochtonen (WBEAA)* (Fair Employment of Ethnic Minorities Act) came into force. This Act is based on the Canadian Equal Employment Act. The Act aims to encourage individual employers to employ more ethnic minorities in their workforces. The employers with more than 35 employees had to strive for equal representation of persons from ethnic minorities within the company. The percentage of ethnic minorities should be equivalent to the percentage of ethnic minorities in the workforce of the specific region. For the area of each *Regionale besturen arbeidsvoorziening (RBA)* (Regional Employment Office) a proportionality rate was stipulated and broken down by hierarchical levels. The Act obliged the employers - including government departments - a) to register ethnic minorities separately within the workforce; b) to draw up a written report on the representation of ethnic minorities within the company's workforce; and c) to set up a plan to improve the participation of ethnic minorities at all levels of the workforce. Failing to comply with the Act was made an offence under commercial law punishable by a fine not exceeding 25000 NLG. The main target groups of this Act were ethnic minorities from Surinam, Morocco, Turkey, Vietnam, Somalia, Ethiopia, Iran and Iraq.

Different evaluations of the *WBEAA* indicate that only a small percentage of the employers has complied fully with the requirements of the Act. Only about 14 percent have complied with the entire Act, around 50 percent of all employers have started to register their ethnic work force separately (cf. Berkhout et al. 1996). Due to the relatively small

success of the law and the pressures from the private economy the Dutch government decided in 1996 to amend the law. The revised now called "Promotion of Employment for Minorities Act" (*Wet stimulerend arbeidsdeelname minderheden*) (*wet SAMEN*) which came into force in January 1998 is focussing on the same priorities but lack of compliance with the law is no longer a criminal offence. Furthermore there the Act is concentrating more on an overall positive attitude of employers towards ethnic minorities. The main aim of the new Act is to improve the labour market position of ethnic minorities, by the means of changing the sectoral infrastructure. The agreement also emphasises the role of work councils in education and training policy and in combating racial discrimination in general as it affects access to employment. Apart from the *wet SAMEN* there is no further legislation in the Netherlands obliging employers or administrative bodies in the private sector to ensure equal opportunities for minorities. In 1999 an evaluation of the *wet SAMEN* law by the *Landelijk Bureau ter Bestrijding van Rassendiscriminatie* (*LBR*) underlined that still many businesses do not write up a yearly report and do not encourage the recruitment of ethnic minorities (confer LBR: 1999).

The enterprises, which do submit reports, often do not meet the set requirements and special recruitment policies are seldom adopted. There are still many employers, which find the obligations under the *wet SAMEN* law unnecessary and judge it as an administrative burden. However there are also some improvements. A discussion around the problems of ethnic minorities and immigrants concerning the labour market has taken up.

In 1995 the *Commissie Gelijke Behandling* (*CGB*) (Equal Treatment Commission) was set up, which has the right to investigate and mediate in cases of discrimination. The *CGB* has the aim to ensure the compliance of the Equal Treatment Act. In response to a written complaint the Commission may conduct an investigation to determine whether discrimination has taken or is taking place. Should the Commission find unlawful discrimination, it can start a court procedure. The Commission may also conduct an investigation on its own initiative to determine whether such discrimination is systematically taking place in the public service sector in one or more other sectors of society, and publish its findings.

However, the Commission has no jurisdiction, but it can initiate legal proceedings. In the first year of its existence the Commission received more than 300 complaints of which 185 were declared admissible. Of these, twenty-five percent were complaints of racial discrimination. Ninety percent of the 94 rulings given in this area were concerned with employment. Most of these complaints regarded cases, in which immigrants were discriminated against on the shop floor, were not paid equally, and were dismissed unfairly or their contracts not extended. It is important to note that the Commission has stated

that employers must not only refrain from discrimination but also monitor the behaviour of their employees.

In addition there are different state and non-state agencies handling complaints procedures and promoting anti-discrimination. Various government organisations also have a complaints committee, which handles complaints of racial discrimination. The National Ombudsman deals with complaints against civil servants of the government or governmental bodies. The National Bureau against Racial Discrimination (*LBR*) investigates specifically structural discrimination and tries to support the city based or regional *Anti-Discriminatie Bureau (ADB)* (Anti-Discrimination Offices). There are around forty *ADB*s in the Netherlands, which are filling complaints and monitoring discrimination in different areas. An analysis of the complaints registered by the *ADB* showed that there is a relatively large number of complaints which are work related (*LBR* 1999).

Since the mid nineties most government institutions as well as organisations in the private sector have set up anti-discrimination codes which are outlining rules for recruitment, selection and working conditions. For example the *LBR* and the *Algemene Bond Uitzendondernemingen (ABU)* (Confederation of Employment Agencies for Temporary Work) have drawn up a code of conduct for contemporary employment agencies. The code focuses on equal treatment of all job seekers by the staff of the agencies and prohibits the registration of racial characteristics. Complaints of discrimination against the temporary employment agencies can be filed with the compliant board of the *ABU*. However an evaluation of this specific code of conduct in 1991 showed that still ninety percent of the agencies accepted the discriminatory demands of employers although most of the agencies stated that they were aware of the Code and were respecting it. Already in 1987 the Ministry of Social Affairs and Employment issued a document on the "Prevention of Discrimination on the Labour Market". This circular asked all directors of the district labour offices to give no support to employers' discriminatory requirements and to investigate in cases of discrimination in the processes of employers requesting the dismissal of persons. In April 1993 the *Federatie Nederlands Vakbeweging (FNV)* (Netherlands Trade Union Confederation) drew up a "Non-discrimination Code" consisting of recommendations on behaviour and actions to prevent discrimination within the association and the affiliated unions. The Code includes regulations on the staffing policy of the Confederation as well as on the individual Member Unions.

Also the Netherlands have a very detailed legal framework to fight discrimination, including discrimination in the labour market. There are certain restrictions within this system. Only a small percentage of the complaints launched reach the state court proceedings. Many immigrants and members of ethnic minorities fear to make a complaint as it might be sanctioned by the employer. On the other hand the different existing complaint struc-

tures often are not really known to the ethnic minorities. Most importantly there exists a lack of protection against victimisation. Often immigrants who bring forward a complaint are dismissed. Even if this action is illegal, it is very difficult to prove that it was due to discrimination. Changes might occur with a new system of proof coming into force with the implementation of the European Directive concerning ethnic discrimination.

3. Institutional Development in the Area of Cultural Diversity in the Workplace

There are different institutions at the national level concerned with the promotion of cultural diversity, their main task is to set up a policy frame regarding the promotion of cultural diversity in the workplace and to motivate private employers to take up initiatives. With regard to their internal structures however cultural diversity is not always a major issue, also the government has obliged the public sector to become active in this area.

The Ministry of Interior and the Ministry of Social Affairs and Employment have set up a special task force, which is concentrating on ethnic minorities in the labour market. This task force has recommended the government to take up a kind of model role regarding the recruitment and positioning of ethnic minorities. Members of ethnic minorities should be recruited to high level positions and training for intercultural management should become obligatory for higher-ranking functionaries. Furthermore, the Ministry supervises and monitors the Action Plans and initiatives taken within the Joint Industrial Labour Council. Here it is a driving force and has been actively promoting that private employers are setting up Action Plans on the theme of cultural diversity.

The Ministry of Health has the aim of improving its own organisations quality and promote the recruitment of more immigrants and persons from ethnic minority groups. Service provision e.g. in hospitals is currently being discussed. The main question is how to provide a better service to everybody including ethnic minorities. The Ministry of Health has implemented a monitoring scheme. Up to now it has been difficult to find qualified people, which could have been recruited. Only at the lower skilled ranks, member of immigrant groups can be found in the Ministry. Currently the Ministry is establishing a new project aiming and getting immigrants into the health service. The government has set up a special advisory board, the *Raad voor de Volksgezondheid den Zorg (RVZ)* (Dutch Council for Public Health and Healthcare), which is giving recommendations how to improve equality and cultural diversity in the health sector. They want to establish a concrete Action Plan for their Ministry. The Institute for Inter-Ethnic Management developed for the Ministry of Health intercultural modules for the education of doctors and psychologists psychiatrists at the universities.

The public service together with the local governments is the biggest employer in the Netherlands. Prior to 1985 the civil service had no specific staff policy on ethnic minorities (cf. Abell et al., 1985). In 1987 a Plan on Ethnic Minorities in the Civil Service (EMO, *Ethnische Minderheden in de Overheid*) was drawn up which had the target to raise the percentage of ethnic minorities working for the civil service to three percent. This goal was reached in 1990 and a new target was set at the five percent mark (EMO-2). EMO-2 was less successful than EMO-1. Interim reports demonstrated that in 1992 the target was only met by some departments and sectors of the civil service. Especially in 1991 and 1992 the number of ethnic minorities in the civil service was falling sharply due to a high number of persons with an ethnic background leaving the civil service (Ministry of Interior, 1993). Finally this target was adapted again with the coming into force of the *WBEAA*, which set specific percentages for the employment of ethnic minorities based on the regional representation of ethnic minorities. The Dutch government has set up a code of conduct, which refers to all government institutions. Some departments already have their individual code while some others are still in the process of developing a code. The overall structure of the code of conduct in this sector is the same for all departments and governmental institutions. It can be understood as a kind of "Model code" which can be then individualised in different steps for each department or institution. Most departments and institutions in the public sector, but also employers in the private sector, know about codes of conduct. However most agencies only have just started to discuss about them in detail.

The *Arbeitsvoorzigten* (employment service) is engaged through various means in the promotion of cultural diversity in the workplace. In the department responsible for information and direct placement they are dealing with a large number of persons from an

ethnic minority background. Therefore they have established a special programme supporting ethnic minorities. Focussing on the employers' side the public employment service has employed fifty enterprise advisers throughout the Netherlands who are promoting the recruitment of workers with an ethnic background within private and public firms. To this end they undertake information campaigns, advise employers on an individual level and have established specific placement schemes. A special initiative for small and medium sized companies has been set up in co-operation with the employers federation and the Ministry of Social Affairs: 20 000 of 30.000 vacancies shall be filled especially with migrants. The programme deals only with persons who do not need any training.

Since some years the social partners are co-operating within the *Stichting van de Arbeid* (Joint Industrial Labour Council) on the topic of promoting cultural diversity in the workplace. In 1990 they concluded an agreement called *Meer werk voor minderheden 1990-1996* (More work for minorities 1990-1996) which had the objective to achieve a higher representation of ethnic minorities in the labour market within this period. It was intended to create around 60000 new jobs. Furthermore employers with more than ten employees should draw up anti-discrimination policies and set up training measures for ethnic minorities. To this end fifty special company advisers were appointed in the framework of the National Employment Office to inform and assist employers in the recruitment of ethnic minorities. The success of this first agreement was very limited and only a very small number of ethnic minorities were recruited. Apart from this, only a few firms were willing to set up anti-discrimination policies or arrange for training courses for ethnic minorities (cf. *Stichting van de Arbeid* 1993). Also a later evaluation in 1996 found that there was nearly no improvement in the labour market position of ethnic minorities. The report states, "there are no statistical data which might provide reliable indications concerning the precise position of the various minority groups in the labour market. Thus it is not possible to say how many of the 60.000 jobs have in fac been created". The report concludes that the impact of the Agreement has been very limited on the local level (cf. *Stiching van de Arbeit* 1996).

A second Agreement entitled *Met minderheden meer mogelijkheden* (Minorities mean more opportunities (1997-2000)) was concluded in November 1996. The main aim of this agreement was to improve the labour market position of ethnic minorities. It also recommended all that parties to the collective labour agreement for each sector should agree to a commitment on what needs to be done. The Regional Employment Boards also reinforced the role of work council and training in the general framework of combating racial discrimination and improving cultural diversity in the workplace. Based on this new Agreement the initiative "Employers are doing more" was launched by the Federation of Netherlands Industry (VNO) and Netherlands Federation of Christian Employers (NCW) and Anne Frank Foundation. This initiative has the goal to promote intercultural

management and improve the participation of ethnic minorities in the labour market.

A new Programme of Action for the years 2001-2003 is currently discussed in parliament. It involves concrete targets and measures to be carried out within the next two years. Unemployment of ethnic minorities should be reduced by half, from currently 16 percent to eight percent. Besides this quantitative goal there are also qualitative goals as the improvement of the positioning of ethnic minorities in the labour market. Under the new Action Plan legal agreements with big enterprises in the Netherlands who want to become active in the area of cultural diversity will be drawn up. They have set up a group of around 100 bigger enterprises in the private and public sector. There is an overall approach and central points for all firms participating, in combination with a tailor made approach focussing on the individual needs and problems of the firm. This individual plan includes multicultural management issues, training for manager and Human Resources staff, training of the work councils etc. Until now 15 of these agreements and Action Plans have been implemented including important Dutch firms such as KAM, ABN AERO, Lips Textiel, NedCar etc. Besides some general measures included in all Action Plans, each firm had the possibility to include specific goals and aims. For example ABN AERO stated to recruit forty persons from ethnic minority background per year, that it will change its recruitment tests in this way that migrants are not discriminated against; Coca Cola Enterprises Netherlands proclaimed to raise the level of ethnic minority staff and increase the level from three percent to four percent within one year; Koop Holding explained to raise the level of trainees from ethnic minority background to ten percent and to develop a mentoring programme for newly starting immigrants; P&O Lips Textiel announced to arrange intercultural training programme for around fifty percent of its overall staff.

They hope to have hundred agreements by the end of the year 2001. The monitoring of these agreements and Action Plans is done by the Ministry of Social Affairs and Employment. They are trying furthermore to have positive publicity about these employers in order to make more employers participate in this programme. Publicity is crucial in the framework of this programme.

Netherlands has a very well developed network of anti-discrimination offices throughout the country, which are also concerned with anti-discrimination and the promotion of cultural diversity in the workplace. At the national level, the *LBR* has the task to support anti-discrimination agencies in the Netherlands. It is co-operating with the anti-discrimination offices on the local level. Complaints regarding discrimination and racism are usually dealt with on the local level. In general *LBR* is not dealing with individual complaints. Most complaints at the local level are regarding the workplace, especially the issue of recruitment, racial harassment and the area of internal promotion. In the last

year the legal section of LBR has worked on a series of code of conducts for the public and private sector. These codes of conduct can be used in different sectors e.g. local governments, the Ministry of Social Affairs and Employment, banks and insurance companies are using these codes of conduct. The codes of conduct regulate how one should treat others in the workplace, who to deal with in the case of complaints and how to ensure fair recruitment. Codes of conduct are usually voluntary and there are no sanctions if they are not followed. The LBR tries to lobby actively for the implementation of these codes of conduct. Codes of conduct should be set up in all areas of the labour market. If an employer has a code of conduct the person discriminated against should try to use the internal complaints procedure. If this is not working one can go to the Equal Treatment Commission, which is also responsible for receiving complaints on discrimination. Until now the codes of conduct are not really monitored. Therefore it is not clear what kind of impact they are having.

On the level of cities and regions there are around twenty-five to forty anti-discrimination offices (*ABDs*). The anti-discrimination office in Den Haag is one of these. The main task of the anti-discrimination office in Den Haag is helping people with complaints regarding racism and discrimination. This includes also research into the structural patterns of discrimination. In many cases there is still a problem of proof. Therefore they are trying now more and more to concentrate on prevention. Furthermore in co-operation with the police, legal office, Housing associations and trade unions they are trying to set up a new and comprehensive monitoring scheme for complaints. In addition, they are currently working on bringing all individual complaints together, group them around distinctive issues of discrimination and set up measures for the specific area. Finally they are involved in training and policy advice for the private sector and government agencies regarding all issues dealing with discrimination. In the area of promotion of cultural diversity in the workplace they support enterprises that want to implement a code of conduct. These codes of conduct only work if they are accompanied with training measures, which put these codes of conduct really into practice. At the neighbourhood level there are different organisations, which have set up specific codes of conduct and Action Plans, which are regularly monitored in co-operation with the Anti-Discrimination office. In Escamp for example, which is a part of Den Haag with around 25.000 inhabitants, fifty organisations have signed a code of conduct, they comprise different organisations in the public and private sector such as the police, schools, housing associations, self-organisations, NGOs etc. Other city quarters are now also developing codes of conduct. However it is not enough to have a code of conduct, it is also necessary to have an Action Plan. Escamp has asked the anti-discrimination office to review its code and make some recommendations on it.

But not only the social partners and anti-discrimination offices are involved in this matter

but also consultancies. One of these consultancies is part of the Anne Frank Foundation. The Anne Frank Foundation is divided in different parts around the area of the Anne Frank House and also has an educational sector. In the area of education, intercultural education is a main issue. They are developing intercultural material and documents for teachers and schools. They have started ten years ago to be active in this area. In the field of intercultural training in the labour market they have now been engaged for about ten years. The Anne Frank Foundation is part of the Dutch focal point for the Raxen Network (the others are the *LBR* and *RADAR*). They have set up a kind of consultancy for cultural diversity in the business sector. They have for example advised KLM regarding their recruitment strategy and communication system. Other clients included some major Dutch banks and bigger local governments and administrations. The first project was done with the police in 1985. Already then the Dutch government had the idea of employing more immigrants and people with ethnic minority background. In 1996 the Anne Frank Foundation set up a network together with different employers focussing on intercultural management issues. Besides the Anne Frank Foundation has developed different manuals for enterprises and the public sector regarding the implementation of cultural diversity measures. They are also setting up a specific Internet site on this issue. All three to four months, the Anne Frank Foundation is publishing a magazine which is distributed to more than 40 000 employers. Public relations instruments are very important in this area.

Another consultancy in this area is EGA HRM Consulting, which tries to analyse the barriers that are preventing immigrants and ethnic minority persons from entering the labour market. When the obstacles have been identified, solutions are found to reduce or deconstruct them. To this end the EGA has established a special diagnosis website where enterprises can screen their company and identify the problems in the area of recruitment. They then can come to EGA and obtain support in changing the situation. EGA has for example done this kind of diagnosis for the city of Rotterdam. It was found that only eight percent of the staff were of ethnic minority background, although thirty percent of immigrants are living in Rotterdam. Due to this negative result the city of Rotterdam up to now has refrained from doing something or implementing an Action Plan. Their main area of consultancy is in the area of recruitment practices. They have for example advised the transport enterprise in Den Haag in the process of recruiting more immigrants. In order to improve recruitment practices regarding ethnic minorities, they have developed a special assessment centre for ethnic minorities concentrating on the specific capacities and cultural background of ethnic minorities. However it is very difficult to develop a race and ethnicity blind testing system.

Also there are very many immigrant self-organisations and ethnic minority associations, which often are not directly involved with the promotion of cultural diversity in the work-

place. This is much more an issue of the social partners and anti-discrimination offices. However, umbrella organisations like the *Instituut voor Multiculturele Ontwikkeling FORUM* (Institute for Multicultural Development) or *UNITED* have been actively involved in lobbying for an anti-discrimination legislation as well as in activities supporting the introduction of codes of conduct etc. Regarding the workplace the integration into the labour market is however an important issue for ethnic minority organisations. In this context they are running mainly vocational training and qualification programmes for persons with an ethnic minority background. These are often interconnected with the overall integration programmes sponsored by the government. In general ethnic minority organisations receive full support from the Dutch civil society and are seen as an important facilitator of integration. The immigrant self-organisations furthermore are an important inroad into the Dutch society and have the power to influence the legal and political sphere.

Some ethnic minority groups in the Netherlands have their own broadcasting stations, e.g. the Netherlands Muslim Station. The official radio and television is also having some programming for ethnic minorities, such as the regional TV Station TV West, which has a special programme on multi-culturalism. There are still only a very small number of persons with ethnic minority background working for the media. There are two important media prizes in the area of cultural diversity and anti-discrimination. One is the Zebra prize, which is given to a media project, which is contributing to a positive view about cultural diversity. The other prize is a European Media prize.

4. Measures Taken to Improve Cultural Diversity and Remarks on the National Situation

Cultural diversity measures are taken by a variety of actors. Especially the different programmes established by the Joint Industrial Labour Council play an important role in this context. These have shifted in the last three years to activities including the promotion of cultural diversity in the workplace.

Within this context the Ministry of Social Affairs has signed Action Plans promoting cultural diversity with more than 15 large firms. An individual plan includes multicultural management issues, training for managers and Human Resources staff, training of the work councils etc. The monitoring of these agreements and Action Plans is done by the Ministry of Social Affairs and Employment. They are trying furthermore to have positive publicity about these employers in order to make more employers participate in this programme. Publicity is crucial in the framework of this programme.

Regarding smaller enterprises the National Employment Office in co-operation with the

Board of Small and Medium Sized Enterprises has started a separate initiative in Spring 2000. They are aiming to find employment for around 20000 people of ethnic minority background in these firms. This will be done in co-operation with immigrant organisations, special job fares and specific training programmes. One main goal is to provide better information to potential employers. Furthermore they have set up a call centre for vacancies regarding ethnic minorities.

Apart from this, anti-discrimination offices on the national and regional level have contributed with legal and training measures to the promotion of cultural diversity. The legal section of *Landelijk Bureau Racismebestrijding (LBR)* has worked on a series of codes of conduct for the public and private sector. These codes of conduct can be used in different sectors e.g. local governments, the Ministry of Social Affairs and Employment, banks and insurance companies are using these codes of conduct. The codes conduct regulate how one should treat others in the workplace, who to deal with complaints and how to ensure fair recruitment. Codes of conducts are usually voluntary and there are no sanctions if they are not followed. The LBR tries to lobby actively for the implementation of these codes of conduct.

The Anne Frank Foundation in co-operation with the Confederation of Netherlands Industry and Employers (*VNO-NCW*) is involved in a project called "*Meeting de Meer*" (Meeting the Major) which started in 1999. In the Netherlands the local majors are not elected by the population but put in place by the Queen. Therefore they are having a special status and are still highly respected people with a strong symbolic function. In the framework of this project, the Major is inviting local businesses for a meeting to discuss cultural diversity with them. Most majors in the Netherlands have accepted to participate in this programme. Until now twenty-five local communities had these special information campaigns promoting cultural diversity. In the discussion with the majors, experts from the Anne Frank Foundation are present for giving advice on intercultural training and diversity issues. These local conferences have been a great success. For June 2001 a special conference of all 25 majors and representatives of 50 enterprises is planned. The focus will be on the exchange of experiences and good practices. Furthermore, in the framework of the project consultants from the Anne Frank Foundation and *VNO-NCW* are advising the participating businesses on how to recruit more migrants, intercultural changes at work and similar issues (www.odm.nl).

Regarding the treatment of ethnic minorities, cultural diversity was not an issue until the last years. Until then, the focus lay on the overall integration process of immigrants and ethnic minorities; this however did not so much include questions of cultural diversity. Measures and programmes that facilitate and equip immigrants with instruments for coping with the Dutch society were introduced. These integration programmes include

language training (a course of around 600 hours) and basic knowledge about the Netherlands. The new integration law has been introduced in 1998. Afterwards different pilot projects such as in Tillburg have been set up. Still there is the problem of implementing the law at the local and regional level. Often there is a lack of adequate resource of the integration programme, e.g. not enough education or vocational training programmes.

Despite these integration measures and more recent approaches taking into account the issue of cultural diversity in the workplace, the social-economic integration of immigrants and ethnic minorities in the Netherlands is not successful. Unemployment of ethnic minorities is still quite high, especially regarding specific groups. During the last five years the socio economic situation of ethnic minorities has been improving in parallel with the economic growth in the Netherlands. There is more demand for ethnic minorities in the labour market. This has also a positive impact on strategies promoting cultural diversity in the workplace, as some initiatives under the auspices of the Joint Industrial Labour Council and the National Employment Office are demonstrating.

However, until now the public sector in the Netherlands has not made any special effort to fight discrimination and to promote cultural diversity. The *Wet SAMEN* law until now only had a very small impact on employers. Besides the practice of monitoring and registration firms have not done much. The main problem is that there are no sanctions included into the law. *FORUM* an umbrella organisation of ethnic minority groups is trying to lobby for the better implementation of the *Wet SAMEN* law. The legal instruments that have been implemented in the Netherlands largely failed. In order to promote cultural diversity a management and business approach is much more successful. Still overall policies promoting cultural diversity in the workplace or instruments such as the SAMEN law are of importance in a symbolic way.

5. List of Organisations and Agencies active in the Field

5.1. Public Institutions

National Labour Office
Integration of Newcomers
Postbox 10261
NL-7301 GG Apeldoorn
Tel 0031 555787111
Fax: 0031 555222719
p.zilli@arbeidsbureau.nl

National Ombudsman'
Stadhoudersplantsoen
P.O. Box 29729
NL - 2502 LS The Hague
Tel. 0031 70 3563 656
Fax: 0031 70 3615 072

Ministry of Interior
DCIM
P.O.Box 20011
2500 EA The Hague
Tel.: 0031 70 426 60 69
Fax: 0031 70 426 76 38

Ministry of Health, Welfare and Sport
Ceed Vermeij
Parnassusplein 5
P.O.Box 20350
2500 EJ The Hague
Tel.: 0031 70 340 52 68
Fax: 0031 70 340 50 81
ca.vermeij@minvws.nl

Minister for Urban Policy
and Integration of Ethnic Minorities
Ministry of Interior
Postbox 20011
NL-2500 EA The Hague

Ministry of Social Affairs and Employment
Dept. of Minority Policy
Directorate of Labour Market Policy
Postbox 90801
NL-2509 LV The Hague
Tel. 0031703334965

Ministry of Social Affairs and Employment
Directorate Industrial Relations
Astrid Kortenbach
Postbox 90801
Anna van Hannover Street 4
NL-2509 LV The Hague
Tel. 0031703334168
Fax: 0031703334004
akortenbach@minszw.nl

Arbeitsvorzigten
Mr Dirk Stroband
ethnic coordinator
Tel.: 0031 79 360 15 45
mobil: 0031 6 53 46 98 36
privat: 0031 35 6017551
Fax: 0031 79 371 2999
d.stroband@arbeidsbureau.nl

5.2. Trade Unions

Federation of Dutch Trade Unions (FNV)
Minority Integration
L.W. Bijleveld
Postbox 8456
NL-1005 AL Amsterdam
Tel. 0031205816506
Fax: 001206844541
Email leontine.bijleveld@fnv.nl

Christelijk Nationaal Vakverbond (CNV)
264

Ravellaan 1
P.O.Box 2475
NL-3500 GL Utrecht
Tel.: 0031 30 291 3911
Fax: 0031 30 294 65 44
cnvinfo@cnv.nl

Employers Organisations

Federation of Netherlands Industry (VNO)
Jos Rijkhoff
Senior Advisor Labour Market Policy
Postbus 93093
2509 AB Den Haag
Tel.: 0031 70 3497 363
Fax: 0031 70 3474 304

5.3. NGOs

Landelygk Bureau ter Bestrijding van Rassendiscriminatie (LBR)
Marcel Zwamborn
Postbox 517
NL - 35 00 AM Utrecht
Tel. 0031 30 233 1421
Fax: 0031 30 232 8294

Rotterdam Antidiscrimination Action Council (RADAR)
Mr Cyriel Triesscheyn
Postal address:
P.O. Box 1812
3000 BV Rotterdam
Tel.: 0031 10 411 39 11
Fax: 0031 10 412 84 33
info@radar.nl

Anne Frank Foundation
Jan van Kooten
Westermark 10
Amsterdam
Tel.: 0031 20 556 71 52
Fax: 0031 20 556 71 95
s.harms@annefrank.nl

Federation of Afghani organization in the Netherland
Madelieventuin 53
NL-2724 PJ Zoetermeer
Tel.: 0031653417461
Fax: 0031793433957

Forum, Institute of Multicultural Development
Mr. Ahmed Aboulateb
Director
Postbox 201
NI-3500 AE Utrecht
Tel. 0031302974321
Fax: 0031302960050
webmaster@forum.imo.nl

5.4. Research Institutes

Professor. Dr. Frank Bovenkerk
Universiteit Utrecht
Willem Pompe Instituut
voor Strafrechtwetenschappen
Jans Kerkhof 16
NL-3512 BM Utrecht
Tel.: 0031 30 25 37 135
Fax: 0031 30 25 37 028
F.Bovenkerk@law.uu.nl

Mr Jeroen Doomernik
Institute for Migration and Ethnic Studies (IMES)
University of Amsterdam
Ministry of Foreign Affairs
Tel. 0031 20 525 40 15
Fax: 0031 20 525 40 51
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Professor Rinus Pennix
Institute for Migration and Ethnic Studies (IMES)
University of Amsterdam
Rokin 84
1012 KX Amsterdam
Tel.: 0031 20 525 36 22
Fax: 0031 20 525 36 28

5.5. Others

EGA HRM Consultancy
Paul Abell
Sarphatistraat 104c
3rd floor
1018 GV Amsterdam
Nederland
Tel.: 0031 20 420 4470
Fax: 0031 20 420 4480
abell@ega-hrmconsult.nl

Rotterdam Migrant Employment Office
Schiedamse Vest 79
3012 BE Rotterdam

Albert Hein Company
Charlotte van Snellenberg
Albert Heinweg 1
NL-1507 EH Zaandam
Tel. 003175659 37 39
Fax: 0031 75 659 85 60

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Austria

1. Developments of Migration and Population

Not only because of its geographical position in the immediate neighbourhood of the Eastern European countries, Austria has always been strongly affected by migration throughout the centuries. The Second World War created two big groups of immigrants in Austria: Displaced Persons (forcibly recruited foreign workers, prisoners of war and survived Jews) and the displaced German minorities from Eastern and Central Europe. Many of these left Austria soon thereafter and some of them were temporarily accommodated, while 350000 of them immigrated till 1961. Mostly the German language character of the state was the deciding criteria in the selection of the Displaced Persons who were considered able to be integrated. The new patriotism of Austria wanted to create an independent Austrian nation - drawing a clear line between the German nations.

Between 1955 and 1989 Austria was the final destination as well as transit country for many refugees from Eastern Europe. In time the acceptance of these immigrants was reduced more and more. Hungarians (1956), Czechoslovaks (1968), and Poles (1981) sought shelter in Austria and their names changed from "victims of persecution" to "economic refugees" and finally to "non-genuine refugees". Another big group, which crossed through Austria between 1973 and 1989, were Jewish refugees from the Soviet Union. In all, about 250000 Jews passed through Austria on their way to the United States or Israel.

At the beginning of the Sixties, Austria started recruiting guest workers (Gastarbeiter) that were mainly from Yugoslavia and Turkey. Their role was to cover the demands of the industry as a result of the fast growing economy. The vast majority of migration policies taken until the middle of the eighties can be seen as part of labour market policy. Immigration control was intended for the social partners. Initially a rotation system of guest workers combining the highest possible advantage with the lowest possible costs for infrastructure and social security contributions was envisaged. However, this rotation policy did not work, and in fact led to a chain-migration of foreigners from the labour exporting countries.

After 1986 immigration and asylum politics shifted from the social partners and the Ministry for Social Affairs to the Ministry of the Interior. From this time onwards, migration politics in Austria took a stronger stance on the integration of immigrants, which had been ignored up to then. In 1990 Austria amended and liberalised the Alien Employment Act. Questions of immigration became more and more a vehicle of symbolic politics in

the competition amongst political parties. In 1995 - together with Finland and Sweden - Austria joined the European Union and in 1998 the Aliens Act 1997 became effective, and included the regulations of the Residency Act.

During the eighties the foreign population stagnated between 300000 and 400000 (representing a share of four to five percent of the total population). After a sharp increase in the early eighties hat foreign population had nearly doubled reaching approximately 750000 (9.25 percent) in 1999.

TABLE 1: FOREIGN RESIDENTS IN AUSTRIA 1983-99

Year	Total Population*	Foreigners*		Foreigners	
		Absolute numbers	%	Net migration	Naturalizations
1983	7567016	296652	3.92%	3781	9895
1984	7570529	297788	3.93%	9172	7791
1985	7578261	304382	4.02%	13439	7308
1986	7587989	314883	4.15%	17363	8060
1987	7598154	326247	4.29%	14139	6616
1988	7615279	344020	4.52%	28757	7314
1989	7658801	387183	5.06%	64589	7305
1990	7729236	456061	5.90%	80286	8980
1991	7812971	532746	6.82%	90825	11137
1992	7913812	623032	7.87%	86067	11656
1993	7991485	689603	8.63%	44114	14131
1994	8029717	713503	8.89%	19107	15275
1995	8046535	723483	8.99%	9439	14366
1996	8059385	728190	9.04%	9991	15627
1997	8072182	732671	9.08%	10000	15792
1998	8078449	737277	9.13%	14300	17786
1999	8092254	748172	9.25%	29403	24678

* yearly average

Source: SOPEMI Report on Labour Migration. Austria 1999-2000.

TABLE 2: NATURALISATIONS IN AUSTRIA BY FORMER NATIONALITY

	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
Former Yugoslavia	2323	2641	3221	4337	5791	5623	4538	3133	3671	4151	6745
Central and Eastern European States	1664	2118	2413	1839	1858	2672	2588	2083	2898	3850	3515
Germany	886	517	455	410	406	328	202	140	164	157	91
Turkey	723	1106	1809	1994	2688	3379	3209	7499	5068	5683	10350

Source: SOPEMI Report on Labour Migration. Austria 1999-2000.

The naturalisation of immigrants with reference to their former citizenship is still dominated by the effects of the labour recruitment politics of the sixties, which aimed at attracting guest workers from the Former Yugoslavia and Turkey. Most people who were naturalised still come from Turkey (1998: 5683) and the Former Yugoslavia (1998:

4151). In the last decade the overall population continued to increase, reaching eight million people in Austria in the year 2000. Of these, about 760000 are foreigners. Out of these, about 340000 people are from Former Yugoslavia and about 135000 are from Turkey. At present, 16 percent of the population in Austria is foreign born.

Looking at the foreign population in the different states of Austria it becomes clear that most foreigners live in the capital and the state of Vienna (out of the 1.6 million inhabitants, 18 percent are foreigners), followed by the state Upper-Austria with around 97100 foreigners (7.04 percent) and thereafter by Lower-Austria with about 96000 foreigners (6.23 percent) in 1999.

TABLE 3: FOREIGN POPULATION BY DISTRICTS AT 31.12.1999

Districts (Bundesländer)	Total Population	Foreign residents	
Burgenland	278838	12657	4.54%
Kärnten	563925	32481	5.76%
Niederösterreich	1541041	96076	6.23%
Oberösterreich	1379937	97100	7.04%
Salzburg	516425	62200	12.04%
Steiermark	1202800	61168	5.09%
Tirol	668348	61984	9.27%
Vorarlberg	348578	48148	13.81%
Vienna	1608144	284691	17.70%
Austria	8108036	756505	9.33%

Source: Austrian Central Office for Statistics, 2000. Dep. 1 (Population)

Labour Market Developments

From the beginning of the twentieth century up to the nineties, the Social Democratic movement tried to gain and consolidate control of labour market policy. The two major conservative political camps - the Christian Socials and German Nationals - never developed coherent labour market or migration policies. Because of this policy vacuum on the Right, the Social Democrats were the only political force to have a clear idea of which type of labour market set-up they wanted in 1945. The Social Democratic ministers of Social Affairs and of the Interior, the national labour organisations, the *Österreichischer Gewerkschaftsbund (ÖGB)* (Austrian Federation of Trade Unions) and the *Arbeiterkammer (AK)* (Chamber of Workers) were formally integrated into the directorship of the national employment agency in 1946. In the late fifties this control had been formalised and in 1961 it had been consolidated.

The year 1961 is also the year in which the *ÖGB* introduced the guest worker system to Austria. By announcing that the trade unions would boycott the central labour referral board meetings until a specified quota of foreign workers was filled and then veto all further immigrant employment, the *ÖGB* introduced in 1961 a quota system for the con-

struction sector and the tourism industry. This recruitment system remained in place until 1976. With the implementation of the Act of Aliens Employment in 1976, the social partnership parity, the quota recruitment system and strict foreigner employment quotas were integrated. The economic boom that followed after the Velvet -Revolution in Central and Eastern Europe led the *ÖGB* to permit a speedy enlargement of the annual employment quotas and in 1992 the government completed a legislative reform package that revolutionised the guest worker system, introducing country and state quotas (maximums). But this does not mean that immigration was stopped. On the contrary, in 1992 the arrival of war refugees from Bosnia and Herzegovina started and continued until 1995. Immigration and employment of EU citizens has also greatly increased since Austria joined the European Economic Area (EEA) at the beginning of 1994 and the EU in 1995.

In 1998 the Aliens Act of 1997 became effective and the politics of integration in Austria changed rapidly. Foreigners who had lived in Austria for more than eight years lost their guest worker status, while at the same time the pressure on people who had been living in Austria for less than 8 years increased. Since then, access to legal, dependant gainful employment in Austria is regulated very restrictively for third country nationals. In contrast to citizens of the EEA, their access according to the foreign employment law is subject to quota regulations. Since 1994 the percentage of independent or unemployed foreign workers may not exceed eight percent (1990-1994 it was ten percent).

The Austrian labour market is dominated by the primacy of domestic employment: the authorities have to determine if domestic people or EU foreigners could do the job. If cutbacks are necessary, then employers are forced to dismiss foreign employees. Third country nationals are also subject to a graduated system of legal titles of employment (first year restricted work permit, general work permit and unrestricted work permit), which results in a gradual legal improvement but not in an integration into the Austrian labour market.

The adaptation of foreign workers to "domestic workers" is still incomplete. There are still important differences between foreign and domestic employees. Of the Austrian employees, 23.5 percent are blue-collar workers and 76.5 percent are white-collar workers. But among foreign employees the proportion is the other way round: In the year 2000 71.2 percent of foreigners were blue-collar workers and just 28.8 percent were white-collar workers. Inside the group of blue-collar workers, the proportion of immigrants increases every year (1994-2000: 30.5 percent - 33.6 percent) while the number of domestic blue-collar workers continues to decline (1994-2000: -28470). In the field of white-collar workers the number of foreigners is increasing just little by little (1994-2000: 5.4 percent-7.4 percent).

Table 4: Dependant employees

Year	Blue-collar workers		White-c. workers		Civil servants		In all
Domestic people							
1994	183633	26.8%	383090	55.8%	119427	17.4%	686150
1995	176339	26.1%	380675	56.4%	118354	17.5%	675368
1996	169910	25.5%	376642	56.6%	118844	17.9%	665396
1997	166419	25.2%	375543	56.9%	117627	17.8%	59589
1998	163607	24.7%	381386	57.6%	117423	17.7%	662416
1999	160064	24.0%	506643	76.0%			666707
Foreigners							
1994	80418	78.7%	21743	21.3%			102161
1995	81356	77.4%	23752	22.6%			105108
1996	80094	76.1%	25149	23.9%			105243
1997	78745	75.2%	25947	24.8%			104692
1998	77229	74.2%	26903	25.8%			104132
1999	77198	72.6%	29071	27.4%			106269
2000	78383	71.2%	31641	28.8%			110024

Source: HSV - Hauptverband der Österreichischen Sozialversicherungsträger, own calculations 2001

The representation of non-nationals in the Austrian economy averaged 10.3 percent in 2000. The groups shows very high sectoral shares in the agricultural/forestry sector with 8,065 person representing 26.3 percent of people employed in this sector in 2000, in the construction sector (51,365 or 18.5%), in the textile, clothing and leather industries (10,450 or 25.4%) and in the restaurant and hotel sector (43,885 or 26%). In the public sector, such as public administration, social security (11,860 or 2.5%) and education and research (2,719 or 2.2%), they are hardly present at all (all data: SOPEMI 1999-2000).

As a result of a very good economic situation and a drop of the domestic employee supply, the unemployment figures continued to go down in the year 2000 (-8 730 registered unemployed). But foreign employees did not profit very much from this development. In 2000, the unemployment of foreigners was 8.6% in contrast to only 6.9% of nationals. The unemployment figures for foreign employees depend very much on seasonal fluctuations (depending on the business branches in which foreigners are working - see above).

Table 5: Registered domestic and foreign unemployed persons 1992-2000

	Domestic People						Foreigners					
	In all		Women		Men		In all		Women		Men	
1992	45989	6.2%	25157	6.4%	20832	6.0%	8475	7.8%	6113	8.9%	2362	5.8%

1993	51783	7.0%	28862	7.4%	22922	6.6%	9652	8.9%	6965	10.2%	2687	6.7%
1994	51072	6.9%	29013	7.4%	22059	6.4%	9057	8.1%	6412	9.9%	2645	5.6%
1995	52050	7.2%	29758	7.6%	22292	6.6%	8970	7.9%	6376	9.7%	2593	5.3%
1996	54852	7.6%	31598	8.2%	23253	7.0%	10025	8.7%	7153	10.9%	2873	5.8%
1997	58478	8.1%	33220	8.6%	25259	7.6%	10325	9.0%	7212	11.0%	3112	6.3%
1998	62225	8.6%	34859	9.0%	27366	8.1%	11103	9.6%	7517	11.5%	3586	7.2%
1999	57737	8.0%	32412	8.4%	25326	7.4%	10648	9.1%	7230	10.8%	3405	6.8%
2000	49253	6.9%	28198	7.5%	21055	6.3%	10402	8.6%	7090	10.4%	3312	6.4%

Source: AMS. comment: unem. = unemployed, UF = unemployment figures, 2001

The share of self-employed foreign residents in Austria is comparatively low. According to the countries' last census in 1991 4.2 percent of the foreign population was self-employed compared to seven percent of the Austrian population (Zentrum für Soziale Innovation 1999).

One reason for this relatively low representation of foreigners among the self-employed in Austria is seen in the high share of self-employed persons in the agriculture, a sector relatively inaccessible to foreigners. Another important factor is the highly bureaucratic procedure necessary for opening a business.

2. Anti-discrimination Legislation with regard to the Labour Market

Until now Austria has not had a separate comprehensive anti-discrimination legislation concerning racial discrimination. More specifically, there are no anti-discrimination provisions concerning discrimination in the labour market. However, Austria has signed the CERD, although it has not accepted Article 14 of the Convention. Furthermore, it has signed various other international Conventions that combat racism and intolerance.

Article 7 of the Federal Constitutional Statute stipulates that all Austrian citizens are equal before the law. A differentiation between Austrian citizens and non-citizens is therefore legitimate, while no differentiation between non-citizens is allowed. However, the Austrian Constitutional Court in a decision taken in 1995 stated that differential treatment of non-citizens is only allowed if and when there is reasonable justification and the treatment is not disproportionate. Furthermore, in the introduction to the civil and administrative law provisions it is mentioned that there must not be discrimination because of race, gender etc.

In March 2001 a proposal of an anti-discrimination legislation was presented by the Ludwig Boltzmann Institute of Human Rights and currently this proposal is under discussion within the state parties. However there are no concrete results up to now.

Concerning foreign nationals there are two main acts of legislation in Austria: the Aliens Act, which is in the hands of the Ministry of Interior and the Aliens Employment Act, which is in the hands of the Ministry of Labour. The Aliens Act came into force in 1975 and its last major revision took place in 1999. The Aliens Act regulates the entry of non-citizens and family reunification, both of which are regulated by quotas. Every year the number of new migrants - including labour migrants, persons who fall within the scheme of family reunification and highly skilled migrants - is established by the Ministry of Interior in co-operation with the different regional capitals. The integration packages adopted within the framework of the Aliens Law in 1998 places a stronger emphasis on integration. Measures to promote the socio-economic, cultural and educational integration of foreigners have to be established by the state.

The Aliens Employment Act establishes the number of foreign citizens who can obtain a work permit. The Ministry of Labour determines this number. The law sets a limit to the foreign labour force, which at present stands at nine percent of the total Austrian labour force. Due to this practice, only a very limited number of foreign citizens are currently allowed to receive a work permit to enter the labour market. However, immigrants who are married to an Austrian citizen are excluded from this system. This system was established in 1995. Up to now the number of immigrants has always stood at about eight percent.

The Works Industrial Relations Scheme law implies a strong position of the work council's members, however foreign nationals can only in a limited way profit from this. Concerning the election of the members of the works council, non-citizens are only allowed to vote for the council after three months of work, but they cannot be elected. The same is true for the Chamber of Labour. The Austrian Trade Union Federation (*ÖGB*), while having a relatively high membership of foreign nationals, has very few officials from this group. The organisation "*Der Mensch zuerst*" (Humans first) of nurses, the Turkish organisation *ECHO* (association of the support of young people) and other migrant groups demanded two years ago that the right to vote be implemented, but as the opposition was against it, the implementation was not possible.

Up to now there is no specific institutional body monitoring racial discrimination. The *Volksanwaltschaft* (Austrian Ombudsman Board) is entrusted with the tasks of examining all alleged or presumed grievances arising in connection with the public administration system. This also includes complaints brought forward by immigrants and members of ethnic minorities concerning discrimination, however no case in this area brought to the Austrian Ombudsman Board led to further action, as most cases were not seen as legitimate.

3. Institutional Development in the Area of Cultural Diversity in the Workplace

In Austria the matter of cultural diversity and anti-discrimination is mainly discussed within the framework of an overall integration policy towards immigrants and ethnic minorities. While the majority of laws are taken on the national level, most integration measures and initiatives to promote cultural diversity in general and more specifically in the workplace are taken at the regional level. While there is no overall comprehensive framework of integration policies, different initiatives are taken up according to individual regional states. On the regional level Vienna is the only city in Austria, which has a city councillor for integration. The city of Graz has set up a "Foreigners' Council", which is entirely composed of foreign nationals and acts in an advisory capacity to the municipal authorities in all matters regarding immigrants and ethnic minorities. There are no state institutions at the national level actively promoting cultural diversity in the workplace.

In the public sector, such as public administration, social security (11860 = 2.5%) and education and research (2719 = 2.2%), ethnic minorities are hardly present at all (all data: SOPEMI Report on Labour Migration. Austria 1999-2000). One of the main reasons for this is the inaccessibility of public jobs for non-nationals, i.e. only Austrians can become civil servants, and in several cases EU-members as well. Non-EU nationals can only work as contracted workers, but normally foreigners are not even admitted to these jobs, with the exception of the health sector (especially migrants from the Philippines and the Czech Republic) and the cleaning sector. Another exception is the Federal Audit Office, which employs quite a high number of foreign IT specialists on temporary contracts. The question of equal opportunities insofar as it regards immigrants from non-EU countries, the promotion of cultural diversity and anti-discrimination are not debated in the public services, nor can a large number of positive measures be found. The police forces as part of the public sector also do not actively recruit migrants, and only about three or four of 1 000 policemen are from Turkey. However, in cooperation with the welfare organisation Volkshilfe, special training courses on intercultural relations and discrimination have been provided to police officers. In the context of the public sector, education is a positive exception, as an intercultural system has been established in many primary schools. Persons from the Former Yugoslavia and Turkey, even those who have yet to be naturalised, can become assistant teachers.

Just as there is a very limited interest of state institutions in promoting cultural diversity and anti-discrimination, the same can be said, with some exceptions, concerning the trade union. The *Österreichischer Gewerkschaftsbund (ÖGB)* (Austrian Federation of Trade Unions) sees its main aim in securing the rights of Austrian workers. Within the *ÖGB* there is no special department only dealing with foreign workers, however, there

are some departments concerned with their specific needs at the distinctive regional levels. The percentage of organised foreign trade union members is as high as their Austrian counterparts in the different branches. Migrants are mainly affiliated in the hotel and restaurant union, the cleaning union and the union of the construction sector. Within the trade unions, third-country nationals cannot become members of the works council. In order to circumvent this deficit, some larger firms have set up foreigner advisory boards, which are elected by all foreign nationals employed within a firm. The ÖGB is thinking of implementing foreign advisory boards in addition to the works councils, however, a big disadvantage of this system is that the members of the foreign advisory board would not be protected in the same way as the works council members should any severe problems arise.

The central department of the ÖGB, which above other issues deals with migrant workers, is in close contact with foreign affiliates and immigrant self-help organisations. One of the aims of the department is to involve immigrant self-help organisations in the work of the ÖGB and, through this, strengthen the integration of immigrants and members of ethnic minorities. Furthermore, the educational department of the ÖGB regularly organises information events for foreign workers in order to inform them of their employment rights and the support which the ÖGB can offer them. These meetings are undertaken in co-operation with the *Wiener Integrations Fonds (WIF)* (Viennese Integration Fund). In the beginning of the seventies, the works councils offered language classes, but only up to the early eighties. Now the unions, works councils or the company directory are starting to implement language classes within the company. In order to raise the awareness of Austrian union members on issues of integration and cultural diversity, articles on these subjects are regularly published in the union's newspaper. Furthermore, basic training of all the works council members in the construction branch includes a half-day seminar on migrants and integration. Other seminars for higher trade union functionaries, which discuss issues of integration, discrimination and cultural diversity, are offered on a voluntary basis all over Austria. In the year 2001 for the first time, anti-racist and integration themes were integrated in further training courses for all works council members of the ÖGB.

At the level of the individual trade unions branches, the branches with a high membership of foreign workers have been more active in the area of integration and promotion of cultural diversity. The Union of "Hotel and Services" (this sector includes the branches of hotels, restaurants, cleaning services, social services, hairdresser, cosmetics etc.) organises a very high percentage, in the case of cleaning services up to thirty percent and caretakers ninety percent of foreign workers. Based on this high percentage, the union offers special services to its members, such as German classes and computer courses. Furthermore, they try to organise intercultural events, e.g. they have

invited their Austrian members to intercultural theatre performances. A member of the union moderates a radio channel called *Arbeitsweltradio* (world of work radio) by *Radio Orange* where he discusses questions concerning foreigners. He regularly invites Austrian works council members, the director of the Islamic Centre etc to participate. Music from the native backgrounds of his guests is played. There is also a co-operation with the national television *Österreichischer Rundfunk (ORF)* within the programme "*Heimat Fremde Heimat*". Furthermore, different poster campaigns combating discrimination have been carried out e.g. "*Zusammenleben in Wien*" (living together in Vienna) "*Ausländer sind willkommen*" (foreigners are welcome).

The *Arbeiterkammer (AK)* (Chamber of Workers) is the official representation of employees and it is financed by them. Every employed and unemployed worker is automatically a member of the Chamber of Workers if he or she has ever had an official health insurance. Foreign employees have the right to vote for the political functionaries of the Chamber of Workers, however only EU citizens and naturalised "foreigners" also have the right to be elected. The Chamber of Workers offers advice to its members on all legal questions concerning work and the workplace. These services are also offered in Turkish and Serbo-Croatian by Turkish and Serbo-Croatian consultants who have Austrian citizenship. There is no special training for advisors of migrants. These advisors themselves are migrants who first began work at the Chambers of Workers as e.g. translators, and later on became advisors once they had amassed enough experience. Usually foreign workers ask for help if they have lost their job and feel that they have been treated unfairly, or if they are not paid on time. Most of the cases (70 percent) can be solved by simple intervention of the Chamber of Workers; only one third of the cases goes to court. Only in very few cases is the Chamber of Workers asked for help when there are problems concerning vacation regulations or because of religious needs or discrimination. Normally racial discrimination in the workplace is not reported to the Chamber of Workers. However, this might have to do with that fact that many migrant workers are afraid of losing their jobs when filing such a complaint. Around 60000 - 80000 clients ask for help at the Department of Work and Social Affairs of the Chamber of Workers each year, with around eight to 10000 of them being foreigners. In addition to this advisory function, the Chamber of Workers does not do much to actively promote anti-racist or cultural diversity measures. However, the Chamber of Workers tries to stay in contact with immigrant self-organisations and informs them of their work. It has also offered financial support to some individual events organised by immigrant self-help organisations.

While the trade unions at least show some awareness concerning the issue of the integration of foreign workers, and some activities relating to cultural diversity and anti-discrimination in the workplace have been started in the last year, the employers do not

show any real interest in these issues nor do they perceive a real need for them. Only US companies based in Austria have developed some diversity strategies, but in general enterprises do not take cultural diversity into account. This can partly be attributed to the fact that, until recently, there were no large private companies in Austria. Most large companies were state owned.

Besides this rather bleak picture concerning the social partners, some institutions have been set up in the welfare and NGO sector which are concerned with the issue of anti-discrimination and cultural diversity in the workplace. These mainly intervene at the regional level and are mainly found in areas with a high concentration of foreign residents.

A prominent example of one of these organisations is the *Wiener Integrationsfond (WIF)* (Viennese Integration Fund), which was established by the city of Vienna in the beginning of the nineties as a quasi non-governmental agency, because many Viennese people had complained about the increased immigration into the city. In the beginning, the *WIF* tried to prevent conflicts and mediate in problematic situations between foreigners and Austrian nationals. Now their work has been expanded to function as an advisory centre for immigrants and the local authorities. For the Viennese inhabitants the *WIF* is a focal point concerning all questions on policies concerning schools, kindergartens, the workplace, etc. Furthermore, the Fund is involved in the development of an anti-discrimination legislation. Concerning the workplace, the *WIF* currently supports ten training and workplace integration projects, which were selected out of around forty projects in a competition. These projects included, for example: a pilot project called "*Fond Hilfsarbeiter zum Facharbeiter*" (Fund from unskilled worker to skilled worker) which offers specific vocational training courses that assist unskilled workers in becoming skilled workers; a project focussing on the mediation between teachers and parents of Roma and Sinti pupils; and a project offering training to African migrants in journalism.

The Viennese Academy of Administration offers intercultural training courses. They have organised a pilot project within the police to make their members more sensitive with respect to migrants. Similarly, the *Volkshilfe Österreich* organised seminars for police on the issue of immigration after a black person had been beaten up by a police officer in Vienna. The *Volkshilfe Österreich* taught six classes for police trainees over the course of two days. This was offered as a voluntary vocational training course, however, the demand was very high. Based on this experience, further seminars within the rural police forces (*Gendarmerie*) were organised, with some of them being financed within a European Union project. With the support of the Viennese Integration Councillor, seminars for civil servants from the departments of social work, youth, health, refuse disposal were also organised. A seminar called "*Die Stadt als Dienstleister der multiethnischen Gesellschaft*" (the city as a service provider of a multiethnic society) forms part

of the education of management within the city authority. All training courses take two days, as this is the maximum amount of time employees can take off for vocational training. One part of the training course consists of a visit either to a NGO which works with refugees or to a refugee camp directly. In addition, a foreigner might be invited to the seminar, but he or she must be selected carefully. Until now, the demand for these training courses from the public service was high, but it is difficult to analyse the impact it has had on the participants, as many participants were sent by their superiors and were not really motivated to participate. Other organisations such *SOS-Mitmensch*, Innovative Social Projects (ISOP) in Graz organise similar seminars in other parts of Austria. ISOP furthermore has special placement schemes for foreign workers searching for work, and offers language courses and different intercultural services, such as a meeting place etc.

The *Beratungsstelle für Migranten* (advisory board for immigrants) was founded in 1983 in Vienna. It is mainly concerned with legal aid concerning labour market issues. They inform their clients on how to obtain access to the Austrian labour market and support them in receiving the necessary permits. Furthermore, they support them in finding a job, however they do not run an active placement scheme. Usually their clients seek help with problems concerning work permits, pension, nationality, etc. Two times a year the advisory board offers a training course focussing on all issues relevant to foreigners. This programme is specifically targeted at the foreigners themselves, and is designed to accommodate 30 - 40 persons two times a week over the course of eleven weeks. Furthermore, they offer assistance with work orientation and job applications, but they do not have intercultural training for instructors. Together with the *WIF*, the advisory board for immigrants offers training courses for chair persons and the senior management staff of immigrant self-help organisations concerning issues such as labour legislation, nationality issues etc. Efforts were also made on the part of the Ministry of Education in the field of integration during the beginning of the nineties. They founded the Department for Intercultural Learning and the school advisory boards in all federal states (except Kärnten).

Two further positive examples of NGOs which focus their work on immigrants and are trying to promote cultural diversity are the NGO *ZEBRA* and the advisory board *Peregrina*. *ZEBRA* describes the core of its work to be in education and public relations. It takes on political comments if it considers these comments to be inappropriate, discriminating or going against human rights. Even if they do not always succeed, their work is an important democratic corrective in the Austrian political discussion. On the other hand, *Peregrina* is a political initiative for integration. They define integration as the acceptance of the presence of immigrants in a country of immigration. Consequently, existing prejudices and excluding practices should be eliminated. The anti-

Racism-seminars of Peregrina are a good example of political work in education, which is addressed to the Austrian majority population.

Immigrant self-help organisations are a relatively new phenomenon. The situation is gradually changing, as the migrant elites who came to Austria as students at the beginning of the eighties have begun to organise themselves. They are very much concentrated in Vienna, some are in Graz and Linz. Usually these organisations concentrate on youth work, cultural activities, however, they are also actively lobbying for improved integration, equal opportunities and rights and anti-discriminatory measures. The Turkish, Yugoslavian and Croatian communities have set up large organisations. The Viennese youth project "*ECHO*" edits a newspaper, does clubbing, has a café in the 6th district and has even founded a business.

In the media only little is done concerning anti-discrimination and the promotion of cultural diversity. Therefore, *WIF* lobbies for more media engagement. A project was established in co-operation with a newspaper which aims to offer internships to young migrants who speak two languages, with the possibility of future employment. Through this, they hope to eventually recruit more journalists with an ethnic minority background.

4. Measures Taken to Improve Cultural Diversity and Remarks on the National Situation

Although there is also a lack of interest in promoting cultural diversity in the workplace; some examples which could qualify as good practices in the specific Austrian context can be singled out.

The NGO, *Volkshilfe Österreich*, regularly carries out intercultural training courses for police trainees. Furthermore, they specifically offer voluntary vocational training to police forces in rural areas in Austria. These seminars have been financed by the EU, the *Volkshilfe* and the police forces. With the support of the City Councillor for Integration in Vienna, intercultural seminars and awareness raising courses relating to racism and discrimination have also been organised for functionaries from the Departments of Social Work, Youth, Health, and Refuse Disposal. A seminar called "The city as a service provider of a multiethnic society" forms part of the management education within the city authority.

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

The housing market is strongly regulated by public housing regulations. Communal

housing is for persons with low income, but only for Austrians and EU-members. An exception can be found in Schwechat near Vienna where the Austrian Petroleum Company (ÖMV) made a contract with the town to open communal housing to migrants, as they needed a lot of foreign workers.

Finally, the campaign "*Der Mensch zuerst*" (humans first) which was established in 1992 by employees of hospitals must be mentioned as an example of good practice. The campaign focuses on awareness raising for issues of racial discrimination concerning employees of hospitals, other medical staff as well as patients and their relatives. Based on this campaign, the network "European Health Network Against Racism" was founded in 1998.

The promotion of cultural diversity and anti-discrimination has not played a relevant role in Austria until recently. Due to the engagement of NGOs, immigrant self-help organisations and individuals active within the organisations of the social partners, this situation has changed, however, it is still a topic which is only discussed in closed circles and is not of interest to the general public. This can be attributed among other things to the fact that the trade unions, but also employers, blocked further immigration for many years. As state-owned companies were the only large enterprises in Austria for many years, it was difficult for foreigners to be employed by them as trade unions and the government controlled entry. This has changed with the Austrian economy's need for highly-qualified workers, and now even the trade unions recognise foreign workers not only as mere competitors but as a resource. The trade unions are also trying to support immigrant workers, with their activities in this area and more specifically in promoting cultural diversity in the workplace, nonetheless their impact is still very limited. Often the situation of the works council members in this respect is difficult, as on the one hand some of them are committed to becoming active concerning anti-discrimination or the support for cultural diversity, but on the other hand many of them perceive that these are unwelcome measures for the majority of Austrian workers and they therefore fear that supporting such initiatives will cost them their re-election.

While in the public sector, and especially among the police some training measures exist that relate to cultural diversity, the public sector can still be seen as a purely Austrian workplace. This not only has to do with the fact that third country nationals cannot become functionaries, but also with the great reluctance of the gate keepers to employ foreign nationals as contract workers. In this context, the state has to show more initiative and actively promote the recruitment of foreign nationals. The same applies to a large extent to private enterprises, however here the state cannot directly intervene. On the other hand, the private sector is much more driven by market forces and therefore is more open to foreign workers.

Considering the activities of numerous NGOs, anti-racist organisations and immigrant self-help organisations throughout Austria which have established many valuable initiatives to promote cultural diversity in general and in some cases even in the workplace, one can hope for extensive changes in the future. In this context, the engagement of second and third generation immigrants who are better educated than their parents and do not lack any language competency might play a crucial role. Furthermore, with the implementation of the European Directives which came into force under Article 13 of the Amsterdam Treaty, Austria will have to adapt its anti-discrimination legislation and set up a body that will monitor this legislation and register complaints in the near future. This as well will give a greater impetus to new measures that promote cultural diversity in the workplace.

5. List of Organisations and Agencies active in the Field

5.1. Public Institutions

Ministry of Interior (Innenministerium)
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Labour Ministry (Arbeitsministerium)
Ingrid Nowotny
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Ministry of Science (Wissenschaftsministerium)
Fr. Dr. Elisabeth Menasse-Wiesbauer
tel: 0043 1 53120-7146
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City of Vienna (Stadt Wien)
Viennese Integration Fund
Johannes Seitner; Leiter des Integrationsfonds der Stadt Wien
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5.2. Trade Unions

ÖGB - Österreichischer Gewerkschaftsbund
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Rudolf Kaske
Hohenstaufengasse 10
1013 Wien
Tel.: 0043 1 53 444 - 501 bis 504

Rudolf.Kaske@hgpd.oegb.or.at

Arbeiterkammer Wien
Josef Wallner
Prinz- Eugen-Straße
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Tel.: 0043 1 50165-2555
josef.wallner@akwien.or.at

5.3. NGOs

Interkulturelles Zentrum
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SOS-Arbeitskreis
Republikanischer Klub Neues Österreich
Rockgasse 1
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Beratungsstelle für Migrant/innen
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Verein Ausländer/inneninitiative NÖ-Süd
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ARGE-AusländerInnenberatung
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Echo
Verein zur Unterstützung Jugendlicher
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Der Mensch zuerst
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ISOP - Innovative Sozialprojekte
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ZARA - Zentrum gegen Rassismus und Diskriminierung
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5.4. Research Institutes

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Portugal

1. Developments of Migration and Population

Overall, immigration is a rather recent phenomenon for Portugal, occurring substantially first in the sixties and increasingly during subsequent years under the auspices of the decolonialisation process following the Portuguese revolution in 1974. During the latter, exceptional legislation regulated a significant increase in the naturalization of immigrants from the former colonies. An estimated 30000 people benefited from this measure. The Census of 1960 registered 29000 foreign residents in Portugal of which the majority came from Europe.

The influx of residents of the former colonies increased further from the second half of the seventies due to changing economic and political circumstances. Since they possessed or acquired Portuguese nationality, they could not be recorded statistically as members of ethnic minorities. According to Leonor and Carlos (1997) the increased immigration does not show in official statistics because of the impact of illegal immigration on migration figures. In 1980 there were around 58000 foreigners staying in Portugal of which 48 percent came from Africa, 31 percent from Europe and eleven percent from South America. At the same time the overall Portuguese population stood at 9.7 million, thus foreigners made up only around 0.5 percent of the total Portuguese population.

Portugal has experienced a high level of emigration during most of the 20th century. However, during the second half of the seventies the emigration of Portuguese nationals decreased, a trend that became even more pronounced during the eighties, when former labour migrants began to return.

In 1998, approximately 178000 foreigners were legally resident in Portugal, or 1.7 percent of the total population. Men (53 percent) outnumbered women. Over half of the foreigners lived in the area of Lisbon. Almost 13 percent lived in the Faro area, followed by Setubal (9.2 percent) and Porto (6.1 percent), while Bragança had the lowest proportion of foreigners (0.1 percent). By nationality, Cape Verdians are the most numerous (over 40 000) followed by Brazilians (20 000) and Angolans (16 500). Foreign nationals from OECD countries (nearly 80 percent from the European Union) account for one third of the total foreign population. In 1998, 8 100 children were born to a foreign mother and/or father in Portugal, accounting for approximately seven percent of total births. Since the middle of 1999 Portugal is confronted with new migrants. These show some different features comparing with the previous immigrants. They are mostly Eastern Europeans, coming from Ukraine, Moldavia, Russia and Romania.

TABLE 41. PORTUGAL, STOCK OF FOREIGN POPULATION BY NATIONALITY [IN THOUSANDS]

	1988	1990	1995	1996	women 1996	1997	women 1997
Cap Verde	27.1	28.8	38.7	39.6	15.6	39.8	15.8
Brazil	9.3	11.4	19.9	20.0	9.2	20.0	9.2
Angola	4.4	5.3	15.8	16.3	6.5	16.3	6.5
Guinea-Bissau	3.1	4.0	12.3	12.6	3.3	12.8	3.4
United Kingdom	7.1	8.5	11.5	12.0	5.5	12.3	5.7
Spain	7.1	7.5	8.9	9.3	4.5	8.8	4.7
United States	6.1	6.9	8.5	8.5	3.7	8.4	3.6
Germany	4.1	4.8	7.4	7.9	3.4	8.3	3.6
France	2.8	3.2	4.7	5.1	2.4	5.4	2.6
Mozambique	2.8	3.2	4.4	4.4	1.9	4.4	2.0
Other countries	20.7	24.1	36.2	21.2	15.9	22.8	9.6
Total	94.7	107.8	168.3	172.9	71.9	175.3	73.1
of which: EU	25.3	28.8	41.5	43.7		46.0	

SOPEMI

1.1. Labour Market Developments

Since May 1998 the new Employment of Foreigners Act has allowed legally resident foreigners to work in Portugal without being subject to any restrictions with respect to workplace factors. Under previous legislation, the total number of foreigners employed in firms with five or more employees could not exceed ten percent of the total workforce, though this rule did not apply to nationals of European Economic Area countries, or to nationals of countries which have bilateral agreements with Portugal, notably Brazil and Cape Verde.

TABLE 42. PORTUGAL, STOCK OF FOREIGN LABOUR BY NATIONALITY [IN THOUSANDS]

	1991	1995	1996	1997	1998
Cape Verde	16.9	21.8	2.2	22.1	21.9
Brazil	5.4	9.6	9.7	9.7	9.6
Angola	1.7	7.9	8.2	8.2	8.2
Guinea-Bissau	2.3	7.0	7.2	7.2	7.2
United Kingdom	4.2	5.4	5.6	5.8	6.0
Spain	3.9	4.7	4.9	5.3	5.5
Germany	3.0	4.1	4.4	4.6	4.8
United States	2.7	3.0	3.1	3.2	3.1
France	2.1	2.8	3.0	3.3	3.5
Mozambique	1.6	1.8	1.9	1.9	1.9
Venezuela	1.0	0.7	0.7	0.6	0.4
Other countries	10.1	15.5	15.9	16.2	16.5
Total	54.9	84.3	86.8	87.9	88.6

Source: SOPEMI 1999

In December 1998, the foreign labour force amounted to over 88000, displaying an increase of 710 on the previous year. The occupational structure among foreign active workers is highly polarized. On one hand, EU-nationals are employed mainly in scientific

occupations and service jobs, whereas the vast majority of Africans and Eastern European migrants are employed in industry, agriculture and construction, only filling lower skilled jobs. Most Brazilians are employed in services (teaching, health, and other scientific and technical occupations). Over eighty percent of foreign workers are wage earners. Of the 17000 entrepreneurs and self-employed workers living in Portugal, British and Brazilian nationals are the most numerous. A recent study on the Portuguese labour market found that "foreign workers in Portugal are largely complementary to the Portuguese active population mainly in professional areas where skilled labour is required (marketing, design and others). In specific qualified sectors such as dentistry and medical practice and in unqualified professions such as in construction and personal and domestic services where Portuguese applicants are fewer and fewer, they are apparently substituting the domestic population" (Baganha 1998).

TABLE 43. CURRENT FIGURES ON FOREIGN LABOUR FORCE [FIGURES IN THOUSANDS]

	1995	1996	1997	1998
	84.4	86.8	87.9	88.6
By main industry division				
Agriculture, forestry, fishing	19.8	20.6	21.3	
Mining and quarrying	4.8	5.0	5.1	
Manufacturing	3.4	3.4	3.5	
Electricity, gas and water supply	6.8	7.1	7.2	
Construction	6.7	7.2	7.4	
Sales, hotels and restaurants	1.1	1.1	1.1	
Other	41.8	42.4	42.4	
By professional status				
Self-employed	16.6	16.7	17.0	17.1
Wage earners	67.8	69.7	70.6	71.2

Source: SOPEMI 2000

At the end of 1998 a total of 370600 persons were unemployed in Portugal, 59 percent of whom were women. Compared with the previous year, the total number of unemployed fell by over 50000, but the number of unemployed foreigners rose by 7.5 percent. Nationals of Cape Verde and Angola were most affected by unemployment. Though they form only 9.5 percent of the foreign labour force, they accounted for 21 percent of the unemployed foreigners. Furthermore, of the foreigners without a job, 71 percent were from Africa, 19 percent from Europe and nine percent from North and South America. An important share of the active immigrant population is integrated through the informal economy. During the regularization procedures in 1992/93 and 1996 a total number of some 74000 irregular migrants applied for regularisation. The applicants' most important countries of origin were the former Portuguese colonies Angola, Guinea-Bissau and Cape-Verde. It is estimated, that the number of legalisations is far below the actual number of irregular migrants in the country (Brücker et al. 2001).

2. Anti-discrimination Legislation with regard to the Labour Market

The legal framework to fight racism and discrimination in Portugal is very well developed. First of all discrimination is prohibited in the Portuguese Constitution. Based on Article 13 of the Portuguese Constitution all citizens have the same social dignity and are equal before the law. Nobody may be privileged, favoured or disadvantaged, deprived of a right or excused from performance of a duty by virtue of ancestry, race, language or place of origin. As regulated in Article 15 of the Constitution foreigners and stateless persons staying in Portugal enjoy the same rights and duties as Portuguese nationals. Therefore the principle of equality and antidiscrimination as laid down in Article 13 also refer to immigrants and ethnic minorities. Article 59 of the Constitution especially protects workers against discrimination based on nationality, place of origin, religion or political and ideological opinion. Paragraph 3 of this Article states that it is the duty of the state to secure full employment, equality of opportunity in the choice of occupation and cultural, technical and vocational training for workers. Article 60 prohibits inter alia discriminate workers on racial grounds. This includes that all workers are entitled without discrimination on racial, religious, political and ideological grounds, to remuneration, the organization of their work in condition of dignity, safety and health, rest and recreation, and material assistance in time of unemployment. Furthermore equal access to education and the individual and collective right of petition and complaint before the administration to defend their rights.

Portugal has also ratified the principal international conventions on non-discrimination, with the exception of ILO Conventions 118 and 157. All relevant international laws such as the CRED (ratified by Portugal in 1981) or the ILO Convention 111 (ratified by Portugal in 1959) are directly applicable in Portugal as Article 16 of the Portuguese Constitution stipulates that the fundamental rights laid down in the Constitution shall not exclude any other rights stemming from the laws and from applicable rule of international law.

There are different provisions in the civil and administrative law promoting the integration of immigrants and protecting them of discrimination in different areas. Article 483 of the Civil Code provides remedies for victims of discrimination who bring action against either private persons or government officials. Article 1 of the Bill 339/III on the basic rights of those working in the police forces settles the principle of non-discrimination on racial grounds in police employment. Furthermore Law 22 of August 1992 guarantees Portuguese and foreign workers equal rights in matters relating to accidents at work and occupational diseases. Resolution no 38 of 1993 prescribes measures aiming to bring about the full social and professional integration of immigrants and ethnic minorities. An interdepartmental commission for integration of immigrants and ethnic minorities was

created with the aim of reporting on the living conditions of immigrants, of devising measures and strategies to be adopted by public authorities with regard to immigrants and ethnic minorities, evaluating the programs and their results and monitoring the campaigns and schemes.

The Labour legislation also contains some important provisions concerning antidiscrimination in employment. Unlawful dismissals on the ground of race are sanctioned. The law concerning work of foreigners staying on the Portuguese Territory of May 1998 regulates that immigrants and ethnic minorities fall under the same regulations and have the same rights as Portuguese citizens concerning the conditions of labour.

The Provedor de Justicia (Ombudsman) has the power to hear complaints submitted by victims of discrimination and makes recommendations to the competent organs with the aim to prevent and address injustice.

Furthermore there are other legal provisions, which are overseen by the High Commissioner for immigrants and ethnic minorities such as the act on integration. Most important is the Law 134/99 of 28 April 1999. This anti-discrimination law has been implemented in the year 2000. Article 1 states that the objective of the law is to prevent and prohibit racial discrimination in all its forms and sanction all acts that violate a person's basic rights or impede the exercise of economic, social, or cultural rights for reasons such as nationality, colour, race, or ethnic origin. The law mentions especially that advertisements for labour recruitment that may directly or indirectly indicate any kind of preference regarding race are unlawful and banned. The law is overseen by the *Alto Comissário para a Imigracao e Minoritas Etnicas (ACIME)* (High Commissioner for Immigrants and Ethnic Minorities) and gives him the right to sanction activities and behaviours. Fines between 63 800 and 638 000 Escudos can be proposed for preaches of the law. The new law also makes it possible to sanction indirect discrimination. A special Advisory Committee for Equality and Against Racial Discrimination has been established under the law. Two of its members are from the parliament, others from the social partners and two can be sent by the immigrant organisations. The Committee is responsible for advising the High Commissioner and the government of the different forms of possible sanctions. Furthermore it is responsible for promoting studies on equality and racial discrimination, supervising enforcement of the law and making legislative proposals suitable for the prevention of all forms of discrimination.

Until now it is too early to monitor the success and impact of the new law. Also there is a quite comprehensive framework of different anti-discrimination regulations concerning the labour market and immigrants in general, there are few cases brought forward under these regulations. Discrimination in the workplace is seldom reported. Also studies indicated that discriminatory practices do exist.

3. Institutional Development in the Area of Cultural Diversity in the Workplace

As late as in 1996 Portugal has established a national institution dealing with immigrants and ethnic minorities. Before the issues of immigrants and minorities were handled by different ministries, especially the Ministry of Interior. The promotion of cultural diversity on the state institutional level did not play an important role. This has changed with the establishment of the High Commissioner for Immigrants and Ethnic Minorities (*ACIME*) who is co-ordinating the main activities in this area in co-operation with other state institutions and the social partners.

The High Commissioner for Immigrants and Ethnic Minorities (*ACIME*) was established in 1996 by the Portuguese government. He is subject to the authority of the Presidency of the Council of Ministers. He enjoys a special authority, which results from his direct relationship with the Prime Minister. He promotes dialogue with the entities that represent immigrants and ethnic minorities in Portugal, as well as the study of the issue of their insertion into society, working in collaboration with the social partners, charitable institutions and other public and private entities that intervene in this field. The main aim of the High Commissioner is to support ethnic minorities and immigrants in Portugal, fight ethnic discrimination and social exclusion of immigrants and to inform the Portuguese society on immigrants. He is responsible to improve the living conditions of immigrants and ethnic minorities and safeguard their integration into the Portuguese society. In co-operation with IOM Portugal the High Commissioner runs a project with the title "Face Equality" which is aiming at informing the wider Portuguese society on ethnic minorities. In the framework of this project an advertisement campaign for television was carried out and a CD-ROM was produced on the different countries of origin, which can be used in schools and education programs. In the area of discrimination in the workplace the High Commissioner for Immigrants and Ethnic Minorities tries to co-operate with the trade unions. Furthermore the High Commissioner also advises immigrants and immigrants' self-organizations in all legal and bureaucratic matters. In this context a special support program of recognized immigrant self-organizations has been established in May 2000. Immigrant and ethnic minority organizations recognized by the High Commissioner and the *Conselho Consultivo para a Imigracao (COCAI)* (Advisory Committee on Immigrant Affairs) are financially supported and obtain different advisory rights in different boards concerning migration issues. Until now around 15 ethnic minority groups, most of them from African communities, have been recognized.

Since 1999 in the area of education and vocational training the High Commissioner is co-operating with the *Instituto do Emprego e Formacao Profissional (IEFP)* (Institute of Employment and Vocational Training). Together they are organizing vocational training

fostering the insertion of immigrants and ethnic minorities in the labour market. This also includes studies concerning the problems faced with the labour market insertion. Furthermore the *IEFP* is in close contact with the employers in order to make them aware of the specific qualifications of immigrant workers. To this end the High Commissioner and the *IEFP* have set up an Action Plan on a yearly basis for all over Portugal. This Action Plan includes training measures of immigrants and ethnic minorities, support in finding a job, the co-operation with Portuguese enterprises and information on the different activities under the Action Plan.

The Ministry of Education is carrying various intercultural projects in schools. They have published different handbooks and other material for students regarding antiracism, anti-discrimination and multi-culturalism. Furthermore the Ministry is sponsoring intercultural seminars directed at teachers and is supporting schools which want to work with cultural mediators. There have been specific mediators focussing on gypsies and the African population. Currently a mediator concerning the German minority in Portugal has been established.

The Ministry of Health is currently establishing a pilot programme regarding the work of cultural mediators in hospitals and other health institutions. This is due to the fact that there are many nurses and doctors with an ethnic minority background on one hand, on the other hand the immigrant clientele of hospitals and other health institutions is growing. The Ministry of Health has employed nineteen cultural mediators. They are working in the Lisbon area. The task of the cultural mediators is to provide information to the patients and to be a link between the clinical personal and the clientele. The Ministry of health has trained the cultural mediators in a special training course.

Also the promotion of cultural diversity in the workplace up to now was not a prominent subject for employers and their associations, there have been certain activities and measures indirectly supporting immigrants and promoting cultural diversity. The *Confederacao da Industriai Portuguesa (CIP)* (Industrial Confederation of Portugal) is the central confederation of employers in Portugal. The *CIP* has sixty member organizations of employers associations. They have a central voice in the social consultation, which is a tripartite body in which questions concerning immigration and the labour market, legalisations and quotas regarding work permits for immigrants etc. are discussed. In the last tripartite meeting, which took place on 7th March 2001 the current legislation campaign by the Portuguese government was discussed. The *CIP* supports the legislation campaign. In general they are in favour for an increased immigrant and are willing to support measures promoting cultural diversity. However, up to now only certain ideas have been discussed and initiatives only taken on the local level.

The *Associacao de Empresas de Constrocao e Obras Públicas (AECOPS)* (Public

Works Enterprises Association) is the employers association of enterprises in the construction sector. It has 5000 members from small, medium and large enterprises. The headquarter is based in Lisbon and has five delegation bases in other regions of Portugal. *AECOPS* is structured in different departments with different functions. The second department is responsible for labour relations. The main tasks of his department are to engage in the area of human resources (it organizes for example job interviews, creates entry exams etc.), to consult enterprises in all questions regarding labour law e.g. questions relating work contracts, payments. For this particular area a special telephone hotline has been established and three lawyers are working in this area. They also support enterprises in the negotiation process for tariffs. *AECOPS* only supports enterprises that contract their workers legally. Therefore they try to promote actively that immigrants are only contracted legally. They now have started a large information campaign informing their members about the new legislation campaign and explaining how enterprises can legalise their employees. They have published various articles on this issue in their newspaper. Furthermore they have prepared a special information leaflet for employers. Apart from this *AECOPS* has started to support immigrants in the construction sector who want to start their own small-scale business. There are around 200 ethnic small-scale businesses organized as members of *AECOPS*. By the procedure of starting their own enterprise, immigrants can legalize their working and residence status. Thus this is another road to legalisations. *AECOPS* has been involved in the negotiating of a specific Social Agreement for the construction work done in the framework of the EXPO in Lisbon. This Social Agreement included certain measures promoting anti-discrimination and cultural diversity. A similar social agreement with the employers and the government regarding the World Football Cup that will take place in Portugal in the year 2004 should be set up. At the point of the study this new agreement was still under discussion.

While the employers only recently started some sort of activities directed at immigrant workers and ethnic minorities, the trade unions have been much more active. The *Confederacao Geral dos Trabalhadores Portugueses (CGTP)* (General Federation of Portuguese Workers) has around 800 000 members and was founded in 1970. It has no special organization body for immigrants or ethnic minorities. However there are no barriers for immigrants who want to become a member of the *CGTP* or who want to be elected as shop steward. In this respect immigrants have the same rights as Portuguese nationals. There exist no statistics regarding trade union affiliation of immigrants. Of course there exist huge differences between different sectors of the economy. Currently the *CGTP* is very active in the legalization campaign. They provide information for all affiliated trade unions how to support irregular immigrants who want to legalize their status. In this recent legalization campaign, for the first time the trade unions can provide the

immigrant with a document if the employer does not want to issue a contract for the immigrant working for him. With this document the immigrant can go to the employment inspection, which then takes the necessary steps regarding the employer. Furthermore the *CGTP* has prepared information material regarding the legalization campaign in Portuguese, Russian, English and French. This information material is disseminated through local trade union offices. In February 2001 they have organized a big meeting in order to discuss how the trade unions can support migrants on irregular situation. In 1999 the *CGTP* has organized a special seminar on intercultural relations. This seminar was organized in co-operation with Instituto de Estudos Pós-Graduados, Centre for the Study of Migration and Intercultural Relations (*CEMRI*). One of the conclusions of this seminar was that intercultural questions should be dealt with in normal training courses. This however has not happened so far. In the seminar participated members of various trade unions affiliated with the *CGTP* and members of trade unions from Spain and Belgium, who also were co-operating this international event. In 1995 the *CGTP* organized a anti-racism campaign in accordance with the European Year Against Racism. They have organized various seminars in which questions of racism in the workplace have been discussed. The *CGTP* is co-operating with different immigrant associations. There is an open dialogue between the *CGTP* and these associations. Many members of the trade unions are also engaged in immigrant self-associations. The *CGTP* is also represented in the *COCAI*.

The *Uniao Geral de Trabalhadores (UGT)* (General Workers Union) is the other big trade union association in Portugal. The *UGT* there has a long tradition of working with immigrants. This is based mostly on the experience of Portuguese emigration and the establishment of trade unions in countries outside Portugal. Trade unions, which are affiliated to the *UGT* and have a high percentage of immigrants working in its section have established special departments for migration and social exclusion. The *UGT* has also a central department concerned with issues of migration and social exclusion. Currently this department is supporting the third legalization campaign of immigrants in irregular situation. To this end special information material has been produced for immigrants and the local branch offices of the trade unions. Furthermore the *UGT* has organized a bus, which is travelling around Portugal and informing immigrants in remote areas on the possibility of legalization. Volunteers of different trade unions run the bus, and it is active each weekend. Another activity is concrete support of immigrants with their paper work in framework of the legalization procedure. *UGT* it does not offer any special kind of intercultural training for job stewards.

There is a wide range of welfare organizations and NGOs providing social support to immigrant and ethnic minorities. However measures promoting the cultural diversity are playing only a minor role. The main focus of these organizations lies within integration

and reception programs. One important welfare organization is the Catholic Church organization, which is promoting the integration of immigrants. It also offers training programs in intercultural management for social welfare organizations. Furthermore it supports immigrants and members of ethnic minorities who have become a victim of discrimination.

The immigrant movement is perceived as something, which has only developed recently. As Portugal until the beginning of the nineties mostly received immigrants coming from the former colonies, who integrated easily and were not perceived as immigrants, it is now confronted with a new phenomena of immigrants coming from Eastern Europe, Northern Africa and Kap Verde. While there are various ethnic minority organizations from the traditional immigrant communities coming from the former Portuguese colonies, there are only few immigrant associations of the new immigrants. One of these new self-organizations is *Oho Vivo* (Open Eyes) a national organization of immigrants in Portugal. It was founded in 1987 but only started to work in the area of migrant support in 1996, with the active support only starting in 1998. Today it has 3.200 members (around 50 percent are coming from Eastern European countries) with over 66 different nationalities and therefore defines itself as a multi-cultural organization. It is an independent organization, which is only financed by its members and through specific projects. Its main activities lie in the support of immigrants with all practical questions regarding work, housing, access to the health system and all other legal issues. Its objectives are the protection of immigrants, their information and support in fighting for their rights. It also tries to lobby politicians, parliamentarians and other organizations such as the trade unions regarding issues concerning migrants and their rights. Furthermore they organize local seminars on different topics, small-scale cultural events such as concerts, film weeks etc. They give talks and information seminars in schools and are a kind of reference or focal point of the Portuguese media, which are interested in a different view regarding immigrants. Through their various activities they do not only try to reach the immigrants but also the majority society. In co-operation with the trade unions, but also in contact with different local employers, they try to initiate measures promoting cultural diversity. However up to now cultural diversity is only a subject for discussion.

The Red Antiracista is a network of around ten organizations active in the area of anti-racism and anti-discrimination, which was set up in 1998 to fight racism in Portugal. The Red Antiracista is co-ordinated by SOS Racism and is above other things support victims of discrimination and lobbying of measures of anti-racism and anti-discrimination. This also included an active involvement in the campaign for the new anti-discrimination law.

The Portuguese Radio and Television (*RTP*) is having a special channel on Africa, *RTP*

Africa, which is especially providing programs for Portuguese people abroad but also on African-Portuguese communities living in Portugal. The radio has specific programs run by ethnic minorities. Furthermore the Catholic radio in Portugal has a focus on immigrants and related issues. They try to raise positive awareness on immigrants and refugees.

4. Measures Taken to Improve Cultural Diversity and Remarks on the National Situation

While the issue of cultural diversity in general and more specifically in the workplace is discussed by various actors in Portugal it is difficult to find initiatives and measures which could qualify as a good practice in the area of promoting cultural diversity in the workplace.

In the legal sphere the coming into force of the law 134/1999 which is prohibiting discrimination in the labour market and gives concrete examples for discriminatory practices is one positive measure. Furthermore the specific provision of antidiscrimination and the general holiday regulation included in the collective agreements in the construction sector and the cleaning sector can be judged as a good practice. This regulation gives all workers the possibility to accumulate holidays up to two months, allowing immigrant workers more easily to return to their country of origin.

Another good practice at the national state level was the establishment of the High Commissioner for Immigrants and Ethnic Minorities who is supporting ethnic minorities and immigrants in Portugal, fighting ethnic discrimination and social exclusion of immigrants and informing the Portuguese society on immigrants. Not only the activities in co-operation with the Institute of Employment and Vocational Training (*IEFP*) have a model character but also initiatives in the field of education. Together with the *IEFP* the High Commissioner is organizing vocational training fostering the insertion of immigrants and ethnic minorities in the labour market. This also includes studies concerning the problems facing the labour market insertion. Furthermore the *IEFP* is in close contact with the employers in order to make them aware of the specific qualifications of immigrant workers. To this end the High Commissioner and the *IEFP* have set up an Action Plan on a yearly basis for all over Portugal. In co-operation with the Ministry of Education they are carrying out various intercultural projects in schools. To this end they have published different handbooks and other material for students regarding anti-racism, anti-discrimination and multi-culturalism. Furthermore the Ministry of Education is sponsoring intercultural seminars directed at teachers and is supporting schools which want to work with cultural mediators. There have been specific mediators focussing on gypsies and the African population.

The project of the Ministry of Health, in which nineteen cultural mediators are employed working in hospitals and other health institutions, can be viewed as innovative on the background of the developments in Portugal. They are working in the Lisbon area. The mediators in this area are providing information to the patients and are a link between the clinical personal and the clientele. This program will be extended in the future.

On the trade union level there is an interest in immigrants and intercultural matters, although concrete activities are still few. However since 1999 the General Federation of Portuguese Workers (*CGTP*) is organizing once a year a seminar on intercultural relations and the workplace. The seminars are organized in co-operation with the Centre for the Study of Migration and Intercultural Relations at the Open University in Lisbon (*CEMRI*). One of the conclusions of the first seminar was that intercultural questions should be dealt with in normal training courses of the trade unions. This has not happened so far however there are preparations that intercultural questions will be integrated in the training courses for shop stewards and other trade union functionaries in the future.

While these measures and good practices might not be innovative or extraordinary in the framework of other European Countries, in Portugal they mean a great step forward in the direction of promoting cultural diversity in a county which since many years has a poly-ethnic society.

Portugal and the Portuguese society have has a long experience with emigration. Many Portuguese people still have experiences having themselves lived as emigrants abroad. Portugal is in the process of ethnicization and becoming a multicultural society. This is due to the long history of immigration from Africa and the strong Portuguese relations to Brazil and the different former Portuguese colonies. Cultural diversity in the society is widely accepted and people from diverse ethnic origins (*PALOP*) are in high-ranking positions of the Portuguese society. Especially the second generation of these ethnic minorities is very well integrated in Portugal. These traditional ethnic minorities have however to be distinguished from the new immigrant groups, especially coming from Eastern Europe and different African countries, who are still not very well integrated and are increasingly facing discrimination. In general the Portuguese society is open towards immigrants. However racism in Portugal is growing, but until now there is no official awareness regarding this theme.

Due to the relatively low unemployment of only about four percent in Portugal, there is no discussion on the discrimination of immigrants in the workplace. As most of them have some work, integration into the labour market is also not considered as a topic. The main problems concerning the labour market integration and discrimination in the workplace are the lack of legal contracting, a lacking of access to social security and the

general problem of working in a precarious environment. Especially the new immigrants coming mostly from Eastern European countries are confronted with irregular work and face problems of finding an adequate legal employment. When working illegally, they are covered neither by health insurance nor by accident insurance. These immigrants have a different culture and have considerable problems when learning the Portuguese language. They need support for the integration. With the immigrants who came from the former Portuguese colonies integration was never a real issue. Currently there are no employers in Portugal actively promoting cultural diversity in the workplace. In enterprises with an active work council problems regarding discrimination etc. often can be solved internally. While it is important to promote measures concerning cultural diversity in the workplace irregular contracting has to be prevented at the same time. It is important to improve the working conditions of persons who are subcontracted as for example in the construction sector. Here a better standard of employment is needed. Furthermore adequate training should be provided to immigrants and member of ethnic minorities. These training initiatives should be mostly based on the local level and not only focus on immigrants but also the autochthonous society.

In the current situation it also seems of importance to support the second and third generation of immigrants living currently in Portugal. In this context schools and other institutions involved in education have a special responsibility.

Although the new migration of people from Eastern Europe and Africa is still very recent, there have been already different good practices taken up to integrate these groups and promote cultural diversity in this context. Furthermore many new initiatives are underway to this end. While in practice some good projects and measures are implemented, especially by state institutions, welfare organizations and NGOs in the field, the interest of the employers in the issue of promoting cultural diversity is still very limited. In this context the immigrant self-organization and associations of ethnic minorities will play a more important role in the future.

5. List of Organizations and Agencies active in the Field

5.1. Public Institutions

Alto Comissário para a Imigração
e Minorias Étnicas (ACIME)
Ombudsman against Ethnic Discrimination
Palacio Foz
Praza de Restauradores
Lisabo
Tel.: 00351 21 3 21 95 00
Fax: 00351 21 3 42 88 10

Ministerio Educação

Secretariado Entreculturas
Dra. Camila Ferreira
Tel.:00351 21 389 5154
Fax: 00351 21 389 5253

Labour Ministry
Committee for Equality at Work and Employment
Maria do Céu Cunha Rego
Tel.: 00351 21 17 96 40 27
Fax: 00351 21 796 0332

Ministerio dos negocios estrangeiros
Mrs. Doelinda Carias
Av. Visconde de Valmor, 19
1049-061 Lisboa, Portugal
Tel.: 00351 21 79 29 700
Fax: 00351 21 79 29 724
Margarida.marques@dgaccp.pt

Dirreccao-Geral da Accao Social (DGAS)
Mrs. Maria de Lourdes Quaresma, Mrs. Meneres
Av Miguel Bombarda 1 - 2º
1050 Lisboa, Portugal
Tel.: 00351 21 352 61 21
Fax: 00351 21 315 07 84
dgas@esoterica.pt

Instituto do Emprego e da Formacao Profissional (IEFP)
Rua Picoas, 14 - 8º
1000 Lisboa
Tel.: 00351 21 356 0049
Fax: 00351 21 353 8139

5.2. Trade Unions

Uniao Geral de Trabahadores (UGT)
rua Buenos Aires, 11
1200 Lisbon
Tel.: 00351 21 600 577
Fax: 00351 21 397 4612

General Federation of Portugese Workers (CGTP)
Mr. Carlos Trindade
Rua Victor cordon, 1 - 2,º
1249-102 Lisboa
Tel.: 00351 21 323 6500
Fax: 00351 21 323 66 95
mcurto-cgtp@yahoo.com

5.3. Confederations of Employers

Confederacao da Industria Portuguesa (CIP)
Mr. Nuno Miguel Alvarez Guedes Vaz
Av. 5 de Outubro, 35, 1º
1050 Lisboa
Tel.: 00351 21 31 64 700

Public Works Enterprises Association (AECOPS)
Mr. Costa Taveres
Rua Duque de Palmela, 20
1250-098 Lisboa
Tel.: 00351 213 110 200
Fax: 00351 21 356 28 16

5.4. NGOs

Obra Católica Portuguesa das Migrações (OCPM)
Campo Mártires da Pátria,
43, 1.º D - 1100 Lisboa
Tel.: 00351 21 885 21 46
Fórum Migrantes da Europa (Representação em Portugal)
Praceta João Vilarett, 5,
2.º Esq. - 2675 PÓVOA DE SANTO ADRIÃO

S.O.S. Racismo
Rua de São José, 50
1150 Lisboa
Tel.: 00351 21 3479905
Fax: 00351 21 3479905
sosracis@esoterica.pt

Rede Anti-Racista (RAR)
Apart. 22508 - 1147-501 Lisboa
Tel.: 00351 21 347 9903 00351 21 347 9905
Fax: 00351 21 342 1557
Rantir@yahoo.com

5.5. Research Institutes

Dr. Maria Beatriz Rocha-Trindade
Universidade Aberta
Instituto de Estudos
Pós-Graduados CEMRI
Rua da Escola Politécnica 141-147
1200 Lisboa, Portugal

Lígia Évora Ferreira
CEMRI Universidade Aberta
Tel.: 0035121 397 23 34 (00)
Fax: 00351 21 397 3229
www.univ-ab.pt/iepg/centros/cemri/cemri.htm

Ms. Maria Leonor Palma Carlos
Instituto de Estudos para o Desenvolvimento
Rua de S. Domingos á Lapa 111-3
1200 Lisboa
Portugal
Tel.: 00351 21 390 96 38
Fax: 00351 21 395 15 70
fladport@flad.pt

Prof. Americo Ramos dos Santos
Instituto Superior de Economia e Gestao
Universidade Técnica de Lisboa
Rua Miguel Lupi 20
1200 Lisboa
Tel.: 00351 21 607 099
Fax: 00351 21 3974153

5.6. Others

Casa do Brasil em Lisboa
Rua São Pedro Alcântara, 63 - 1º Dt. 1250-238
Tel.: 213 471 580
Fax: 213 472 235
secretaria@casadobrasildelisboa.pt
www.casadobrasildelisboa.pt

Casa de Moçambique
Rua da Beneficência, 111,
2.º -1600 Lisboa
Tel.: 00351 21 796 44 71

Associação Caboverdeana
Rua Duque de Palmela
2, 8.º - 1200 Lisboa
Tel.: 00351 21 353 20 98
Fax: 00351 21 35 93 367

Associação para la Defesa do Património, Ambiente e Direitos Humanos
AV. António Enes
Centro Comercial de Queluz, nº31, sala F-7,
2745-068 Queluz
Tel.: 00351 21 435 38 10
Fax: 00351 21 436 64 83
olhovivo@goplay.com

6. Country orientated Literature

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Palma, Carlos; Leonor, Maria; Carlos Diaz; European Foundation for the Improvement of Living Conditions (eds): 1997, Case Studies of good practice for the prevention of racial discrimination and xenophobia and the promotion of equal treatment in the workplace - Portugal. Lissabon.

Obra Nacional da Pastoral dos Ciganos (ed.): 2000, A Caravan. Lissabon. Olho Vivo (ed.): n.d., Olho Vivo - Immigrant support Centre. Quelez.

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Finland

1. Developments of Migration and Population

During the six centuries preceding the Russian conquest in 1809, Finland had been an integral part of the Kingdom of Sweden. Consequently, Swedish had been the national language and it was not until 1863 that the Finnish-speaking population was given the possibility to use their language in official discourses. Finland became independent in 1917 and an equality of Swedish and Finnish as national languages was granted subsequently.

Traditionally, there have been different ethno-cultural minorities in the country. Among the most important are the Sami, Tartars, Jews and Roma. Of the latter, there had been a substantial influx from Sweden from the sixteenth century onwards. The Jewish population of Finland largely descended from the Jewish petty officers and privates who B after many years as conscripts in the Russian army B were allowed to live in the realm of the Russian empire, of which Finland formed a part since the Russian conquest. Moreover, a number of Islamic Tartars were recorded since the early nineteenth century. However, some of the Tartar population appears to have been residing in Finland even prior to this period. Lastly, the Samis, Finland's indigenous population, traditionally live in the northern province of Lapland (cf. Myntti 1993).

An excess of immigrants over emigrants has been a quite recent phenomenon in Finland. Traditionally, immigration regulations for non-Nordic nationals have been strict and foreign labour has never been actively recruited. Thus, where labour migration did and does occur, it is constituted mainly of citizens of EU Member States. The other possibility for admission to the country is based on humanitarian reasons. During the last two decades, a substantial number of foreigners entered under the refugee or humanitarian status or through family reunification. Even after a phase of accelerated growth of the number of immigrants, the share of foreign citizens and ethnic minorities remains among the lowest in the EU.

In 1999, Finland's total population amounted to 5.153 million. Of the total population, about 87680 are foreign nationals, amounting to 1.7 percent, of which around 20000 are refugees. At the same time, the number of persons born outside Finland was 131 120. The number of foreigners had remained fairly constant since the fifties, fluctuating around 11000. A slow increase then began in the eighties, succeeded, in the last ten years, by a rapid and continuous growth. Thus, in 1990, there were only 26255 foreigners in Finland, which amounted to only 0.5 percent of the total population. Relatively

rapid growth of the foreign population occurred during the period 1989-1997 with between 2498 (1989) and 11324 (1991) new arrivals annually (cf. Statistics Finland 1999) During this time the number of foreigner more than tripled.

TABLE 11: FINLAND, STOCK OF FOREIGN POPULATION

Nationality	1996	1997	1998	1999*
Russia + former SU	16997	18991	20489	21245
Estonia	9038	9689	1034	10606
Sweden	7291	7507	7756	7802
Somalia	4555	5238	5371	4594
Yugoslavia	2624	2755	2935	3346
Iraq	1855	2435	267	2834
Great Britain	1803	1907	2058	2138
Germany	1836	1961	2072	2113
USA	1833	1905	2001	2067
Vietnam	2143	2171	1965	1845
Iran	1397	1681	1706	1841
Turkey	1479	1668	1737	1733
China	1471	161	165	1615
Bosnia-Hercegovina	1342	142	1496	1565
Thailand	864	964	1084	1155
Ukraine	536	654	766	821
France	526	632	715	782
Italy	556	613	685	726
Poland	690	684	698	707
Morocco	613	592	542	527
Norway	513	504	507	527
Others	13792	15019	15817	16199
Total	73754	806	8506	86788

* at September 30

Source: SOPEMI Finland 1998

In the nienties, the five largest groups of foreign nationals residing in Finland were Russians, Estonians, Swedes, Somalis and Former Yugoslavians. On the other hand, the Romas, the Samis, the Jews and the Tartars constitute the four largest groups of recognised ethnic origin.

Moreover, there is a substantial Swedish population in Finland, both of Swedish nationality and of Finnish nationality with their first language being Swedish. Legally, Swedish speakers of Finnish nationality are not recognized as a minority, since Swedish is a national language with similar rights to Finnish. About 23000 Swedish speakers live on the autonomous Åland Island outnumbering the Finnish speakers by far (1100).

Apart from the Åland Islands that play host to a majority of Swedish speakers and na-

nationals (4.3 percent), the only regions in which the proportion of foreign residents in 1999 was higher than the national average (1.7 percent) were Uusima (3.3 percent), Varsinais-Suomi (two percent) and Pohjanmaa (1.7 percent), which are all in the South of Finland. The municipalities with the highest proportion of foreign nationals are Maarianhamina (5.4 percent); Helsinki (4.7 percent), Turku (3.6 percent), Vanta and Espoo (3.2 percent each), whilst in absolute terms Helsinki plays host to the by far largest number of foreigners (25884), followed by Espoo (6674), Turku (6205) and Vantaa (5635) (Statistics Finland 1999: 33).

The percentage of males within the individual groups of foreign nationals differs substantially from the relatively balanced overall rate of 50.4 percent. Especially amongst the Italians, Dutch, Moroccans and Turks there was an excess of men over women. Between 76 percent and 77 percent of the members of the latter groups were men. Women, on the other hand, were in the majority within the groups originating from Thailand, the Philippines, Russia and Estonia, counterbalancing the male excess in other minority groups.

Most of the foreigners (74 percent) in Finland in 1999 were of working age (15-64 years of age), which compares with 67 percent for the population as a whole. Correspondingly, the proportion of elderly people is only 6 percent, and therefore well below the national average (15 percent amongst Finnish citizens). The number of children was proportionally slightly larger than amongst the Finns.

Labour Market developments

Of the total number of the employed working population in Finland in 1997 (2019 million) the number of foreign workers was 18886, of which 11746 were men. The total number of foreigners of working age in the same year was 34700. The total number of Finnish citizens of working age in 1999 was 3.396 million (cf. OECD 1997, 2001).

Table 12. Stock of Foreign Labour [Thousands]

	1994	1995	1996	1997	1998
Former USSR	6.0	6.6	7.2	8.0	8.6
Estonia	3.0	3.3	3.7	4.1	4.3
Sweden	2.5	2.7	2.8	3.0	3.1
United Kingdom	0.9	1.0	1.0	1.1	1.2
Somalia	0.8	0.9	0.9	1.1	1.1
Germany	0.8	0.9	0.9	1.0	1.1
Former Yugoslavia	0.8	0.9	0.9	1.0	1.1
Turkey	0.6	0.7	0.8	0.9	0.9
Vietnam	0.6	0.7	0.8	0.7	0.7
United States	0.6	0.6	0.6	0.7	0.7
Iraq	0.2	0.3	0.4	0.6	0.6

China	0.5	0.5	0.5	0.6	0.6
Bosnia Herzegovina		0.2	0.4	0.5	0.5
Iran	0.3	0.4	0.4	0.5	0.5
Thailand	0.3	0.3	0.4	0.4	0.4
Others	6.6	7.1	7.9	8.7	9.2
Total	24.4	26.9	29.7	33.0	34.7

Source: Vital Statistics (Statistics Finland)

The number of immigrant workers in Finland was 26918 in 1995, which represented 1.1 percent of the total labour force. The labour participation rate (based on the whole population) for immigrants has decreased during the 1990s. The rate was 39.3 percent in 1995, while the average rate for Finland was 46.8 percent, which is attributable to the high proportion of people of working age amongst the foreigner workers (cf. Eneh and Ekholm 1997).

Due to the fact that the sharpest increase in the foreign population coincided with the years of economic recession, unemployment constitutes a major problem among the migrant minorities. In 1991, the overall unemployment rate of 12.2 percent compares with a number twice as large among the foreign population. With the worsening of the economic situation, foreigners seem to have been affected hardest. Thus in 1996, the unemployment rate among them was 48 percent, which by 1999 had sunk to a still striking 38 percent. The groups, which particularly suffer from high unemployment are those of Iraqi (88 percent in 1999), Somali (74 percent), Iranian (73 percent) and Vietnamese (68 percent) origin. However, the extremely high unemployment rate cannot be completely explained by referring only to the recession and structural changes in the economy, but discrimination of ethnic minorities and immigrants must have played a decisive role as well. Outside the refugee population, those worst affected by unemployment were the Russians and Moroccans, both of which suffered, with 54 percent and 60 percent respectively, from rates significantly above national average (Statistics Finland 2000: 23).

Table 13. Finland: Unemployed and unemployment rates by nationality 1996-98*

Nationality	1996	1997	1998
Netherlands	12.8	15.7	10.7
Norway	21.2	14.2	11.0
Sweden	17.2	15.6	11.5
USA	17.6	14.4	11.5
Germany	15.5	15.0	11.7
Canada	22.1	13.7	13.3
Denmark	15.3	15.7	13.9
UK	20.9	16.8	14.9
China	16.2	14.5	15.7

France	26.7	14.7	17.5
Italy	28.4	21.8	17.6
Poland	25.2	22.2	18.1
India	31.4	31.6	33.2
Estonia	50.0	41.7	36.8
Turkey	44.9	41.7	39.0
Thailand	51.7	42.7	40.0
Russia+former URSS	59.8	57.3	55.5
Ukraine	58.3	59.6	57.1
Yugoslavia+former Yugoslavia	71.8	68.6	62.5
Somalia	79.6	73.1	65.4
Morocco	64.5	66.8	65.6
Iran	69.8	70.7	73.6
Bosnia and Herzegovina	71.6	69.1	75.0
Vietnam	69.2	68.0	75.2
Iraq	85.7	76.2	93.8
Others	39.3	34.9	31.7
Average foreigners	45.6	42.1	39.8
Average Finland**	14.6	12.7	11.4

* at December 31. Numbers for 1998 are estimations.

** as a year's average

Sources: SOPEMI Finland 1998, Statistics Finland.

Some hierarchy in the Finnish labour market still exists. People from Western European countries hold better positions in the labour market than those coming from Africa or Eastern Europe. Workers from Russia and Estonia suffer from the recessive economy in the nineties, despite the fact that they tended to have relatively low unemployment rates in the eighties.

Immigrant self-employment in Finland is generally low compared to the autochthonous population. Besides the inhabitants from other EU-countries only the Turkish population is showing important rates of self-employment. The main businesses for immigrant self-employment are trade (wholesale and retail) and restauration. As for the immigrant population in general, the biggest part of immigrant self-employment is situated in the Helsinki area. Following estimates from Joronen, there are approximately 2500 immigrant owned enterprises in Finland, of which 1700 are located in the Helsinki region. (All information gathered from Joronen 2001)

2. Anti-discrimination Legislation with regard to the Labour Market

Finland has until now not had a strong individual body of anti-discrimination legislation but it is a signatory to most relevant international human rights instruments. Finland has

ratified the Convention on the Elimination of all Forms of Racial Discrimination in 1970, the International Covenant on Civil and Political Rights in 1976 and the ILO Convention No. 111, which specifically focuses on Discrimination in Employment and Occupation in 1970. However, these international standards do not include nationality as a ground of discrimination.

Finland is signatory to different European legal standards banning discrimination such as the European Convention for the Protection of Human Rights and Fundamental Freedoms (ratified in 1990) and the European Social Charter (ratified in 1991). With the entry in the European Union in 1995 Union citizens are guaranteed equal treatment in most areas.

Article 5 paragraph 2 of the Finnish Constitution prohibits discrimination in general. This provision was integrated only into the Constitution in 1995. Grounds of discrimination include among others sex, religion, age and health, however race is not mentioned separately. Presumably this aspect is covered by the general expression *Another personal reason*. In any event, the protection afforded by Art. 5(2) of the Constitution is only relative as it only can dismiss unconstitutional regulations.

Finland has two specific provisions in the criminal law concerning discrimination in the social or economic field. Article 9 Chapter 11 of the Criminal Code penalises all forms of unjustified discriminatory behaviour in economic or social life. This includes discrimination in business activities, exercising a trade, public services, official functions or other public activities. Until now the provision has given rise to only one Supreme Court judgement. Article 3 Chapter 47 of the Penal Code prohibits discrimination in employment both at the stage of recruitment and during the employment relationship. Grounds of discrimination in this case include race, national or ethnic origin, colour, language, sex, age, family status, sexual orientation, state of health, religion, social opinion, political or union activity or other comparable grounds. An employer found guilty of discrimination at work is to be sentenced to a fine or a maximum of six months= imprisonment. The intent to discriminate as such is not a condition for punishability. It has to be proved by the victim of discrimination that a person has been treated in a discriminatory way in comparison to other job seekers or employees. These provisions seem to be applied fairly often at a lower court level.

Furthermore, the Finnish labour legislation, including the Employment Contract acts, which define employment relationships, applies to all persons at work in Finland. The general anti-discrimination provision laid down under section 17 of the Employment Contracts Act states that *an employer must treat employees equally on grounds of descent, religion, age, political or trade union activities, or any other comparable factor.* This provision is a mandatory part of collective agreements. In the public sector, dis-

crimination against non-nationals is still allowed in some cases. A person has to be Finnish in order to be employed for certain high offices in the police, the diplomatic service, the military etc.

Apart from this legal approach Finland is taking a range of measures to combat racism and ethnic discrimination. However, activities in this field especially concerning the fight against and prevention of racism are still very recent and only started after a black American was assaulted in 1995.

The Office of the Ombudsman for Foreigners was instituted in 1991 and replaced in 2001 by the Office of the Ombudsman for Minorities. It is linked to the Ministry of Social Affairs and Health and the mandate of the Ombudsman covers monitoring the status of foreigners, safeguarding their rights and promoting collaboration between foreigners, authorities and non-governmental organizations. Upon being informed about cases of discrimination against foreigners, the Ombudsman can become active by giving advice to all parties involved. The Ombudsman has been engaged in several cases concerning discrimination, but there were only few cases concerning the labour market. In its final report the Committee on Migration and Refugee Policies put forward a proposal that ethnic discrimination should explicitly be included in the mandate of the Ombudsman for Foreigners (Maahanmuutto- ja pakolaispoliittinen toimikunta 1997: p. 207).

The Committee to Outline a Refugee and Immigration Programme, which was established by the Finnish government for a two year period to prepare a programme for refugee and immigration policy, pointed out in its report to the government that the existing legislation concerning discrimination is inadequate in some areas. An effective and all-inclusive anti-discrimination legislation should offer mechanisms to redress discrimination by victims and function as a signal for the wider society. Furthermore, it was recommended to appoint an Ombudsman against Discrimination by uniting the already existing Ombudsman for Foreigners and the Equality Ombudsman. The establishment of this new Discrimination Ombudsman has been supported by the government and the post will be introduced as of 1 September 2001.

In general it has to be noted that despite different legal provisions protecting foreign workers and job seekers from discrimination there is little use of these provisions and only very few cases are brought before the court. A central problem in this context is the provision of sufficient evidence and proof in case of discrimination. This might be overcome by the revision of the legal system in course of the implementation of the European directive on ethnic discrimination, which changes the burden of proof principle. Progress might also be made with the institutionalisation of an Ombudsman against Discrimination, which has taken place in autumn 2001. By this a kind of enforcement a body is created, which also includes labour discrimination. A comprehensive and de-

tailed codification of migrants' rights to equal treatment is still needed for combating labour-related discrimination.

3. Institutional Development in the Area of Cultural Diversity in the Workplace

At the national level, the Ministry of Labour has been concerned for several years with co-ordinating the vocational training and integration programs of immigrants regarding their integration into the labour market. It has set up special integration programs with a duration from one to six months. These integration programs focus on language acquisition, Finnish culture, vocational training and always include as a practical phase an internship with a private or public employer. These programs are open to all immigrants, not only newcomers, and are usually run by the local communities but financed from the national level. The employment offices at the regional level organise in co-operation with local education institutions specific training courses for immigrants and ethnic minorities. Furthermore, the Ministry of Labour has initiated different programmes promoting cultural diversity in the workplace with the support of the European Union. The Ministry of Labour also co-operates with trade unions and employer associations concerning these issues. The Ministry of Labour has established a special board on ethnic minorities. One of its working groups is focussing on working life. Furthermore, the Ministry of Labour is producing information material for entrepreneurs, however this is not directed specifically towards ethnic entrepreneurs.

The Advisory Board for Refugees and Migrant Affairs was founded in 1992. It is linked to the Ministry of Labour and is led by the highest-ranking functionary in the Ministry of Social Affairs and Health. The Advisory Board is assisting the Finnish government in the administration of immigration and refugee policies. Above other things, one main function of the Advisory Board is to promote equal opportunities for immigrants and refugees. Since 1992 the Advisory Board for Refugees and Migrant Affairs has issued different action programmes against racism and xenophobia as well as concerning refugee and immigrant policy. These programmes also include proposals for measures improving the cultural diversity in the workplace.

The first state programme on integration was set up in 1997. There was a kind of follow-up and evaluation activity organised by the Ministry of Education. Already in 1997 the question of recruiting immigrants in the public sector was discussed, but not many activities followed this debate. There might have been some progress at the local level but comprehensive information is not available. A new Action Plan to combat ethnic discrimination and racism with the title *‘Towards ethnic equality and diversity’* was published by the government in March 2001. This Action Plan has been prepared by the

Ministry of Labour from the national level in co-operation with employment and social services at the regional and local levels. They tried especially to focus on the local level as at this level the practical activities have to be implemented. The co-operation with the local administration is also important because it is usually rather independent and therefore difficult to influence. Regarding the implementation of the integration law (1999), the municipalities at the local level are also responsible for its implementation. These programmes at the local and regional levels should besides activities directed directly at the immigrants, include measures designed to raise the awareness of the Finnish population and fight existing stereotypes about immigrants. They should be directed towards the improvement of ethnic relations. The new integration plan gives concrete practical advises on what to do regarding the recruitment of immigrants etc. It demonstrates examples of good practices.

The Ministry of Social Affairs and Health has a working Department for workers= rights and security issues that is concerned with all workers in Finland. The main task of the labour inspector authorities is to monitor and improve working conditions, accident prevention, health conditions etc. They are also responsible for ethnic minority and immigrant workers but in most cases they deal with technical and security questions, but less so with discrimination. Until now the labour inspector authorities have lacked the adequate resources to deal with ethnic discrimination in the workplace. The task of the labour inspector authorities is to perform investigations in all cases of discrimination in the workplace and give recommendations to the court in charge of cases regarding the workplace. Usually the judges follow their recommendations. They have only dealt with very few cases in this area. The government has asked them to become more active in the area of ethnic discrimination.

The Ombudsman for Foreigners, which was established in 1991 and transformed into the Ombudsman of Minorities in 2001, has the task of monitoring the rights of immigrants and supporting them concerning their legal problems. Most problems are related to issues concerning legal status and unemployment. The Ombudsman advises immigrants and refugees, and publishes a report every five years on the overall situation on foreigners living in Finland. Until now he/she has mostly focussed on refugees and asylum issues. Questions concerning cultural diversity have only played a marginal role. Furthermore, the Ombudsman has an advisory function with respect to the Finnish government. On an informal level he/she closely co-operates with immigrant self-help organisations and NGOs. In April 2001 the Finnish parliament decided that the Ombudsman will be transformed into an Ombudsman against Discrimination from the beginning of September 2001 onwards. He/she will then receive more resources to work with, and become active in the field of anti-discrimination and the promotion of diversity. One of his/her main tasks at that point will be to report on all areas of ethnic discrimination. The

office of the Ombudsman will be integrated into the Ministry of Labour. It is foreseen that the Ombudsman will then serve as a kind of reference point for everyone seeking support concerning ethnic discrimination.

Until now, only few bigger employers in the private and public sector have been interested in issues concerning cultural diversity. Some of these employers have cooperated with the Ministry of Labour and the trade unions in different programmes promoting the cultural diversity in the workplace. The employers= association is interested in the subject, but has not taken any specific measures until now. The main question for the employers= association as well as many Finnish employers facing labour shortages, especially in highly skilled professions is currently how to make it possible to recruit immigrants in certain segments of the labour market.

In the past few years, the trade unions in Finland have tried to become more active in the area of anti-discrimination and promotion of cultural diversity. This partly has to do with the fact that more immigrant workers have become affiliated and active within the trade union structures. Initiatives can especially be found within trade unions who organise a high percentage of immigrant workers and persons with an ethnic minority background such as the trade union in the cleaning sector. The Central Organisation of Trade Unions (*SAK*), which is, with one million affiliates, the largest trade union in Finland and has 23 member organisations, has established an informal working group which discusses issues of cultural diversity, discrimination etc. Furthermore, the *SAK*, as well as the other two big trade unions confederations, the Finnish Confederation of Salaried Employees (*STTK*) with 650000 members and the Confederation of Unions for Academic Professionals in Finland (*AKAVA*) with 400000, is involved in the working group of the Ministry of Labour concerning the issues of work and immigration. There is a good co-operation with the Ministry of Labour, the social partners as such and the immigrant self-help organisations. Furthermore, the *SAK* is involved in the National Plan for Inclusion in the Framework of the EQUAL programme. However, until now *SAK* has mostly participated in the discussion process and has not become really active. They are in favour of establishing a larger training programme for employers in the area of interculturalism but the employers until now were not interested in setting up these kinds of programmes. At the *SAK* general trade union congress, which took place in May 2001, the issues of immigrant workers were debated. There was a motion by a member union asking for activities to support immigrant workers. This was favoured by the congress and hopefully will lead to more activities supporting immigrant workers. At the regional level, several trade unions have set up immigrant workers groups. However it has to be mentioned that currently a special concern of Finnish trade unions in Finland is the enlargement of the EU. Many trade union members fear mass immigration to Finland after different Eastern European countries have joined the EU. One task of the trade

unions, therefore, is to counteract these fears.

The number of NGOs concerned with anti-racism and anti-discrimination is still rather limited in Finland. One prominent organisation is the Finnish League for Human Rights, which is a traditional human rights organisation. It started to monitor racism and discrimination in Finland in 1990, and, following that, became the Finnish Raken Focal Point for the EUMC. As the focal point, the Finnish League tried to set up a comprehensive database on racism and ethnic discrimination in Finland. They receive data from the police and the administration on a regular basis, which is fed into the database. Furthermore, they give legal counselling by phone twice a week supporting victims of discrimination (all fields of discrimination), which is operated by volunteers, usually students of law. The councillors usually give their opinion on the case and try to identify if discrimination has occurred. In such cases they advise their clients on what to do next. The promotion of cultural diversity has until now only played a limited role. The question of cultural diversity in Finland in various areas such as education or the labour market has, however, been discussed at various conferences organised by the Finnish League for Human Rights.

Apart from this, there are a variety of smaller anti-racist and anti-discrimination groups all over Finland. They mainly organise conferences, seminars etc, regarding themes in the field of discrimination and racism. Once a year a special anti-discrimination week is organised by various NGOs. Furthermore, some of these groups are involved in intercultural and anti-discrimination training courses for the public and private sector. There is, for example, the RAMUS network, a network of anti-racist groups, which was established in 2002. It is a network of several NGOs, governmental and municipal officials, researchers and individual, who have also launched a specific website and an informative email exchange. The *Kehitysyhteistyön Pavelukeskus (KEPA)* (Service Centre for Development Cooperation), an umbrella organisation of NGOs active in the area of Third World activities, organises the multicultural festival *AA World in a Village@* every two years. Furthermore, together with the Finnish Red Cross, they have worked on an educational programme called *ADiscrimination Hurts@*, which is directed at Finnish students.

Immigrant self-help organisations in Finland are rather small and not very well organised. Until now they are rather separated and have yet to organise an umbrella organisation. Only the organisations of the traditional minorities like Jews, Tatars, Russians and Estonians are better organised and more influential. The immigrant self-help organisations usually lack the necessary resources to become active themselves. There are two Russian Radios, Radio Sputnik and the Russian-speaking newspaper Novotny and Spektra.

In the field of cultural projects supporting cultural diversity, the *kulttuurikeskus Helsingin kaupungin (Caisa)* (International Cultural Centre Caisa) in Helsinki must be mentioned. *Caisa* aims to support the multicultural development of the city by promoting the interaction of people with different ethnic origins, and by providing information about various cultures and about the Finnish society. In 1985 the regional government first mentioned the project of establishing a multicultural centre in Helsinki. In 1990 the discussion gained strength when about 30 NGOs became involved in the process of lobbying actively for the establishment of the Centre. The city realised the need for something to be done in the field of preventing racism and xenophobia, and therefore decided in 1995 to finance the Centre. In 1995 finally the *Caisa* was established by the City of Helsinki. It is a public service organisation linked to the Department of Culture. During these first two years of its existence, *Caisa* was mainly a meeting place of immigrants' self-help organisations, NGOs active in the field and a place for exhibitions and some cultural events. The café was only opened up during the evening hours. Since 1998 *Caisa* has gained more momentum. It has started to look at the potentials of all employees and volunteers at *Caisa*. They were encouraged to offer courses and activities such as sports courses, computing courses, music and arts courses etc. Furthermore, they started to co-operate more strongly with immigrant organisations, which organised more debates and events at the premises of *Caisa*. *Caisa* has set up a student advisory centre of young migrants advising them on all questions related to the labour market, work field, training courses etc. in six different languages. Furthermore, once a week people from the employment office come to *Caisa* informing the immigrants about the work and activities of the Employment Office. In this framework, representatives of trade unions, enterprise associations, specific enterprises etc. have also been invited to present their organisation and its services. There is also a special seminar for students who are looking for a job during their summer vacations, and a special market place for this kind of jobs has been established. Around 200 people last year attended this seminar. *Caisa* has well-established contacts with enterprises in the Helsinki region and the employers associations. Members of *Caisa* make regular visits to these enterprises, discuss with them their needs and try to advise them on how to recruit more immigrants and how to deal with a culturally diverse workforce. Apart from this, *Caisa* regularly offers courses for immigrants who want to establish a business. Other courses and training measures support the establishment of immigrants' self-help organisations. *Caisa* furthermore informs these groups of available resources, helps them in applying for projects and funding, and offers them access to its own technical resources. Here a specific focus lies in the establishment of friendship organisations between Finnish and immigrant people. Furthermore, *Caisa* has its own radio emission (two times a week, Thursdays and Saturdays), which focuses on the activities of *Caisa* and other issues dealing with immigration, multiculturalism and ethnic relations. They regularly interview representa-

tives of immigrant self-help organisations, artists and other outstanding immigrants. The radio programme is made in Finnish, English and French. The *Caïsa* magazine is published 4 times a year, and offers information in various languages on different themes in the area of migration and multiculturalism. Furthermore, *Caïsa* publishes an intercultural calendar each year. At the *Caïsa* fair, which is also organised once a year, around one hundred organisations in the field of immigrant and refugee support present their work and activities. Related to the larger Finnish society *Caïsa* offers and organises intercultural training courses to the police, teachers, civil servants, social workers etc. These training courses are carried out in the premises of the relevant organisation but usually include a visit to *Caïsa*, offering to the participants that they get in contact with immigrants and refugees.

There are three similar cultural projects in other Finnish towns, however none is as large and well established as *Caïsa*. In every bigger town in Finland some kind of multicultural centre has been established. These centres have organised themselves into a kind of network which regularly meets in order to exchange information on their work and to discuss their activities. The Finnish Red Cross is especially active in running these centres.

There is a lot of general media attention on the subject of immigration, discrimination and racism. The biggest newspaper in Finland, which is also quite influential at the political level, has a very positive stance towards immigrants and is in favour of supporting immigrants= integration etc. It regularly reports on these issues. A study by the Ministry of Education published in 2000 showed that newspapers mainly handle ethnic relations and immigrant issues objectively, without using the previously common images and generalisations.

4. Measures Taken to Improve Cultural Diversity and Remarks on the National Situation

Finland has only in the last five years become active in promoting cultural diversity in the workplace. Most initiatives can be found at the local level, with a high concentration of measures being located in Helsinki, where the percentage of non-European foreigners is the highest throughout Finland. At the national level, it is especially the Ministry of Labour, which has tried to initiate some projects in co-operation with the social partners, but funding and sustainability of the projects as well as a lack of interest from employees and trade unions have been a problem. However, with regard at the overall situation, some measures can be pointed out as exemplary.

In 1998-2000 the Finnish Ministry of Labour in co-operation with representatives from

the social partners implemented the project "Integration of immigrants into working life (*MATE*)", which was funded by the European Union. Among other things, the Ministry of Labour has organised an advertisement campaign within the framework of this project that focuses on small and medium enterprises, which had recruited immigrants and were satisfied with their work. Immigrants, immigrant advisors, authorities and companies were involved in setting up the campaign. The campaign was published on a wider scale in magazines for the chambers of commerce, entrepreneurs in the Helsinki area and SMEs. Altogether, more than 100000 copies of these magazines were distributed throughout Finland. The articles of the campaign focussed on companies who had recruited immigrants, diversity management, services of the labour administration in this area and information on immigrants who had found employment. As part of this advertising campaign, training on diversity management was carried out and a video introducing diversity management produced and disseminated.

One aim of this project was to counteract the fears of many employers who do not want to employ foreigners, especially when coming from non-European countries, because they believe that migrants and ethnic minorities lack the adequate qualifications for recruitment. Furthermore, the projects main aim was to improve the labour market position of immigrants and to increase their possibilities in finding employment. To this end, the project involved different activities and tasks. One part was a study analysing the attitudes of Finnish employers towards immigrant job seekers, which demonstrated that it is rather difficult for immigrants to be employed on the basis of their professional skills and experiences. Immigrants have a chance to be employed if they have a sufficient command of Finnish (or Swedish), however the informal eligibility, such as attitudes, culture etc. play an important role. Furthermore, as part of the project, the services of the employment office towards immigrant job seekers were evaluated. At the practical level, the City of Helsinki carried out a labour market training course for immigrants. This training course was linked to a six months trainee-ship within the city administration. The supervisors of the course were trained beforehand on immigrant issues and intercultural communication. Furthermore, they learned to chart immigrants` professional skills. A summer jobs project targeted at young immigrants with the aim of encouraging young immigrants to take up a job during their summer vacations was especially successful.

During 1998-1999, the Ministry of Labour ran another project promoting the establishment of multi-cultural workplaces in Finland. The project was carried out in close cooperation with the social partners, as it was co-ordinated by the work life section established in the context of the Advisory Board on Ethnic Relations under the Ministry of Labour. Members of the work life section included the Central Organisation of Trade Unions (*SAK*), the confederation of Finnish Industry and Employers (*TT*), Employers of Service Industries (*PT*), the Central Organisation for Academic Employees (*AKAVA*),

and the Ministry of Labour and representatives of Finland's ethnic minorities. The main aim of the project, called "Spreading Good Practices in Enterprises", was to make the value of cultural diversity in the workplace known to a wider public, especially employers, and to look for experiences and good practices already existing in this area. Initially around ten companies were willing to participate in the project; in the end, however, only five companies participated throughout the project. These included Nokia, the City of Helsinki, ISS Suomi and the Finland Post Ltd. As part of this pilot project business visits to the five participating companies and other businesses promoting cultural diversity in the workplace were organised in order to see their activities in the context of promoting cultural diversity and recruiting personnel from a diverse ethnic background. During these three to four-hour long visits, usually human resources staff, persons with an immigrant background and managerial staff were meet in order to discuss with them the specific strategies of the company to promote cultural diversity. The project participants also went to the UK and the Netherlands to visit companies and initiatives there, and attended a conference on Employment, Equal Opportunities and Diversity organised by the European Business Network for Social Cohesion in Vincenza. At the end of the programme, the different companies received a prize for cultural diversity in acknowledgment for good co-operation and active participation.

The project found that all the participating companies had very different strategies in promoting cultural diversity in the workplace. ISS Suomi, which operates in the fields of cleaning and real estate, trains employees with an immigrant background to perform managerial tasks and offers training course to help familiarise its new multicultural workers with their new jobs. The City of Helsinki offers personnel multicultural training courses in order to give them the competence to serve a multi-ethnic clientele. The Mail Centre in Helsinki tries to ensure cultural diversity through a specific pay system and the possibility of promotion. Furthermore, Finnish language instructions are organised for employees with an immigrant background, important regulations are translated into the required languages and arrangements concerning workers' mealtimes, breaks and holidays have been flexible according to the wishes of the workers.

Another part of the project consisted in organising a multicultural market in co-operation with the organisation Students Studying for a Profession (*SAKKI*). The main aim of this fair was to establish a meeting place for the majority population as well as the immigrant population and ethnic minorities' representatives. As the idea of the market was to demonstrate multiculturalism and the new open culture via experiences, the market was divided in several rooms allowing the various groups to present their activities and services to the public, which consisted mostly of young people and young adults. The market was visited by some 40000 people and received much positive publicity from the media and among decision-makers. The project ended in 1999 and could not be contin-

ued due to a lack of funding and interest from Finnish enterprises. The project was more a kind of learning process regarding what could be done to recruit immigrants etc. Together with the five participating enterprises, they are currently undertaking a workplace action research project. In this context, they meet regularly with Human Resources and Public Relations specialists and discuss how to improve the situation for immigrants and how make it possible to recruit migrants and make them stay in the long run. This research is financed by the enterprises themselves. They have developed a kind of questionnaire for workers to find out how they feel and which problems they are confronted with.

The International Cultur Center *Caïsa*, a part of the local city administration in Helsinki, has managed to organise a apprenticeship programme for 20 immigrants to be trained over the course of two and a half years in the public administration of the city of Helsinki. Through this programme, immigrants and ethnic minorities are recruited for the public sector, where the number of ethnic minorities is still very low and a culturally diverse workforce is lacking. Ten of them are working directly with *Caïsa*, and the other ten are working in different departments of the city. Their training is a combination of theoretical and practical training. The responsible person monitors the departments in the scheme and the individual participants in order to prevent problems and conflicts. These ten people involved with *Caïsa* have now opened new ways for long-term planning, as it is possible to carry out longer projects.

Kepa organises the World Village Festival every two years in the beginning of May. The main aim of the festival is to present different cultures around the world and raise awareness about ethnic minority cultures, development issues etc. It wants to provide a possibility of cultural exchange and cultural diversity by presenting a diverse set of cultures. This is done through music performances, theatre, discussion and readings. Furthermore, NGOs and immigrants= self-help organisations have the possibility to present their work and sell products and ethnic food from their country of origin. The first World Village Festival was organised in 1995. Last year the special theme of the Festival was on development issues. Until now, the 1999 Festival was the largest event with around 50000 participants. The Festival has received very good media coverage by local and national television stations and broadcasting stations. The World Village Festival is organised by KEPA in close co-operation with immigrant self-help organisations and different NGOs. Various sub-groups are responsible for organising specific sections of the festival such the music events, exhibitions, panel discussion etc. Apart from the World Village Festival in Helsinki numerous similar events take place in other cities in Finland. Apart from this, markets of opportunity are organised in different cities, where immigrant self-help organisations and NGOs can present their work and activities. In order to improve the quality of the World Village Festival, a survey with participants and the NGOs

and immigrant self-help organisations involved in the Festival will be carried out this year in order to review their opinion on the Festival. Furthermore, media coverage of the Festival will be analysed. On the basis of these two levels of analysis, proposals on how to improve the Festival in the future will be identified.

Intercultural training is now quite common in most areas of the public service sector. In the police academies, cultural training will become obligatory. In general, the police has tried to become active in this area and has started to recruit immigrants if possible. There are vocational intercultural training courses for many different occupational groups. Intercultural training has become especially important in the area of education and teaching. However, the intercultural training mostly focuses on legal questions, e.g. information on the status of immigrants and refugees, what rights they have etc., it does not include very many intercultural or awareness raising elements.

The service union (restaurants etc.) published a special paper on migration in February 2001. Usually, the trade unions with a higher percentage of immigration have some kind of training for their job stewards with an ethnic minority background. In general, the training for job stewards has included some elements regarding the specific situation of immigrants workers and discrimination. The Confederation of Unions for Academic Professions in Finland (*AKAVA*) has been especially active in this area. Traditionally in the municipal sector immigrant participation is high, because newly arriving immigrants have to join an integration plan in their first three years, which usually includes some kind of longer internships, which are often inside the public sector. During these internships and training phase they can become members of the respective trade unions. After ten months of work they will receive welfare benefits and unemployment money and can stay inside the trade union.

Immigration is still a new issue in Finland. Questions such as racism and discrimination have only become relevant issues in the last five years. Even the administration does not yet have a clear idea about discrimination. Until now, only a few cases concerning ethnic discrimination have been reported to the court. Also only very few severe cases of ethnic violence or racist attacks have been registered, however it is an area which needs close observation. Most cases of discrimination in Finland take place in the area of the labour market and regard recruitment issues. Another problem is that the Finnish authorities often do not recognize the qualification of immigrants. Discrimination based on ethnic grounds also takes place in the housing sector. Often it is very difficult for immigrants to buy their own property. Mostly they depend on state housing.

A problem of a more general nature within the Finnish central administration concerning migrant matters is the lack of unity. Foreigners= matters are handled through various ministries and this results in overlaps and gaps both of which are unnecessary. The role

and activities of the labour inspector authorities and the social partners in the field of discrimination could be enforced. The labour inspector authorities are under the obligation to monitor the implementation of the regulations of the Labour Law. They are ordained to work in close co-operation with the social partners. The labour inspector authorities could put more emphasis on discrimination issues in carrying out their duties and use their right to bring cases to the attention of the public prosecutor more effectively.

Concerning the public sector, there are not many activities promoting the integration of ethnic minorities. It is a severe obstacle for immigrants that all civil servants have to speak Finnish and Swedish. There are only some exceptions regarding lower qualified jobs. However there might be changes in the future, as the people working in the public sector generally tend to be in their fifties, so there will be a generational change in the next years. The staff of local employment offices usually receives a one or two day training course in intercultural practices. This is now quite common in the whole public service sector, especially for the higher-ranking positions. However, until now these kinds of training programmes are not obligatory. The Ministry of Labour provides the regional and local employment offices with information material regarding cultural diversity and the specific needs of ethnic minorities. They also try to lobby the employment offices in order to raise awareness of the need to support immigrants with their labour market inclusion.

Three years ago there was still very little interest in initiatives and measures promoting cultural diversity in general, and specifically in the workplace. This has changed now, mostly because of the debates around demographic change, which will take place over the next years in Finland. More and more people are supporting more immigration, and are starting to realise that Finland is destined to become a country of immigration. Most activities promoting cultural diversity until now, however, are only at the level of discussion, and in practice only few initiatives and projects have been taken up. As shown here, different actors were involved and measures were focussed on different areas and principles. For the future, especially education and training of employers as well as of immigrants themselves will play a crucial role in this process.

In general the situation for immigrants in Finland has improved during the last years. This, however, is mostly related to the positive economic developments. Finland should use the capacities of immigrants. Therefore it is crucial to influence employers at the local level concerning their attitudes towards immigrant and ethnic minority workers. The public sector should clearly outline an equal opportunity approach towards ethnic minorities. Labour market organisations should state clearly that they are in favour of immigrants and cultural diversity. Positive examples should be given. In this context, the Min-

istry of Labour might play a crucial role, which wants to focus more on making public the positive experiences of enterprises working with immigrants as a kind of role models.

5. List of Organisations and Agencies active in the Field

5.1. Public Institutions

Ombudsman for Minorities
Ministry of Labour
Ulkomaalaisvaltuutetun toimisto
Mikonkatu 4, 6.krs.
00101 Helsinki, Finland
Tel.: 00358 9 1856 3790 (direkt)
00358 9 1856 1(operator)
Fax: 00358 9 1856 4375

Ministry for Labour
Mrs. Päivi Järviemi
Eteläesplanadi 4
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Ministry for Labour
Mrs. Mervi Virtanen
Ministry of Labour
Eteläesplanadi 4
PL524
00101 Helsinki, Finland
Tel.:00358 9 1856 8020
Fax: 00358 9 1856 7950
mervi.virtanen@mol.fi

European Refugee Fund Ministry of Labour
Mrs. Tarja Rantala
Mikonkatu 4, 5/6th floor
Tel: 00358 9 1856 43 85 00358 40 569 4056
Fax: 00358 9 1856 4383
tarja.rantala@mol.fi

Ministry of Social Affairs and Health
Occupational Safety and Health Inspectorate of Uusimaa
Tel.: 00358 9 774 711
Fax: 00358 9 730 798
helsinki.tsp@tsp.stm.vn.fi

Directorate of Immigration
Mrs. Tarja-Riitta Nissinen
Head of Information
P.O.Box 92
00531 Helsinki
Tel.: 00358 9 476 55 704
Fax: 00358 9 476 55 858
City of Helsinki
Arto Antman
recruitment of immigrants
intercultural training for civil servants
Tel.: 00358 9 310 43350
Fax: 00358 9 310 43770

Helsinki City Social Service
Leena Pellilä
Dagmarinkatu 6
SF-00100 Helsinki
Tel.: 00358 9 169 41 08 169 41 00
Fax: 00358 9 169 41 22
leena.pellila@kkansl.hel.fi

Intercultural Cultur Center Caisa
Tuula Meres Wuori
Kaisaniemenkatu 6B
FL- 00100 Helsinki
Tel.: 00358 9 169 3969
Fax: 00358 9 169 3885
tuula-meres-wuori@hel.fi

5.2. Trade Unions

AKAVA (Confederation of Unions for Academic Professionals in Finland)
Rautatieäisenk 6
00520 Helsinki
Tel.: 00358 9 141 822
Fax: 00358 9 142 595

SAK (The Central Organisation of Finnish Trade Unions)
Mirja Janerus
Hakaniemenranta 1, 3rd fl.
00530 Helsinki
Postadresse:
PO Box 157
FIN-00531 Helsinki
Tel.: 00358 9 7721 1
Evelyn: 00358 9 7721 320
Fax: 00358 9 7721 447
Fax: International Department:
00358 9 7721 223
00358 9 7721 377
sak@sak.fi

STTK
Pohjolsranta 4 A, IV kerros
PL 248
00171 Helsinki
Tel.: 00358 9 131 521
Fax: 00358 9 652 367

5.3. Confederations of Employers

KT (The Commission for Local Authority Employers)
Toinen linja 14
00530 Helsinki
Tel.: 00358 9 7711
Fax: 00358 9 771 2299
info@kuntaliitto.fi
www.kuntaliitto.fi

TT (the Confederation of Finnish Industry and Employers)
Eteläranta 10
00130 Helsinki
Tel.: 00358 9 68 681
Fax: 00358 9 68 68 23 16
tt@tt.fi

5.4. NGOs

AFF (Association for Foreigners in Finland)
Punavuorenkatu 21 B41
FIN-00150 Helsinki
Tel.: 00358 40 52 30 880
Fax: 00358 98 27 30 40

Finnish League for Human Rights
PO Box 126 - Kaisaniemenkatu 3a2
FIN-00101 Helsinki
Tel.: 00358 9 41 55 2599
Fax: 00358 9 41 55 2520
iol@kaapeli.fi
www.ihmisoikeusliitto.fi

AboAkademi for Human Rights & Lawyer Consultant
Opinio Juris Legal Services
Pohjoinen Hesperiakatu 3 B 9
00260 Helsinki, Finland
Tel.: 00358 41 510 12 11
Tel./Fax: 00358 9 477 11 45
makkonen@kaapeli.fi

National Equal Opportunities Network - NEON
Eerinkatu 42 LH1
FIN-00180 Helsinki
info@neonfinland.org
www.neonfinland.org

Helsingin Diakonissalaitos
(Diakonie Helsinki)
Jussi Särkkä
Itäreimarintie
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CityTel.: 00358 9 8503 1160
Fax: 00358 9 3434 8230
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Finnish Red Cross
Mr. Markku Niskala
Secretary General
Tehtaankatu 1a
Box 168,
00140 Helsinki
Tel.: 00358 9 12 932 74
Fax: 00358 9 65 41 49
postmaster@redcross.fi
<http://www.redcross.fi>

Kepa ry, Service Centre for Development Cooperation
Sörnäisten rantatie 25, 3.krs
00500 Helsinki, Suomi-Finland
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5.5. Research Institutes

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Maarit Pitkänen
Vantaa Institute for Continuing Education
Open University of Helsinki,
Unikottie 5B, 01300 Vantaa, Finland

5.6. Others

Finland Post
Mr Hannu Sojakka
Posti/ PKS jakelu
PL 1010
00011 Posti
hannu.sojakka@posti.fi
tel: 0400-454 413

NOKIA
Mr Olli-Pekka Ihalainen
Ad: Nokia
Keilalahdentie 4
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olli-pekka.ihalainen@nokia.com
tel: 0500-548 392 & 1807 507

ISS Suomi
Mr Harri Perttinä
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00421 Helsinki
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6. Country orientated Literature

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Sweden

1. Developments of Migration and Population

Charles Westin (1996) suggested a conceptual partition of post-war immigration to Sweden into four characteristic phases. Following his distinction, during the first phase, covering the period 1940-48, immigration was dominated by refugees from the neighbouring countries. During the second phase (1949-71), migrants from Finland and southern Europe dominated the influx of foreign nationals. During this period of general economic growth and expansionary industrial development the provision of an adequate labour force both in terms of size and qualification could not be guaranteed by residents of Sweden alone. Thus, immigration controls, insofar they had been existing previously, were loosened, generating an influx of labour that matched the economy's requirements. The beginning of the recruitment of labourers from Mediterranean countries such as Greece, Italy and Yugoslavia coincided with the establishment of the common Nordic labour market. After almost two decades of sustained growth and uncoerced immigration, under the strains of the globally recessive economic developments during the early seventies, the non-Nordic labour immigration came to a halt.

During the period 1972 to 1989 a third phase of immigration can be isolated, characterised by family reunification and refugee immigration. Predominantly during the seventies, refugees fleeing Chile after the military coup of 1973 constituted the largest part of immigrants. This flow of Latin American refugees was then superseded by asylum-seekers from the Middle East at the beginning of the eighties. The Iran-Iraq war was the main cause for this new flow of refugees. By the end of the eighties, non-Nordic migration accounted for 70 percent and non-European immigration for half of the total immigration to Sweden.

The latest phase of immigration commenced with the last decade of the twentieth century. Political events on the Balkans lead to increased numbers (up to 30 000 each year) of asylum-seekers from Former Yugoslavia. As a result, asylum regulations were tightened, changing from a more liberal interpretation of the meaning of political refuge to a narrower definition based on the Geneva Convention.

Despite the recurrence of the term immigrant in the official statistics of the Swedish government, there is no officially and generally accepted definition of the word in use in Sweden. The broadest definition includes all people who were born in another country and their children. A narrower definition embraces only foreign citizens from abroad. 'First generation' immigrant usually refers to persons born abroad, regardless of whether

they are foreign citizens or have acquired Swedish citizenship. Persons born in Sweden, but with one or both parents born abroad comprise second generations' immigrants according to this usage (cf. Soininen and Graham 1997). The National Immigration Board further notes that the term 'foreign citizens' is used synonymously for immigrants or the definition of these. Recurrent phrases in administrative contexts are 'foreigner', 'asylum seekers', 'refugees', 'foreign born', and 'foreign citizens'.

In 1998, Sweden's total population amounted to 8.852 million inhabitants. Of the total population, about 593000 are foreign nationals (6.7 percent), 221300 (2.5 percent) immigrated Finns and about 6000 Samis in the north of the country. The annual population growth rate fluctuated around 0.5 percent during the last ten years (von Barratta: 2000: 698).

However, in 1998 968700 of the residents in Sweden had been born abroad, accounting for 10.9 percent of the total population. Of these, forty percent had been residing in the country for over twenty years and 558200 held Swedish nationality. Another 779000 people were born in Sweden, but had links, via their parents with at least one other country. Thus in 1998, there were in total 1.746 million people of foreign origin, accounting for 19.7 percent of the total population (SOPEMI 2000: 256). In the nineties, the five largest groups of foreign nationals residing in the Sweden were the Finns, Norwegians, Iraqis, and refugees from Former Yugoslavia, Danes and Iranians.

The largest groups of foreigners are the Finns at around 52 000, followed by Yugoslavs (31000) and Norwegians (17000). Iranians, of whom there are around 9 000, form the largest non-European group. Since 1985, the number of Finnish nationals in Sweden has decreased continuously, from 138600 in 1985 to 99900 in 1998. The number of nationals from Former Yugoslavia, which peaked in 1990 (41100) similarly decreased thereafter.

During the last ten or so years, however, the population of foreign nationals in Sweden has been declining continuously; which can be attributed to the increased number of naturalisations, especially in 1998 (46 500), as the net migration of foreigners had been positive throughout the nineties.

TABLE 50. SWEDEN, STOCK OF FOREIGN POPULATION BY NATIONALITY, IN THOUSANDS

	1985	1990	1995	1996	women 1996	1997	women 1997
Finland	138.6	119.7	104.9	103.1	57.1	101.3	56.4
Former Yugoslavia	38.4	41.1	32.3	36.6	17.8	33.6	16.2
Norway	26.4	38.2	32.3	31.7	16.5	31.0	16.2
Iran	8.3	39.0	29.3	27.2	13.4	26.2	12.8
Denmark	25.1	28.6	26.5	26.0	11.1	25.4	10.9
Iraq	3.5	7.7	21.3	22.8	10.0	24.8	11.0
Turkey	21.5	25.5	20.3	18.9	9.7	18.4	9.3
Poland	15.5	15.7	16.0	15.9	10.8	15.8	10.8
Germany	12.0	13.0	13.4	13.9	6.6	14.4	6.8
Chile	9.2	19.9	13.0	12.4	5.9	11.9	5.6
Other countries	90.1	135.3	216.4	218.1	107.2	215.1	94.5
Total	388.6	483.7	531.8	526.6	266.1	552	263.9

Source: Sopemi 1998, 1999

Labour Market Developments

At the end of 1998, around four million Swedes were holding jobs. Of these, 2.079 million were males and 1.901 million females. During the same year, the total number of employed persons had increased by 117000, which was the largest increase so far in the nineties. Despite the boom, another 450000 would have been required to reach the 1989 level, when the number of people employed peaked at 4.442 million.

In 1998, there were 219000 foreign workers in Sweden, of whom 98000 were women. This figure has been relatively stable over the past five years and represents approximately five percent of the total labour force (3.979 million of which 2.079 million men and 1.901 million women). Those from the other Nordic countries and the Former Yugoslavia predominate on the labour market.

Table 51. Sweden, stock of foreign labour by nationality 1993-1998, thousands of

Of which: women								
	1993	1994	1995	1998	1993	1994	1995	1998
Finland	61	58	56	52	34	32	33	29
Norway	18	18	19	17	9	8	9	9
Iran	12	14	15	9	3	5	5	3
Former Yugoslavia	15	10	15	31	7	4	5	12
Denmark	16	14	13	13	7	6	6	5
Poland	8	8	9	7	5	5	6	4
Turkey	9	7	7	5	4	2	2	1
Other Countries	82	84	86	85	32	34	32	35
Total	221	213	220	219	101	96	98	98

Source: SOPEMI 2000

The number of employed persons born outside the Nordic countries has increased by

22 000 (11 percent) in 1999. The largest relative increases occurred in smaller and medium-sized regions (see *Statistika centralbyran: SCB*).

In comparison with the native population, immigrants are employed to a much greater extent in manufacturing industries, restaurants and hotels, and in cleaning and maintenance work. They are employed to a lesser extent than Swedes in agriculture, forestry and fisheries.

Table 52 shows the distributions of foreign citizens by sector and gender is rather polarized. The proportion of foreign citizens in relative terms is higher in manufacturing, industry, retail industry, hotels and restaurants and slightly higher within the public sector. However, there are noticeable differences between national groups.

Table 52. Citizenship and Employment Sector together with Gender by Percentage

	ALL WORKERS			FOREIGN WORKERS		
	Men	Women	Both	Men	Women	Both
Agriculture and Forest	4	1	3	2	1	1
Mining	-	-	-		-	-
Manufacturing industry	26	11	19	34	17	26
Utilities and water	1	-	1	-	-	-
Construction	11	1	6	6	1	4
Retail, restaurants and hotels	13	14	14	16	13	15
Transport and communication	10	5	7	7	4	-
Consultancy	10	9	9	6	6	6
Public admin. And other services	22	58	40	26	56	41
Miscellaneous	2	1	2	2	1	2
Total	100	100	100	100	100	100

Source: ARSYS 1992, Statistika centralbyran

Moreover, immigrants in Sweden suffer from higher levels of unemployment than the native population. Their relative workforce participation is also much lower. The problem is especially acute for more recent refugee immigrants from outside Europe.

Until the seventies, when unemployment had been very low, the majority of immigrants had a good chance of providing for themselves. Today, the situation is very different. An important change, which partly explains the poor showing of some immigrant groups in the labour market, has been the replacement of labour immigration by refugee immigration. In addition, changes within the working life and the kinds of demands made upon employees has meant increased difficulties for job-seekers without a suitable education and good skills in the Swedish language, and what is often seen as the necessary cultural capital. Other factors behind the exclusion of immigrants from the labour market

include structural changes within the labour market and economic developments, the individual cultural and social characteristics of immigrants themselves, the failure of the Refugee Reception Programme to integrate refugees into Swedish society and ethnic discrimination have all been mentioned.

2. Anti-discrimination Legislation with regard to the Labour Market

Instead of having one single Constitution, Sweden has four Acts, which have a Constitutional status. Article 2 of Chapter 1 stipulates the "equal worth of all and the freedom and dignity of the individual". Furthermore paragraph 4 of this provision calls on the public institutions to promote the cultural development of ethnic, linguistic or religious minorities. However this paragraph can be only understood as a kind of recommendation and does not have any normative impact. In contrast the fundamental rights laid down in Chapter 2 are enforceable by law. This includes Article 15, which prohibits any discrimination on the ground of race, skin colour or ethnic origin. This principle does not only apply to Swedish citizens but also to foreign nationals. However in practice this Article did not have much consequences as the violation of any existing law has to be proofed which only in one case so far happen.

On the international level Sweden in 1971 ratified the UN International Convention on the Elimination of All Forms of Racial Discrimination, which initiated the integration of anti-discriminatory provisions in the Criminal Law. Furthermore it is signatory of the ILO Convention 111 and the ILO Convention of Migrant Workers, which is ratified in 1975. In criminal law there are specific provisions against refusals to supply a service intended for the public. Article 9 Chapter 16 of the Criminal Code penalises economic operators who are guilty of discrimination in the supply of goods or services. However this does not cover private relations between individuals nor does it apply to employment relationships. Within the labour law, the Employment Protection Act (*LAS*) provides all employees, also with a foreign nationality, with protection against discriminatory notice and dismissal.

With the Act against ethnic discrimination, which came into force in 1994 Sweden has implemented a legislation specifically aimed at combating racism in employment. The Act replaced the Act Against Discrimination of 1986. The Act defines discrimination as any unfavourable treatment in comparison with that applied to others, or any other unjust or degrading form of treatment. Based on this the Act prohibited discrimination between applicants for a job as well as between employees on the ground of race. The Act also prohibited any dismissal, organisation of work or recruiting practices on a discriminatory basis. This included issues such as lower wages, delayed promotions, refusal

further training or etc.. However the effectiveness of this law was very limited and turned out to be kind of a "paper tiger", as the act referred only to employers decisions. Even under this law it was very difficult to prove actual discrimination and until 1999 there were no cases regarding discrimination taken up by the Swedish courts. According to the law, they had the possibility to sort out job seekers with foreign names or a dialect.

Contrary to that, the Act Concerning Measures to Counteract Ethnic Discrimination in Working Life (which replaced the 1994 Act against Ethnic Discrimination), which was implemented in 1999 concerns the whole recruitment policy. First of all it guarantees the same opportunities in work to everybody regardless of ethnic origin. Employers and employees should co-operate in issues of cultural diversity. Furthermore the employer has to take actions to prevent any kind of ethnic harassment or any negative consequences for a person who has reported to be harassed. Regarding recruitment the employer should promote that people from other ethnic backgrounds obtain the possibility to apply for jobs. To ensure that this law is followed, an ombudsman for ethnic discrimination and a board on ethnic discrimination was appointed by the government. Furthermore in the new law the burden of proof has changed from the victim of discrimination to the person or institution accused for having discriminated. With the new law of 1999 the employer etc. has to prove that he has not discriminated. The new law on anti-discrimination also allows for positive action measures. The workplace must be open to all ethnic groups and employers are asked to translate all security rules etc. in the different languages of the workforce. Measures can be implemented in the area of recruitment, working conditions and the prevention of racial harassment. With the new law there is also the possibility of some sanctions and to bring the employers before the court. However it is not clear yet what is happening in this context. There are already diversity plans and other measures implemented, but the impact they have on improving cultural diversity still has to be studied. Especially the regional administrations have been active in this area.

Until now there were no cases before the court under the new discrimination law. However after the implementation of the new anti-discrimination law more cases of discrimination have been reported to the *Ombudsmannen mot etnisk Diskriminering (DO)* (Ethnic Discrimination Ombudsman). In 2000 around 250 complaints on discrimination have been reported to the do. In 2001 there have been already 100 complaints registered in the first quarter of the year, which means an increase in complaints. When a case is reported, the *DO* is firstly doing some investigation into the case. They try to contact all involved parties and are intervening if possible directly in order to find a solution to the problem. If this is not possible the case goes to the court, which is happening in one third of all cases. If this happens normally the employers etc. find an agreement before the case is actually taken up by the court. Around fifty percent of the cases regarding the labour market fall in the area of recruitment, the most other cases are dealing with

racial harassment. Currently the Ombudsman is carrying out a study on all the complaints launched in the year 2000 in order to know more about the problems. A major problem is still that only around 50 percent of the employers are informed about the new law on measures against ethnic discrimination in working life.

With the implementation of anti-discriminatory provisions in the Criminal Code in 1996, also the government appointed the Ethnic Discrimination Ombudsman. His main function is to advise victims of discrimination as well as authorities or the two sides of industry on any matter connected with the combating of racism. Furthermore he is overseeing the anti-discrimination legislation and can intervene under the new law. He can register complaints but they have to be brought before a regular court in case of prosecution. To this end the *DO*'s rights of investigation concerning complaints are very extensive. He is entitled to interview employers and require them to supply information. Failure to do so can be sanctioned. The *DO* is supported by the Commission against Ethnic Discrimination, which has the task to advise the *DO* on the application of the laws against ethnic discrimination. The Commission however cannot intervene in the settlement of individual cases but deals with principle questions.

Apart from the legislative measures there are some collective agreements in the industrial sector, which include anti-discrimination clauses. However they are only working on the general level but not really are related to the level of the individual enterprise.

3. Institutional Development in the Area of Cultural Diversity in the Workplace

There are different institutions on the national state level dealing with cultural diversity and anti-discrimination in employment, while the Ombudsman against Ethnic Discrimination is focussing on advice and monitoring concerning ethnic discrimination, the National Integration Office is including the promotion of cultural diversity in its integration work and the Ministry of Industries, Employment and Communication above other things is responsible for the evaluation of the diversity plans in the public sector and the drafting of Action Plans and policies in this area.

The *DO* has been established in 1986. The office of the *DO* has the task of advising the Swedish government in all questions regarding ethnic discrimination and issues dealing with immigrant and refugees. Furthermore it is registering complaints on ethnic discrimination and intervening in this field. Finally it supports the implementation of the anti-discrimination law by providing information leaflets and handbooks, organising seminars and training and engaging in the area of education. The *DO* has the right to monitor the activities of the employers and approach them directly to check what they are doing in

order to promote diversity. Of course it is not possible for the *DO* to check all enterprises due to the very limited resources. The *DO* has produced a handbook on best practices to promote cultural diversity, which is disseminated throughout the country. Furthermore a handbook on how to promote cultural diversity, which is looking at recruitment, the working conditions and racial harassment, has been produced. In the area of recruitment it is for example important to co-operate with schools and immigrant organisations, to have different advertisements and to allow for placement schemes. The working conditions include special provisions for food, uniforms, holidays etc. In the area of preventing racial harassment, procedures to prevent harassment and complaints structures have to be established by the employers. Furthermore there is a special brochure for the public sector that gives recommendations on the diversity plans. In co-operation with the trade unions and the employers associations the *DO* has organised some training seminars in the area of cultural diversity and anti-discrimination.

The *Integrationverket* (Swedish Integration Office), which has undergone a restructuring process in 1998, by dividing it into the Migration Board and the Integration Board, is subordinated to the Ministry of Industry, Employment and Communications and is overall responsible for implementing the integration policy objectives. Towards the state its main task is to co-ordinate a horizontal approach towards the integration of immigrants and ethnic minorities. Another objective is to actively stimulate integration processes in the community. The National Integration office to this end has the overall responsibility for the promotion of equal rights and opportunities for everyone irrespective of ethnic and cultural background, to prevent and counteract discrimination, xenophobia and racism and to ensure that newly arrived immigrants receive support for their integration into Swedish society. In this context the Office is responsible for refugee integration programmes. It supports the local communities and municipalities in implementing these reception programmes and co-operates with the national employment office concerning the integration of the refugees in the labour market. These integration programmes have a duration of six months up to three years and are used by around 15 000 persons per year.

Apart from this the National Integration Office only recently started to set up a data base under the title "Knowledge Forum" concerning activities against racism and ethnic discrimination. The database includes information about methods, experiences, as well as knowledge from different levels and sectors of society, as well as from international experiences. This database will be also integrated into the Internet in the next months.

Furthermore the National Integration Office is funding around 200 projects of NGOs and immigrant self-organisations in the area of integration work. Many of these projects focus on the integration of immigrants and ethnic minority members into the labour mar-

ket. By this some of the projects have also included elements promoting cultural diversity in the workplace. There is for example a project supporting immigrants to establish their own business in the social sector, another project is training blacksmiths in cooperation with the Swedish crafts centre. Two times a year a meeting of NGOs, welfare organisations etc. active in the field is organised to discuss questions concerning integration, discrimination and diversity. Apart from this the National Integration Office in cooperation with other institutions is offering training courses and information events on ethnic diversity and integration targeting decision makers and key players in businesses, trade unions, NGOs and state agencies.

For its own organisation the National Integration Office has developed a special Action Plan concerning the promotion of diversity. This plan integrates gender as well as ethnic diversity issues. According to the plan the directorate of the office has overall responsibility for diversity and provision of knowledge regarding this issue. All employees of the National Integration Office must respect each other and see the value of each other's differences. Once a year diversity is monitored by using a questionnaire designed by the office. Already now around one third of all employees have an ethnic minority background. When recruiting new employees or interns priority should be given to under-represented groups. Discrimination as well as unequal payment are prohibited. Furthermore the National Integration Office has established a praying room for all confessions and believes. The diversity Action Plan is reviewed annually and evaluated by the personnel. Concerning external contracts and service provisions the National Integration Office has set up a special procurement policy, which is including the issue of diversity.

The Ministry of Industry, Employment and Communications is not so much directly involved in implementing measures to promote cultural diversity in the workplace, but it is the main body observing the implementation of diversity Action Plans in the public sector. To this end evaluations are drawn up on a yearly basis. Furthermore in the year 2000 the Ministry of Industry, Employment and Communications has undertaken a study drawing up an inventory of activities and practices used in Swedish organisations in their work on diversity. The Ministry is furthermore responsible for drafting policies concerning integration, discrimination and diversity. Above other things it has published a national Action Plan to combat racism, xenophobia, homophobia and discrimination in the year 2000.

For the promotion of cultural diversity in the workplace, the public sector is seen as a kind of model agent or model employer. The Swedish government has the idea that successful measures taken up to promote cultural diversity in the public sector will eventually copied by the private sector and initiate further activities in the overall society. The Minister of Integration at the time, Ulrika Messing, in spring 1999 took the initiative in

drawing up an Action Programme containing measures for promoting diversity. These Action Plans are the first step in the long-term process of promoting ethnic and cultural diversity amongst personnel in the Swedish Government Offices. The objective of the Action Plans is to increase awareness of the greater competence and quality that can be achieved through greater diversity. Recruitment should be planned in such a way that it helps increase diversity. These diversity plans vary in their content and measures taken. Most of these plans do not contain quotas or exact targets; therefore it is very difficult to monitor them. Especially the labour market agencies, such as employment offices, have been active in this area.

There are no legal obstacles for immigrants who want to enter the public service; non-Swedish nationals are not allowed to work only in areas where the Swedish security is touched. However immigrants have to have specific knowledge in order to enter the public sector. They are often lacking this knowledge and adequate training allowing them to acquire the necessary skills is not provided to them. The *Arbetsmarknadsverket* (AMS) (National employment office) has a strong policy on diversity. They have been very successful in recruiting persons from an ethnic minority background (see below). Especially the local municipalities are trying to promote cultural diversity as they are in urgent need for labour.

Since 1999 the Government requires the state authorities to report the measures they have taken and their plans to increase ethnic and cultural diversity amongst their employees. In addition, the authorities directly accountable to the Government should set up Action Plans to promote ethnic diversity amongst their employees. A first report evaluating the activities of the public sector concerning the Action Plans in 1998 found that around eighty percent of the agencies did not report any measures. However already the report of the year 2000 based on the Action Plans of 1999 showed that more than fifty percent of the agencies had taken the issue seriously. Some had started recruiting immigrants; some had established quantitative goals etc. The recent reports on the year 2000 are currently under evaluation, but it is already clear that a lot more has been done by the public sector. Public agencies when starting a recruitment process are pronouncing an open invitation for immigrants to apply. Educational courses, seminars following the idea to convince the recruiters that diversity constitutes an important issue are organised. The overall responsibility for diversity and integration is given to the head of the organisation in order to secure that the measures are taken throughout the agency and the leadership is committed to these ideas. Some agencies even started affirmative action measures. The agency responsible for penal institutions and prisons for example, employed 300 persons with an immigrant background and thus has been able to reduce conflicts in prisons between different ethnic groups. Similarly, the Swedish police force tried to advance diversity among their employees and thus follows spe-

cific Action Plans. At the same time, they were able to reduce problems with young Swedish men working in distressed areas. The employment of immigrants or people with an immigrant background facilitated the communication between police force and youngsters considerably. In the case of the police force, the Swedish nationality is necessary for recruitment. Apart from that, nationality citizenship is not a great obstacle as there are very few agencies asking for nationality as a condition for recruitment. In the health sector twenty percent of all employees have an immigrant background. In this sector, programmes on complementary training courses for foreigners have been implemented which enable them to work as a doctor etc. afterwards. These programmes were implemented, as there is a lack of doctors, on the other hand there are doctors who have received their training and education in foreign countries. As their qualifications are not recognised in Sweden they only can work as ordinary health staff or are often unemployed. The same accounts for nurses, as to be a nurse in Sweden one has to be trained at the university. Therefore after an evaluation of KPGM, which clearly outlined these problems, special training courses for example in Gothenburg have been set up.

Apart from this the government has approved a programme (2001-2003) of one hundred million crowns for different activities supposed to raise immigrant labour market participation. The programme includes complementary courses for foreigners (lawyers, technicians, doctors, teachers, persons working in the health sector without a secondary education etc.) and activities to advance ethnic diversity in the public as well as in the private sector. To this end the National Integration Office informs employers about the need for ethnic diversity on the workplace via training programmes etc. Finally the programme includes Swedish courses for newly arrived immigrants.

Concerning the promotion of cultural diversity at the municipal level the government has taken various initiatives. Above other things in the year 2000 for the first time a prize for the Best Diversity Municipality was awarded. The prize is given to a municipality that has demonstrated successfully promoting diversity. The municipality of Norrtälje which is a small municipality located in the North of Stockholm has been awarded the prize as they had methodically highlighted diversity. They had established a set of standards concerning diversity, which was widely accepted and supported.

Other institutional developments in the public sector include the establishment of the projects "International Engineers" and "International Competence". The project "International Engineers" which started in 1999 was based on the idea that there is a shortage of qualified engineers in Sweden, but on the other hand there are qualified foreign engineers who cannot find work or are in inappropriate jobs. The National labour board funded the project. The project concentrated on insertion training for the engineers with

an ethnic background including language training and information on co-operate culture, but also on awareness raising of the Swedish employers. Internships for the unemployed engineers were organised, as well as visit programs to their country of origin in order to establish business contacts with local firms there. Furthermore fairs and conferences, which made it possible for the firms to meet directly with the foreign engineers, were arranged. After the engineers had found a job contact was kept with the employer and the employee in order to follow up the situation and intervene in upcoming conflicts or problems. Through this programme 150 foreign engineers could be inserted in the Swedish labour market; only around twenty percent of them had studied at Swedish universities. In 1994 the whole project was integrated into the Stockholm employment office. Now around six persons with ethnic backgrounds are working for the project. All of them have experience in the field and therefore can easily link up with the clients. This group can also directly demonstrate the positive sides of promoting cultural diversity and stand as a role model. There is a similar project now in Gothenburg called "International Competence". It is a project inside the employment service of the municipal administration.

Apart from the state institutions the other social partners, trade unions and employers in the private and public sector, have set up institutions and implemented measures dealing with cultural diversity in the workplace. An important institution in this context is the *FORUM* where diversity issues are discussed regularly. The *FORUM* has eight member organisations including the National Agency for Government Employers, the Federation of Social Insurance Offices, the Association of Swedish Local Authorities, the Federation of Swedish County Councils, the *Landsorganisationen i Sverige (LO)* (Swedish Trade Union Confederation), *Servige Akademiernas Centralorganisationen (SACO)* and *Tjänstemännens Centralorganisation (TCO)* (Swedish confederation of Professional Employees). Chairmanship of the Council is circulated on a six monthly basis. The members of the *FORUM* are meeting once a month in order to discuss what is happening in different areas and to exchange experiences. This creates also some kind of group pressure between the different parties involved in the *FORUM* to take up measures to enhancing cultural diversity. The network is organising study trips in Sweden and abroad to visit enterprises, which have implemented some sort of measures to promote cultural diversity. Furthermore they have arranged for a diversity prize, which is awarded once year. Besides this they are in the process of setting up an Internet database, which is providing information on training in diversity themes. Also they are producing information leaflets and publications on the topic.

Another co-operative project of the trade unions and the employer organisations is the project "Prevent". In the framework of the project "Prevent" training materials and training modules for security advisers in the workplace are developed. These materials and

modules are focussing above other things on ethnic discrimination. After having participated in these training modules the security advisers shall become a kind of ombudsman in the case of discrimination and function as a kind of internal complaints reception post. The tasks of the security adviser will also include the prevention of discrimination.

The *Tjänstemännens Centralorganisation (TCO)* (Swedish confederation of Professional Employees). TCO which is the second largest trade union in Sweden and has 18 affiliated member organisations with about 1.2 million affiliates, like the *LO* is starting to undertake activities in the area of cultural diversity. Although since 1999 cultural diversity plans in the public sector have become mandatory, the *TCO* supports the view that diversity cannot be enforced. Diversity plans are seen as instruments of guidance for enterprises, which want to promote diversity. There is often a negative reaction towards the implementation of measures supporting cultural diversity inside the trade unions and individual work councils. Currently there are about ten diversity projects, which have been initiated by regional branches of the *TCO*. A good example is the Swedish municipals trade union (*CIF*), which has a high proportion of immigrants. The *CIF* has organised an exhibition on cultural diversity and various seminars and discussions on this topic. The teachers union is actively trying to affiliate more members with an ethnic background. Often however it is more difficult to integrate immigrants in the trade union, as they tend to be more prawn to unemployment and then loose interest in trade union work. Furthermore most trade unions have established special training courses and seminars for its members focussing on cultural diversity and anti-discrimination. On the national level the *TCO* is evaluating how its different member organisations are working on the issue of diversity. There is still a quite low number of affiliates with an ethnic minority background. Only two percent of the *TCO* members have an ethnic background. The majority of these are coming from other Northern countries. The *TCO* has organised four bigger conferences on the issue of cultural diversity. The *Fackligt Aktiva Invandrare (FAI)* (Trade Unions Active Immigrants) has been involved in these activities. They are working as a link between the trade unions and the immigrant self-organisations.

In the year 2000 the Swedish Trade Union Confederation (*LO*), which organises 18 trade unions in the private and public sector, started a project called Mobilising Energy (*Kraftsamling*) concerning the integration of foreign workers in the trade unions and in the workplace. By the project integration activities of the *LO* should be strengthened. In its integration activities the *LO* aims above other things at the reduction of ethnic segregation and promoting equality. Activities of the project include training courses, lobbying events and educational measures. Furthermore the *LO* which has a special department concerning diversity issues is carrying out research on the issues of integration, anti-discrimination and cultural diversity in the workplace. Currently the *LO* tries to find ways

how to include the aspect of diversity in collective agreements and the overall development of the organisation. In order to increase the participation of foreign workers and workers with an ethnic minority background in the trade unions, as affiliates but also as trade union functionaries, the *LO* has set up a special information campaign, is publishing leaflets and offering specific seminars.

The trade union of metal workers has appointed a person with the task to monitor discrimination issues. The trade union for hotels and restaurants which is affiliated within the *LO* has established an Action Plan on integration and diversity on the regional level. The trade union representing property workers is carrying out a programme against ethnic and sexual harassment.

The Swedish Employers organisation (*CSE*), which is a network of 39 Employers Federations in the private sector, has 65 000 members. The main task of the *CSE* is to advise companies and the government in areas important for making business. The main aim is to improve the environment and working conditions for businesses. At the main headquarter of *CSE* there is a research section, which is also concentrating on diversity issues. The *CSE* started to focus more in cultural diversity in 1997. This had to do with the European Year against Racism. At the regional level some member organisations have implemented projects on cultural diversity and the job creation for immigrants. Especially the Federations with high immigrant worker participation are usually more active in this area, such as for example the Hotels and Restaurants Federation. The *CSE* tries to support their member organisations by setting up a kind of focal point for information on cultural diversity. There is still a need for more projects and networking on the regional level. The *CSE* is arranging special training courses for its member organisations on the issue of cultural diversity and how to recruit immigrants. They are also working on a collection of good practices that can be published and given to interested enterprises. Furthermore in its weekly magazine the *CSE* is regularly reporting on good practices in the area of cultural diversity. This magazine is disseminated to all members of the *CSE*. In spring 1999 one issue of the magazine was focussing specifically on the subject how to use the capacities of immigrants in a more positive way. They have also published a follow up, interviewing immigrants and giving examples of enterprises working with immigrants. The members of *CSE* always positively received these articles.

Since the end of 1999 the *CSE* tries to increase the number of its members who are ethnic entrepreneurs. To this end the *CSE* did an investigation into the need of ethnic entrepreneurs in Sweden and set up training and information programmes for ethnic entrepreneurs. The *CSE* has carried out training seminars in Stockholm, Upssala and Gothenburg. Besides these seminars, the *CSE* is promoting a better participation of ethnic entrepreneurs in the official structures and decision-making boards of the *CSE*

and its member federations.

In the year 1999 the CSE awarded the diversity price in co-operation with *FORUM* to Birka Energi for being a cultural diversity employer. This company has a diversity plan, is working in co-operation with immigrant organisations and has initiated seminars for its employees, in which they are informed about the countries of origin of immigrants and refugees. Furthermore they have a strong stance on equal payment. In the year 2000 the prize has awarded to Volvo Trucks. The third award has been given to a network of initiatives working in Lien Shopping. The awards have raised high media attention and led to wide press coverage.

One of the specific activities of Swedish employers was the creation of Sweden 2000. Sweden 2000 was established in 1996 as an institute by private companies and public organizations (social welfare, integration office etc.): A project group got in touch with the Swedish government to discuss how immigrants and members of ethnic minorities can be integrated into work. The government entitled several public organizations and companies to discuss multicultural diversity. In this process 25 members founded the Institute Sweden 2000. It was financed partly by the members themselves and partly by the government. In 1996 there existed no competence on cultural diversity in Sweden. Thus they visited best practices in the USA and Great Britain. They promoted this information to their member organisations and society at large. They publish articles on the subject, organised exchange seminaries between managers and human resources staff and carried out workshops. Furthermore Sweden 2000 built up a resource database, which is accessible for the members. In the year 2000 Sweden 2000 had 36 members, however as the funding of the government stopped, they had to restructure their activities and are now working as a private consultancy with the task of advising their member organisations and other institutions on cultural diversity in the workplace.

Regarding the activities of individual enterprises international firms such as Eriksson, Volvo and ABB have set up some programs regarding cultural diversity. However in the area of small and medium sized enterprises not much is going on. Above other things this has to do with the fact that there is also no state funding for this kind of activities in the private or public sector.

While all social partners are very active there are only some welfare organisations, NGOs and immigrant self-organisations specifically dealing with cultural diversity and anti-discrimination in the workplace. The Catholic welfare organisation is one example for a Swedish welfare organisation having integrated activities promoting cultural diversity in the workplace in their overall work concerning the integration and support of immigrants and refugees. The national Caritas section has the task of advising the national and European government on issues regarding asylum and migration policy. In this con-

text the Caritas is closely co-operating with other Welfare organisations and NGOs active in this sector. Furthermore Caritas is one of the representatives in the National Council of Integration advising the National Integration Office. Caritas has engaged in some actions against racism and xenophobia. Another theme is promoting the cultural exchange between the dominant culture and the migrant communities.

In the area of promoting cultural diversity Caritas is focussing on three areas: Creating meeting places of immigrants and non-immigrants, social counselling and empowerment of immigrant groups. The first area includes the task of informing the immigrants about the Swedish society and vice versa. Furthermore Caritas is carrying out training courses for multipliers and the general public regarding the issue of diversity. Furthermore they are offering media training for immigrants while at the same time providing the media with information on refugees and immigrants.

In areas with a high proportion of immigrants and usually a high level of unemployment (Stockholm and Gothenburg), local Caritas branches are organising training, consultancy and projects with a strong participatory approach. As unemployment is a major cause for discrimination promoting the integration of immigrants into the labour market is a major aim of the Caritas work at the local level. This includes the establishment of job searching mechanisms, vocational training and placement schemes. Caritas itself is an organisation that tries to give a role model by hiring immigrants and women. Gender and ethnic diversity are an internal goal of the organisation. However there are no quotas or systems of affirmative action.

Immigrant organisations of traditional immigrants in Sweden are well established and advanced. However for smaller groups and only recently arrived migrants and especially refugees it is often very difficult set up their own organisation and to set up communities. Most immigrant self-organisations are still mostly active in the area of culture. Especially the second generation has become more politically involved. They are interested in the participation in parties, trade unions etc. where they are still heavily underrepresented. For example *FIA* – a network of immigrants organised in trade unions is active in this area.

Concerning the media there is a general interest in the issues of anti-discrimination and diversity, however in practice not many measures have been taken up. The Swedish Broadcasting Corporation (*Sveriges Radio*) has established a project entitled 'More Colour in the Media' which is aiming at recruiting more journalists with ethnic minority or immigrant background. Another development in the field of media is the development of a special course called "Media-Diversity-People" by the Department of Journalism, Media and Communication at Stockholm University (JMK). The course focuses on the representation of immigrants and ethnic relations in the media and explores the role news-

reporters and journalists can play in combating prejudice and promoting cultural diversity.

4. Measures Taken to Improve Cultural Diversity and Remarks on the National Situation

Due to a very specific legal framework and the engagement of the social partners at lot of good practices in promoting cultural diversity in the workplace have been established.

The coming into force of the new anti-discrimination law in 1999 which promotes actively cultural diversity and makes it possible to implement positive measures in the area of recruitment and improving the working conditions for ethnic minorities in Sweden is a good practice as such. According to the anti-discrimination law the workplace must be open to all ethnic groups and employers are asked to translate all security rules etc. in the different languages of the workforce. Measures can be implemented in the area of recruitment, working conditions and the prevention of racial harassment. With the new law there is also the possibility of some sanctions and to bring the employers before the court. These activities are monitored by the *DO* who has also the right to directly approach the firms and check what they are doing to promote diversity. The Ombudsman has produced a handbook on best practices to promote cultural diversity, which is disseminated throughout the country.

In parallel to this the government has assigned all public agencies to draw up Action Plans on diversity. Based on this many positive measures have been developed. For example the activities of the National Labour Market Administration (*AMV*) can be singled out as a good practice. The main task of the National Labour Market Administration is through placement, counselling, vocational rehabilitation and active labour market policy programmes to safeguard the position of disadvantaged groups in that market. In this way the Administration shall help to achieve the aims of full employment and of social development and progress. Diversity promotion is a pivotal concern with *AMV*. To this end a large diversity promotion project has been set up in 1999 and implemented throughout the year 1999. Above other things the project has included the training of so called diversity specialists. The training courses aimed at the integration of the diversity perspective in the work of the *AMV* and making better use of the experiences and skills of diverse workforce and job seekers. In June 2000 the diversity specialists underwent a training course which among other things addressed educational marketing of diversity, discrimination law, management diversity, conflict management etc. In-house training courses for employees and managers on the issue of diversity have been organised also. Furthermore as part of the overall project a survey on the employees' concepts of diversity in the workplace and their experiences with diversity issues in their work, and

their ideas for promoting diversity within the work of the *AMV* was carried out. Apart from this an Action Plan on diversity had to be introduced by all counties and national agencies participating in the project. In addition, every county is to have special expertise capable of providing support and assistance for diversity promotion in the workplace. As one of the results the project found that until now some eleven percent of employees of participating agencies have non-Swedish ethnic backgrounds, as against roughly twenty percent for the Swedish population as a whole. As a consequence and follow up the management of the *AMV* is currently underway in implementing a pilot project throughout all services of the *AMV*. In addition, all counties and *AMV* itself will be offered a training programme for diversity specialists. Furthermore a web-based training programme on diversity is in preparation.

The trade unions and the employers' organisations have established a *FORUM* where diversity issues are discussed regularly. They are meeting once a month in order to discuss what is happening in different areas and to exchange experiences. The network is organising study trips in Sweden and abroad to visit enterprises, which have implemented some sort of measures to promote cultural diversity. Furthermore they have arranged for a diversity prize, which is awarded once year. Besides they are in the process of setting up an Internet database that is providing information on training in diversity issues. Also they are producing information leaflets and publications on this topic.

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

The first immigration wave to Sweden was only labour migrants who have worked in unqualified segments of the labour market. These immigrants had usually no change of a career or promotion and left the labour market in the early nineties. Whereas the unemployment of immigrant women stood at 0,8 percent in 1988, by 1992 it had increased to twelve percent. This high level of unemployment is related to the process of economic and industrial restructuring in Sweden. Immigrants did not receive appropriate training in order to be able to integrate into the new emerging service industries. The refugees arriving in Sweden since the early nineties face even more problems regarding labour market integration. Most discrimination in the labour market is happening in the area of

recruitment. However discrimination on the work floor is not a topic really discussed by the employers. Still most posts, especially in smaller firms, are channelled through internal networks. As immigrants do not participate in these networks, they are lacking these specific inroads. Immigrants are given mostly short-term work, which excludes them from getting better integrated. The young immigrants of the second generation still face considerable problems when wanting to enter the Swedish labour market. This is especially true for Muslim women wearing the headscarf who can only work in jobs that are not visible. Even highly qualified Muslim youngsters can often only find unqualified work. There have been intentions of supporting these immigrants of the second generation but it has been a very difficult task. Some especially established placement schemes have been successful.

Until the nineties there was no discussion around diversity. Sweden only concentrated on the question of integration and all programs established looked on how to improve the integration of immigrants by providing them with additional knowledge etc. Also the discussion about discrimination in the workplace is fairly new. In this context the public sector is much more aware of discrimination. In general diversity is perceived as positive thing, but in practice it is not always actively promoted. Neither is it in many cases linked to the issue of discrimination and racism. One could therefore say that Sweden is still in the awareness raising phase concerning cultural diversity.

The trade union organisations have a consensus in the fight against racism and discrimination and promoting cultural diversity. They are meeting regularly and are organising together seminars, manifestations etc. The trade unions have become especially active after the murder of some trade union activists by right wing extremist groups.

There are only some enterprises in Sweden that have taken cultural diversity really on board. One of these examples is the Body Shop that has always tried to recruit ethnic minorities or Volvo, ABB, Birka Energy and other Swedish companies, which at a very early stage have implemented a diversity plan. This has also to do with the fact that around 85 percent of all firms in Sweden i.e., around 46 000, have less than twenty-five employees. In general it is more difficult to get these kinds of firms interested in cultural diversity. Regarding the bigger and mostly internationally working firms it is much easier. However there are also some good practices taking place on the level of smaller firms. Regarding specific measures concerning the conditions of work there are not yet many initiatives regarding holiday regulations, food or praying rooms. There are some initiatives for intercultural training but it is only at the beginning. Especially in the area of education intercultural training is not really promoted yet. The only exception is the police that started to do intercultural training courses already some years ago. Also in the area of the media there is no special policy regarding immigrants. There are some persons

with an ethnic background working in the media but it is not based on a specific recruitment strategy. In many cases the promotion of cultural diversity is linked to the economic situation, thus it is not clear if the private sector would promote diversity in times of recession and economic crisis.

On the other hand with the Action Plans employers of the public sector have to implement since 1998 things might improve considerably within the next years. Already now it can be noted that due to the Action Plans and the focus of the new law on ethnic discrimination in work life there is a growing openness towards seeing diversity as a priority issue. However also immigrants represent 13 percent of the labour force but their total share in the labour market is today only 8.8 percent. Immigrants make up 6.3 percent of the employees in state administration, 8.7 percent of the employees in local governments, 8.5 percent of the employees in the county administration and 9.2 percent of the employees in the private sector. In some fields of the state administration the representation of immigrants is today extremely low.

Apart from these positive developments it can be observed that it is still very difficult to implement the law against discrimination. Most cases of discrimination cannot be proved. Furthermore institutional racism is not really on the Swedish agenda yet and largely ignored. Overall there is a need for a major change of the attitudes of the Swedish society. There is still the believe that Sweden is a homogenous society, although it never really was one. Education should therefore play a dominant role. However there is no comprehensive approach in this area yet. The curricula of schools have not changed in order to tack on board diversity issues and anti-discrimination. There are still not enough teachers with an immigrant background and intercultural topics are not an obligatory subject in the education of teachers. In the future more attention should be paid to the area of education. Many children with immigrant background are dropping out of school. There is a lack of immigrant teachers and still a reluctance to hire them. The main obstacle in this context is the missing language competencies of immigrant teachers. Until now activities to promote cultural diversity are not supported financially by the Swedish government. The *DO* is working a little bit in this area but in general there is a lack of funding. They hope to be able to implement more projects in the framework of the new European Union EQUAL programme.

5. List of Organisations and Agencies active in the Field

5.1. Public Institutions

Näringsdepartementet
Mona Sahlin
Jakobsgatan 26

103 33 Stockholm
Tel.: 00 46 08 405 1000
Fax: 0046 08-011 36 16
registrator@industry.ministry.se

Ministry of Industry and Employment
Michael Hagos
Tel.: 0046 8 405 40 42
Email: michael.hagos@industry.ministry.se

Ministry of Culture
Department for Migration
Björn Wakman
Head of Section
10333 Stockholm
Tel.: 0046 8 7 63 13 38
Fax: 0046 8 21 68 13

Ministry of Culture and Immigration
Division for Migration Policy
Peter Springfeldt
10333 Stockholm
Tel.: 0046 8 7 63 35 22
Fax: 0046 8 21 68 13

Integrationsverket
(National Integration Office)
Box 633
Guldringen 58
601 14 Norrköping
Tel.: 0046 11 36 13 00
Fax: 0046 11 36 13 01
integrationsverket@integrationsverket.se

National Labour Market Board
Linnea Arveus
113 99 Stockholm
Tel.: 0046 8 586 06 000
Fax: 0046 8 856 06 497
Homepage: <http://www.amv.se>

The National Prison Probation and Administration
601 80 Norrköping
Boy Svedberg
Tel. 0044 11 496 30 00
Home page: <http://www.kvv.se>

Ombudsman against ethnic discrimination (DO)
Anders Bergstrand
116 42 Stockholm
Tel.: 0046 8 5560 9512
anders.bergstrand@do.se
mail@do.se
www.do.se/index.oois

5.2. Trade Unions

Landsorganisationen i Service (LO)
(The Swedish Trade Union Confederation)
Tel.: 0046 8 796 25 00
jae@lo.se
Mailto:maria-paz.acchiardo@lo.sehttp://www.lo.se

Tjänstemännens Centralorganisation (TCO)
The Swedish Confederation

of Professional Employees
Linnigataan 14, Stockholm
Alicia Lycke
Tel: 004608 782 91 40
alicia.lycke@tco.se

Swedish Municipal Worker's Union (SAF)
Anita Edam
Hagagatan 2
Box 19039
104 32 Stockholm
Tel.: 0046 8 728 30 48
Fax: 0046 8 31 87 45

Sverige Akademikers Centralorganisation (SACO)
Swedish Professional workers Trade Union
Box 2206
10315 Stockholm
Tel.: +08 613 4800
Fax: +08 24 77 01
kansli@saco.se

5.3. Confederations of Employers

Confederation of Swedish Enterprise
(alter Name: Swedish Employers Confederation)
Margareta Regnell, Director
Expert Labour Market
10330 Stockholm
Tel.: 0046 8 7626 000
Fax: 0046 8 7626 109

Confederation of Swedish Enterprise (CSE)
Mrs. Anita Trogen
Tel.: 0046 8 553 43 126
Fax:: 0046 8 7626 109

The Swedish Association of Ethnic Entrepreneurs
IFS Stockholm
Crafoords väg 19
113 24 Stockholm
Tel.: 0046 8 690 56 79
Fax: 0046 8 690 56 74

5.4. NGOs

Immigrant-institutet
Katrinedalsgatan 43
504 51 Borås
migrant@immi.se
<http://www.immi.se>

Mångkulturellt Centrum
Hassan Hosseini
Fittja Gard
Värdshusvägen 46
147 85 Tumba, Botkyrka (Stadtteil)
Tel.: 0046 8 530 625 66 68
Fax: 0046 8 530 625 50
info@mkc.botkyrka.se
www.mkc.botkyrka.se

Olof Palmes Internationella Centrum
Box 3221, 10364 Stockholm
Tel.: 0046 8 210 739
Fax: 0046 8 1023 75

Invandrare & Minoriteter
Maria Prästgardsgata 12
11852 Stockholm
Tel.: 0046 8 6 42 82 30
Fax: 0046 8 6 43 02 42

Caritas Sweden
George Joseph
Ölandsgatan 42
11663 Stockholm
Tel.: 0046 8 556 020 00 15
Fax: 0046 8 556 020 20
gjoseph@caritas.se
www.caritas.se

SIOS
Migrantennetzwerk
Tel.: 0046 8 30 13 60
Fax: 0046 8 31 92 80

6.5. Research Institutes

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Mid Sweden University
Fabriksgatan 26
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Warfvinges väg 25, SE-112 79 Stockholm
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Carl Schierup
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Arbetslivsinstitutet i Stockholm
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112 79 Stockholm
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Warfvinges väg 25 Stockholm
Tel.: 0046 8-619 67 00
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Thomas Hammar,
Politologe, Integration
Stockholms Universitet
Centrum för Invandrings-
forskning - (CEIFO)
Universitetsvägen 10B
10691 Stockholm
Tel.: 0046 8 162-828

Fax: 0046 8 156-720

Swedish Council for Social Research
Järntorget 84, 3 TR
Box 2220
10315 Stockholm
Tel.: 0046 8 23 77 35
Fax: 0046 8 21 05 43

5.6. Others

Diversity Support
Eva Löfgren
Tel. 0046 70 211 98 68
eva.lofgren@diversity.se
www.diversity.se

Daghy Eliasson
Radio Sweden
Tel.: 0046 8 784 7288 784 7238
Fax: 0046 8 660 2990
info@p6.sr.se radiosweden@sr.se
www.radiosweden.nu

Swedish National Radio
Riksradiön
10510 Stockholm
Tel.: 0046 8 7 84 16 15
Fax: 0046 8 6 61 05 87

AFS Interkulturell Utbildning (AFSIU)
Timmermannsgatan 8
11725 Stockholm
Tel.: 0046 8 6688956

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United Kingdom

1. Developments of Migration and Population

Like other European countries, the United Kingdom – and especially England – has been affected heavily by migration throughout the centuries. In the earlier parts of its history this took the form of invasions. Amongst these early invaders were Angles, Jutes, Saxons, Danes, Norwegians and Normans, who were attracted to the region partly by the promise of fertile land and booty. Later immigrants, amongst which were the Flemings, Germans, Walloons, and Dutch were often either invited by English monarchs or fleeing from their respective countries due to their political or religious affiliations. For instance, following the edict of Nantes in 1685, an estimated 80000 Huguenots found refuge on the British Isles. About a century later, during the French revolution, large groups of fugitive French Catholics and aristocrats came to England most of which returned to their country of departure after the aristocratic system had been restored. In the late nineteenth and early twentieth century a substantial amount of Rumanian and Russian Jews fled to Britain in an attempt to escape anti-Semitic pogroms in their countries of origin. A further flow of refugees entered the country during and after the Second World War, the largest group of which was constituted by a group of Poles, who were ex-conscripts of the Allied armies.

An equally important flow of migrants has taken place between the British Isles. During the last two hundred years, the direction of this migration has largely been from the peripheral regions – Ireland, Scotland and Wales – to England. Of these individual flows, that originating in Ireland assumed particular importance in terms of size as well as economical and political connotations. Mainly caused by poverty and famine, it was greatly helped by Ireland's geographical proximity and its historic links with England, which date back to the twelfth century.

Despite the existence of small black settlements in ports such as Liverpool, East London, Cardiff and Manchester, migration from the former colonies was negligible before Second World War, but increased considerably during the war and afterwards. The outbreak of the war in 1939 triggered the events that paved the way for the massive post-war immigration of colonial peoples.

During Second World War, colonial labour was recruited to mainly support the reduced labour force within the country in the areas of forestry, munitions factories as well as the Allied military services. Influenced by the largely positive experiences made during the war by colonial labourers in the United Kingdom, a spontaneous further migration flow

from the former colonies continued after the war. Unlike that of those subsumed under the label of guest workers, this migration was largely unorganised and not accompanied by governmentally implemented programs. Some British companies individually recruited in other countries of the New Commonwealth to meet their labour requirements. Economic expansion in the decades succeeding the war triggered further migration from the former colonies.

Over the years, several centres with very high rates of foreign or foreign-born populations have crystallised. Among these, Inner London is the most diverse community with around a fifth of its population being non-white (cf. Layton-Henry 1992: 15). On the whole, London (Inner and Greater) is most densely populated by non-whites, whilst other urban centres like Greater Manchester, Bradford and Birmingham, as well as the East Midlands and West Yorkshire play host to non-white populations above national average.

In its official statistics the United Kingdom's government has pursued to signify population groups by their respective country of birth (cf. Modood *et al.* 1997: 13). This approach generated several problems; for instance, it would count white people born in India during colonial rule as Indians. Similarly, second or third generation minority children have been born since the main periods of migration. Under the approach outlined above, these would be subsumed under the category of British, potentially leading to wrong assertion if one was to require data about ethnic diversity in Britain.

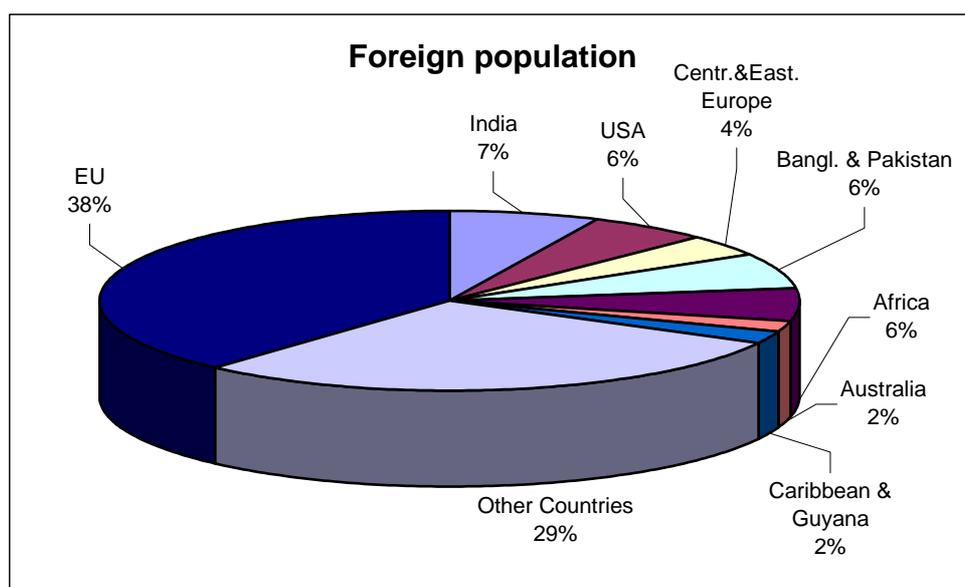
In the 1991 Census, people were asked to classify themselves into different groups, the distinctive criterion of each being skin colour. However, people were also expected to identify their country, continent or region of origin. Most of the data presented in this section follow the distinction implied in this approach, notwithstanding its drawbacks, i.e. the incapability to differentiate between subjectively experienced ethnic differences between culturally divergent groups of white skin colour and those postulated by statistical objectivity. Thus ' [t]he London Research Institute estimates that, if all white people born outside the UK were counted as ethnic minorities, London's ethnic minority population in 1991 would have been thirty percent' (Commission for Racial Equality 1999: 3).

In 1999, the UK's total population amounted to 59.130 million, with Scotland having 5.122 million, Northern Ireland 1.675 million and Wales 2.926 inhabitants. Of the total population, about 2.207 million are foreign nationals. The annual population growth rate fluctuated around 0.4 percent during the last ten years (von Barratta 2000: 325). This trend of slow but continuous growth is somewhat more applicable to British nationals. Whilst their number has grown by approximately one million between 1993 and 1998 (the total number of British citizens in 1993 was 54.937 million as compared to 55.895 million in 1998) that of the foreign nationals has fluctuated somehow around two millions

until 1996, from which time on it continuously increased to 2.207 million. This represents an increase of the foreign population in Britain by roughly 13 percent during those years. For the same period, the proportional change in the British population was 0.84 percent.

In the nineties, the five largest groups of foreign nationals residing in the United Kingdom were the Irish, Indians, Caribbeans and Guyanese, North Americans (USA) and Italians. On the other hand, Indians, Pakistani, Black-Caribbean, Black-African and Asians other than Chinese constitute the five largest ethnic groups, following the 1991 census definition in the UK.

TABLE 53. STOCK OF FOREIGN POPULATION:



Source: SOPEMI 2000

TABLE 54. UNITED KINGDOM, STOCK OF FOREIGN POPULATION BY COUNTRY OR REGION OF NATIONALITY [THOUSANDS]

	Of which women				
	1985	1990	1995	1999	1999
Ireland	569	478	443	442	227
India	138	156	114	149	86
United States	86	102	110	123	70
Germany	36	41	51	85	51
Central and Eastern Europe	68	58	75	83	48
Italy	83	75	80	80	39
Bangladesh	41	38	53	78	41
Western Africa	43	37	87	77	42
Pakistan	49	56	81	73	36
France	27	38	60	68	38
Eastern Africa	28	39	40	61	32
Australia	28	44	47	55	25
Caribbean and Guyana	135	82	82	54	27
Spain	28	25	31	45	26
Portugal		21	30	44	26
Other Countries	372	433	564	691	358
Total	1 731	1 723	1 948	2 208	1 172
Of which: EU	796	731	902	886	476
Total woman		910	1 036	1 172	

Source: SOPEMI 2000

Over the years, migrants from the former colonies have constituted the largest part of

the new arrivals in the country. Another major influx came from Ireland, partly helped by the special arrangements made between the United Kingdom and Ireland regarding travel and employment.

Within the specific context of the UK, it should also be noted that there is a substantial migration to and from Northern Ireland. 211000 people born in Northern Ireland and living elsewhere in the UK have settled in England (86 percent), 26000 in Scotland and 7000 in Wales.

The distribution of people of colour is regionally concentrated on the larger urban centres. Thus, according to the 1991 Census, 25.6 percent of the population in Inner London are non-white, 16.9 percent of Outer London, 12.4 percent of the West Midlands Metropolitan Council, eight percent in West Yorkshire and 5.1 percent in the Greater Manchester area. The rest of England has rates below the latter value. Central Clydeside is the region with the highest proportion of foreigners in Scotland (1.5 percent), whilst for the rest of the country, the non-white population accounts for only 0.6 percent. The population of the Welsh peninsula is constituted by 1.7 percent of foreigners.

Thus, according to the Commission for Racial Equality (CRE) (1997), 58 percent of the Black Caribbeans, 79 percent of Black Africans and 44 percent of other Black people live in Greater London, whilst 16 percent of Black Caribbeans live in the West Midlands. The distribution of South Asians is similarly focussed on the urban centres. Greater London is home to 54 percent of Britain's Bangladeshi population and the West Midlands to another twelve percent. Pakistanis are concentrated in the West Midlands (21 percent) and in Yorkshire and Humberside (20 percent), while Indians have settled mainly in the South East (53 percent) and the Midlands (30 percent). The Chinese population seems to be comparatively more dispersed across England than other non-white groups, with 36.1 percent in Greater London, 53 percent in the South East and ten percent in the North West of England (all numbers according to CRE1997)

**TABLE 55: GREAT BRITAIN, POPULATION BY ETHNIC GROUP AND AGE 2000-01
[PERCENTAGES]**

White	under 16	16-34	35-64	65 and over	All ages (=100%)
	[%]	[%]	[%]	[%]	[mill.]
	20	25	39	16	53.0
Black					
Black Caribbean	23	27	40	10	0.5
Black African	33	35	30	2	0.4
Other Black groups	52	29	17	..	0.3
All Black groups	34	30	31	5	1.3
Indian	23	31	38	7	1.0
Pakistani/Bangladeshi					
Pakistani	36	36	24	4	0.7
Bangladeshi	39	36	21	4	0.3
All Pakistani/Bangladeshi	37	36	23	4	0.9
Other groups					
Chinese	19	38	38	4	0.1
None of the above	32	33	32	3	0.7
All other groups ²	30	34	33	3	0.8
All ethnic groups ³	20	26	39	15	57.1

1 Population living in private households. Combined quarters: Spring 2000 to Winter 2000-2001.

2 Includes those of mixed origin.

3 Includes those who did not state their ethnic group.

Source: Labour Force Survey, Office for National Statistics

About one third of Britain's non-white population is under 16 years of age compared to one fifth of the white population (table 55). Among the ethnic minorities, Caribbeans (10 percent) and Indians (7 percent) have the highest share of population aged 65 years and more, but these percentages are still far lower than for the same age group's share of the white population (16 percent). Women outnumber men, among whites, Caribbeans, Chinese and Other ethnic groups, while men outnumber women among South Asians, particularly Bangladeshis and Pakistanis. Among people born outside the UK, there are marked differences in the gender balance between groups. Among those born in western Europe, women significantly outnumber men, while the reverse is true for those born in Eastern Europe and the former USSR, the Near and Middle East and North Africa. The imbalance is greatest among the 13 000 people from the Philippines in London, 71 percent of whom are women.

Labour Market Developments

The stock of employment has increased by almost 1.7 million from 25.097 million in 1993 to 28.09 million in February 2001.

Of those employed, foreign nationals accounted for 1.036 million in 1998. Despite a general increase in both the number of British employees as well as that of foreign employees, the latter have increased by more than a fifth between 1995 and 1998, whilst the proportional growth of the British stock of labour for the same time was only four percent.

Amongst the ethnic minority population of ethnic origin, women similarly are more engaged in part-time employment; however, the discrepancy between the proportions of males and female thus engaged is not as high as that of the white population, with the exception of the Pakistani Bangladeshi community, for which rates were similar (CRE 1999).

In 1995/6, about two million people of working age in Great Britain (5.9 percent) belonged to non-white ethnic groups. Of these, 1.09 million were in paid work, and 241000 were unemployed or looking for work. Together they made up the 'economically active' proportion of the ethnic minority of working age in Great Britain. About 702000 were 'economically inactive', that is they were retired, looking for work or studying: nearly one-third of them were students.

In 1999, the number of foreign nationals working in the UK was 1.005 million, around 3.9 percent of the total working population. Of these, 453000 were from the European Union including Ireland, which, amongst the EU member states, accounts for almost half of the former.

The overall economic activity rate for people of working age from ethnic minorities in Britain in 1995/6 was lower than the rate for White people (eighty percent). This difference was greater among women than men. However, there was considerable variation between the individual groups. For example, Black Caribbean women and White women had very similar economic activity rates (72 percent and 73 percent) and Black Caribbean and Indian men had rates only five percent lower than White men (81 percent for the former groups, 86 percent for the latter). Meanwhile, only 22 percent of Pakistani and 21 percent of Bangladeshi women were active in the labour market. These figures may, however, underestimate the work they did in family businesses and in the informal economy. Thus, 71 percent of Pakistani and Bangladeshi women looked after their families or homes compared with 52 percent of white women; 53 percent of Indian women and 46 percent of Black women (CRE 1997).

Corresponding to the regional concentration of the ethnic minority population, in 1996, 59 percent of the ethnic minority labour force lived in South East England, compared

with 31 percent of the White labour force. London in particular displayed a relatively larger proportion of ethnic minority labourers (22 percent of the total regional economically active labour force) and more than a third of these were from Black groups (following the 1991 Census definition). The next largest concentration of ethnic minority members of the labour force were in the West Midlands (ten percent), Yorkshire and Humberside (seven percent) and East Midlands (six percent). Other ethnic groups, except Irish nationals were less overwhelmingly concentrated in London and the South East.

Of the 441000 Irish nationals resident in Britain in 1996, 218000 were in some sort of employment (OECD 1997). Alternatively, CRE (1999), drawing on Labour Force Survey data presents an economic activity rate of 59 percent amongst the Irish, which compares with an overall rate of 62 percent in 1993. Partly, this can be attributed to the age distribution amongst the Irish, with more than a quarter being of retirement age and more than half were fifty and older.

The most striking feature of the labour market in Great Britain since the eighties has been the continuing rise in female employment among all ethnic groups, accompanied by increasing levels of male unemployment. The difference between the employment trends of White and ethnic minority women has been a significant feature. In contrast to White female employment, which grew from 59 percent in 1984 to 68 percent in 1995/6 the rate for ethnic minority women grew by only two percent over the same period, from 44 percent in 1984 to 46 percent in 1995/6.

A noticeable variation has occurred between the different ethnic groups, reflecting the higher unemployment rates some of them experience: the employment rate for Indian women, for instance, increased by ten percent between 1984 and 1995/6 even faster than for White women. Conversely, Black women's employment rate dropped from 56 percent in 1984-86 to 54 percent overall in 1995/6. Pakistani and Bangladeshi women still have the lowest employment rates (16 percent). Ethnic minority women experienced the biggest overall improvement in employment prospect between spring 1995 and spring 1996, with their overall unemployment rate falling by two percent.

In 1996, the unemployment rate for people of ethnic origin (18 percent) was more or less than double the rate for White people (eight percent). Unemployment levels were highest for both men and women in the Pakistani and Bangladeshi groups, at 27 percent and 28 percent respectively. The discrepancy between the unemployment rates of Indians and Whites fell by three percent between 1985 and 1995. Conversely, unemployment among Black people rose from 22 percent in 1985 to 24 percent in 1995.

Unemployment also varies according to age and regional economic conditions. Thus, young people aged 16-24 experienced the worst unemployment in 1995/6. Young Black women had the highest rate (39 percent), followed by young Black men and Paki-

stani/Bangladeshi women. Similarly, in 1991, forty percent of 16-24 year-old Black men in London were unemployed. A recent Labour Force Survey indicates, that this number has risen to 62 percent. Merseyside had one of the most severe overall unemployment rates in Britain, but Black people were twice as likely to be unemployed (31 percent) as White people; in Yorkshire and Humberside, unemployment among South Asians stood at 27 percent compared with ten percent for all groups.

The distribution of Britain's ethnic minority labour force among the different occupational sectors has changed since the fifties and sixties, when it was predominantly concentrated in manufacturing, transport and health. In the last ten to fifteen years, employment in manufacturing has fallen by about nine percent among White people, but by 18 percent among other ethnic groups. Employment in services has meanwhile grown by 15 percent among White workers compared with 49 percent among others.

The process of deindustrialisation and transformation to service society now being more or less completed, ethnic minorities are more likely than the white population to work in the service sector (79 percent compared to 71 percent for the white population group). This difference is still bigger regarding the male active population, where 75 percent of the non-white population work in services compared to only 59 percent of the white population. Consequently, the share of ethnic minorities working in manufacturing industries is slightly lower than for the white population (Labour Force Survey 1997/98; Office for National Statistics).

In 1995/96, equal proportions of White people and people from ethnic minorities and people from ethnic minorities worked in manufacturing, but larger proportions of ethnic minorities than Whites, among both men and women, were employed in wholesale and retail and health and social work. Over one-fifth of all Black workers and over a third of all Black women worked in health and social work. Pakistani and Bangladeshi women were prominent in the wholesale and retail sectors, followed by education and manufacturing.

Regarding education, ethnic groups are likely to experience differential outcomes during the transition from school to the labour market. A research commissioned by the Department for Education and Employment (DfEE) showed that over the past decade the most notable trend has been the increase in the number of young people staying on in full time education (cf. Owen 2000). Furthermore, young people from minority ethnic groups are more likely to remain in full-time education than their white peers who are more likely to enter full time employment. An analysis of data from the Youth Cohort Study and the Career Activity study for 1998 revealed that four-fifths of all young people from minority ethnic groups remained in further education, whilst just over two thirds of white young people remained in the education system.

Among those with the poorest General school examination GCSE examination perform-

ance, the percentage that remained in full-time education was almost twice as high for young people from minority ethnic groups (71 percent) than for their white counterparts (37 percent). A tenth of all students and about 15 percent of full-time students in the further education sector are from minority ethnic groups. South Asian students form a large percentage of the full-time students and have a very young age profile, whereas students from white and Black-Caribbean ethnic groups tend to be older.

Students from minority ethnic groups are overall comparatively well-represented in higher education in Great Britain. In 1997/98 minority ethnic groups comprised nearly 13 percent of students at first degree-level in Great Britain, which is considerably higher than the minority ethnic share of the population of young people (Minority ethnic groups represented 8.3 percent of those aged 19-24 in 1998). The highest percentage of students attending higher education in 1998/99 was from the Black-African ethnic group (68.6 percent). This is a much greater proportion than the 37.7 percent from the white ethnic group. 53.1 percent of White Graduates achieve a first or an upper second compared to 50.1 percent for all groups. In contrast Black African students are least likely to obtain higher classes in their degree (25.1 percent achieve a first or upper second).

Compared to the white population, where the self-employed persons' share of the active population is 11.8 percent, the respective shares of the Indian (14.1 percent), Pakistani and Bangladeshi Population (15.4 percent) are clearly higher, whereas the black minorities share is lower (7.2 percent) (Labour Force Survey 1997/98; Office for National Statistics).

2. Anti-discrimination Legislation with regard to the Labour Market

The United Kingdom has ratified the Convention on the Elimination of all Forms of Racial Discrimination, the International Covenant on Civil and Political Rights and the ILO Convention No 111 on Discrimination in Employment and Occupation.

The European Convention of Human Rights was incorporated into UK domestic law under the Human Rights Act 1998. Under this legislation discrimination on racial grounds is prohibited in any sphere of social life, including employment.

The first piece of legislation at a national level was the 1965 Race Relations Act. In broad terms, it prohibited discrimination and created a single criminal offence; namely "Incitement to racial hatred". In addition, it created the Race Relations Board in charge of investigating complaints regarding discrimination. A second Race Relations Act extended this Act in 1968. This second Act addressed discrimination in employment. Individuals experiencing discrimination could seek legal redress through the Race Relations

Board.

In 1976, the new Race Relations (1976) Act was a more comprehensive piece of legislation. This law covered different types of discrimination, which have since become known as "direct" and "indirect". Indirect discrimination was defined as occurring when certain conditions, which were required for everyone wishing to gain a certain job, in practice excluded more members of a particular racial group. The Act also aimed to prevent victimisation of people who had either brought a complaint under the Act or who had supported someone who had done so.

In terms of preventing discrimination in employment, Section 4(1) of the Act makes it unlawful for an employer to discriminate regarding access to employment. Section 4(2) deals with discrimination within employment in terms of access to promotions, training or other benefits (Wrench and Modood 2001: 43). However the legislation allowed for some exceptions to the law, the most noticeable being that "office-holders" (this included many public authorities) were exempt from the Act.

The Race Relations 1976 Act allowed people who had suffered unlawful discrimination to seek direct legal redress through the civil courts and the industrial tribunals. Complaints are initially taken to the Advisory Conciliation and Arbitration Service (ACAS) where an attempt is made to reach an agreement. However, if this fails, the complaint is lodged with the industrial tribunal.

The 1976 Act also created the Commission for Racial Equality (CRE). The CRE may conduct formal investigations and has the power to issue a non-discrimination notice if it is found that the Act is contravened. Furthermore the CRE can start legal proceedings in cases of persistent discrimination. It can also start legal proceedings in cases such as discriminatory advertisements, as well as instructions and pressures to discriminate (Home Office 2000).

A further remit of the CRE was to review the working of the 1976 Act. It is under this provision that the CRE drew up proposals to amend the 1976 Act. The Act was amended by the Race Relations (Amendment) Act 2000. It was hoped that this new Act would address the limitations of the previous Acts.

The new Act includes general duties of public authorities to promote racial equality and extends protection against discrimination from public authorities. "Public authorities" are broadly defined to include, for example, local and national government, law enforcement agencies and the NHS. Likewise it covers all employment sites, irrespective of size and includes vocational trainees and contract workers.

All aspects of employment are covered by the amended Act, including: recruitment, selection, promotion, transfer, training, pay and benefits, redundancy, dismissal and terms

and conditions of work (Commission for Racial Equality 2001).

Once again there are exceptions to the Act. These include: people working or applying to work for a private household; in certain jobs where the Crown is the employer and where discrimination on the grounds of nationality or national origin is not unlawful (however discrimination in these jobs based on ethnicity is covered by the Act); and finally where race is a 'genuine occupational qualification' for the job, such as in certain roles, certain jobs in restaurants as well as in the provision of personal services to people of particular social groups which would be provided by people of that racial group (Commission for Racial Equality 2001).

3. Institutional Development in the Area of Cultural Diversity in the Workplace

The UK has started already in the late sixties to implement activities and measures to prevent discrimination and promote cultural diversity in the workplace. Based on this it has developed different institutions in the public sector and on the local government level dealing with these questions. Apart from this especially in the NGO sector and within the field of immigrant and ethnic minority self-organisations, there are numerous organisations promoting cultural diversity and anti-discrimination. Also the trade unions and employers organisations have only later begun to deal with these themes, even in this field a wide variety of organisations and initiatives have developed. Therefore in this chapter only some institutions have been selected for presentation, as within this report it is not possible to give a comprehensive overview.

Most important in the state sector is the Commission for Racial Equality (CRE), which was founded in 1976. In general terms the role of the CRE is to promote good relations between different "racial" groups. In particular it has to promote equal opportunities and enforce the legislation on race relations. In order to achieve its aims the CRE has various duties. Firstly, the CRE may conduct formal investigations and has the power to issue a non-discrimination notice if it is found that the Act is contravened. Secondly, the CRE can issue codes of practice towards promoting equal opportunities and containing guidance towards the elimination of discrimination. Thirdly, the CRE can issue codes of practice towards promoting equal opportunities and containing guidance towards the elimination of discrimination. Fourthly, the CRE can start legal proceedings in cases of persistent discrimination. It can also start legal proceedings in cases such as discriminatory advertisements, as well as instructions and pressures to discriminate (Home Office 2000).

In addition, the CRE provides general advice and information on the Race Relations Act and provides legal advice and representation for members of the public who feel they have suffered discrimination. In 1997, the CRE received 10,000 enquiries and lodged 2,886 applications under the Race Relations Act to the industrial tribunals.

The CRE's duties include the enforcement of the law. The CRE has the power to issue Codes of Practice for public authorities to fulfil. Once the CRE has issued a public authority with a compliance notice, failure to comply on the part of the authority may lead to the initiation of court proceedings. However the focus is more on pro-active measures. Therefore it has developed a guidance system for the public sector on how to prevent discrimination and promote equality. In the promotion of cultural diversity it is crucial to change the culture of the organisation and to support affirmative action and good service provision.

Besides the legislative measures to reduce discrimination in employment, there has been an introduction of voluntary measures. The CRE has published and disseminated an "Employment Code Of Practice". Although this code of good practices, is not legally binding, failure to pay attention to aspects of it may lead to infringements of the legislation. Employers are encouraged, and assisted (by the CRE but also by the Department for Education and Employment's Race Relations Employment Advisory Service) to introduce these measures. These include an audit of staff in order to gain statistical information about the current composition of the workforce, equal opportunities policies to cover the areas of recruitment, promotion and training. Employers can set equality targets and initiatives to promote the recruitment of ethnic minorities. In order to check the equal opportunities policies, employers may carry out ethnic monitoring. Likewise they are advised to produce adverts, which comply with the Race Relations Act and to have a policy on racial harassment within the organisation.

In this context the CRE has set up a programme called "Leadership Challenge". This programme is based on the personal commitment of individual business leaders who stand for the fight against racism and the promotion of race equality. There is a special award for these business leaders every year. The public sector has shown great interest in this programme, however the private sector is not very much interested as there are currently too many different standards in this area.

The CRE has directed much information towards small business in order to encourage the adoption of non-discriminatory practices in recruitment, promotion and training of all staff. It also encourages open channels of communication and flexibility with regards to working hours and dress.

Regarding the fight against racism and the promotion of cultural diversity, the public sector is much more regulated. The new race relations Act (amendment November 2000) is

focussing mostly on the public sector and asks for positive measures of anti-discrimination. The public sector should work as a model role for the private sector. Especially at the local government level there have been strong intends to promote cultural diversity. On the local level the biggest consistent progress has been attained. They have recruited more ethnic minority groups, worked on promotion schemes etc. However the success varies in different regions and areas of the local government. For example in the Fire Service which is usually known for racial harassment and a white dominant culture, the Public Employees Trade Union and the Fire Brigade Union have been working together in setting up procedures to fight racism and discrimination. There is a rising interest of Black ethnic minority members to work in the public sector. Besides this the now local government bill leads to the creation of established mechanisms of consultation with all relevant stakeholders of the local community. This includes also ethnic minority representatives. It is now a statutory duty to hear and consult ethnic communities.

The Home Office, which is also engaged by various means in promoting cultural diversity in the workplace, has established an Action Plan based on the Stephen Lawrence Report. This Action Plan sets targets (not quotas) for the recruitment of ethnic minorities in the public sector. Employment targets vary according to the institutions. There is the idea to develop realistic plans on the basis of prior monitoring. In the police, which is usually an organisation known for its high levels of racism there is a change going on. However this is mostly related to the higher ranks but not to the lower levels. The police is facing a severe image problem and tries therefore to improve its organisational culture. This includes the strategy of employing more persons with an ethnic minority background. Furthermore based on the amendment of the Race Relations Act, which is overseen by the CRE, there are new standards for service provision and recruitment at the local level. City council has to report yearly on these issues. First of all the new strategy includes auditing and monitoring, employment strategies, training and service provision. There is a special focus on service provision under the theme of best value systems, meaning to provide the best service to everybody at the lowest cost for the community. There will be a key review in how far this best value approach also is focusing on diversity.

As the local governments and councils are the main institutions responsible for the concrete implementation of measures in the area of cultural diversity in the public sector here a lot of initiatives have been taken. The city council of Southwark in London for example has set up a strategy group in order to tackle racism and discrimination in the public sector but also within its overall council boundaries. The strategy group above others it is made up of the political and administrative heads of Southwark, members of the black community, the police and different departments of the city council. Further-

more they have organised a Stephen Lawrence Community conference, which has resulted in different ideas for an Action Plan. Southwark has an equal opportunities policy since 1987. This is focusing mostly on the area of recruitment but also includes service provision for ethnic minorities. They have been working on introducing fair procedures for employment for everybody. Southwark is bound to a policy paper, implementing targets for the employment of ethnic minorities in a two years and five years range. These plans have been centrally included in the framework of the amendment of the race relations' act. The department of race equality will now discuss with the different departments how to recruit ethnic minority groups and how to meet the targets. The equality unit tries to raise awareness on the issues of racism and discrimination through the training of the staff of the city council. Furthermore an "Equality Champion" has been introduced as a senior staff member or central manager that stands for equalities issues and is promoting equal opportunities in his department. It is important to find these people. They have now found about twenty of these Equality Champions.

At the community level the equality unit is funding various immigrant and ethnic minority groups and supporting their work through publicity campaigns etc. In May 2001 the equality unit organised a seminar for local business managers regarding the question on how they can make their businesses culturally diverse and promote equality. Around 120 managers have participated in the seminar. The main aim of the seminar was to make the managers aware of Action Plans and inform them on how to implement them. Funding of the private sector has also become more important in this context and it is necessary to implement more programmes for which the council does not have funding, but also to integrate the private sector in activities promoting cultural diversity and supporting ethnic minorities. For example the private sector has implemented a Back Mentoring Scheme, in which black people from the private sector work as mentors for school students and try to consult them especially regarding labour market inclusion.

In order to support the individual activities taken by the city councils and local communities, a multi-equality-panel has been set up on the national level in order to discuss in a horizontal way issues of equality and policy decisions regarding the role of city councils and communities. This group is also co-operating with the strategy advisory groups (SAG) including members outside the city council such as representatives of the church, local business etc. Furthermore the local government association (LGA) has a sub group where the persons working on equalities departments in London are meeting regularly. They try to develop common standards and policies on how to implement equality strategies. Furthermore the LGA has a central office giving support and advise to its members on these issues. In order to finance different activities in the area of fighting discrimination, the government has established a special funding scheme, the single Regeneration Budget (SRB), with regions providing funds to regenerate their communi-

ties. This programme includes also aspects on fighting racism and discrimination.

Other large public sector employers such as the hospitals, the Police, the education sector etc. also have set up special Action Plans and initiatives to promote cultural diversity. The National Health Service (NHS) has set up an Action Plan to promote cultural diversity and fight discrimination. There are a high number of immigrants working at the lower ranks of the NHS. Discrimination is especially an issue regarding the patients. Until now it is not clear what kind of impact the Action Plan is having. A survey carried out by the CRE in 1998 concluded that there was a deficiency between the practice and the policy, and that the Action Plan had not been fully implemented. Although 80 percent of the trusts interviewed had collected data on the ethnic composition of the workforce, lack of resources and competing priorities often meant that the process was not taken further (CRE 2000).

However they are having a very good strategy on the national level. Before the Lawrence report came out, a review into HM Fire Service Inspectorate found that the British Fire Service was "probably institutionally racist". The report noted the clear leadership of the union, the Fire Brigades Union, on equality issues, showing that they were ahead of the employer on many points. In July 1999 the Home Secretary set recruitment targets that would bring the proportion of black fire fighters up to the proportion in the population in London that meant a six-fold increase over the next decade. Therefore, the employers spent their entire advertising budget on recruiting ethnic minorities, using the black and Asian press for advertising as well as attending open days and career fairs. The employer has taken on board the point made in the Fire Brigades equality and fairness policy "All different, all equal". The policy was then launched in campaign with posters in fire stations, T-shirts and coasters aiming to get the message across.

In the area of trade unions the Trade Union Congress (TUC) plays an important role for the development of policies, measures and initiatives, which are then implemented by the specific regional branches of the individual trade unions. To this end the TUC has established a specific equal rights department, which is focussing on three distinctive groups gender, homosexual and ethnic minorities. Concerning ethnic minorities a special Race Relations Commission has been set up. It consists of 16 people, who are elected by the Black Workers Congress, 6 of these persons can attend the General Council.

The Black Workers Congress is an annual conference. It has the aim to prepare and discuss motions regarding black workers and ethnic minorities, which should be presented at the general congress. Each affiliated union of the TUC can send two motions to the congress. At the last conference the main issue was the Stephen Lawrence report and the discussion of institutional racism. At the Black Workers Congress usually

speakers from different community organisations and NGO representatives are invited. It is important for the Black Workers Congress to link up labour migration with the issues of refugees and asylum seekers, as they want to show solidarity with these groups. There the understanding is that a growing racism towards refugees and asylum seekers (as it is currently the case in the UK) will lead to more racism in the society as such and hence also influence the workplace. Therefore the Black Workers Congress supports a campaign against the discrimination of refugees.

In proportional terms more black ethnic minority workers are affiliated to the TUC than white members. However there is not sufficient monitoring of the membership in order to have a clear knowledge on the affiliation of ethnic minorities. Their level of participation is likely to vary strongly from union to union. Furthermore regarding officials working for the trade unions the representation of ethnic minorities is still very small at the higher-ranking positions in the TUC. This has mostly to do with the qualification of ethnic minority members. There are still smaller bases of ethnic minority members who have visited universities and are at the same time trade union members. Therefore the TUC has established a specific training programme for black members in order to make it possible for them to become more active. Regarding the white members of the trade unions, the TUC tries to make the experiences made by black workers in the workplace made known to the white workers. Furthermore there are special training courses on intercultural relations and racism for all trade union members. Especially shop stewards receive special training in this area. In their basic training course there are some training modules regarding equality issues. Furthermore there are specific courses on tackling racism. They are explaining how to identify racism and how to deal with it. The TUC tries to encourage participation in these voluntary courses but it is sometimes not so easy to mobilize participants.

Most affiliated trade unions of the TUC have special (race) equality offices. Sometimes they focus only on race equality, other times on all different forms of equality. Each union has to find the best suitable approach for its means and measures implemented vary according to the percentage of ethnic minorities affiliated, but also concerning the different problems and issues arising in promoting cultural diversity and anti-discrimination. For example the national assembly of the Civil Service Union (PSC), which is situated in Cardiff Bay where the oldest black community in the UK is living, has a staff of 2 500 persons of which only 29 are from black minorities. Therefore the PSC and the Assembly of Wales have been establishing an Action Plan, which has been published in March 2001. This Action Plan is focussing on training, recruitment and possibilities of setting up links to the black community.

Of the social partners not only the state and the trade unions have been active in the

area of promoting cultural diversity in the workplace, but also since the last five years individual enterprises and their representations. The Confederation of British Industry (CBI) is representing about 200 000 British employers from different regions, areas and with very different sizes. In the view of CBI, race is seen as a business case. It is important for them to prevent that cases for their member organisations come before the industrial tribunal. They are favouring the good practices approach. This includes monitoring racism, to support fair treatment and to push for senior leadership commitment. Positive action is seen problematic as it can be related to positive discrimination and might be contra productive regarding the qualification of individual applicants. The CBI tries to raise the awareness of its members by emphasising that recruiting ethnic minority members can be positive especially in a time of a tight labour market. Furthermore concentrating on ethnic minorities opens up possibilities on targeting new markets and reaching customers of ethnic minority backgrounds. The CBI has established an equal opportunities plan focussing on monitoring the work force and providing training courses to ethnic minority members.

Cultural diversity is not a new issue for large companies and on the international level working enterprises in the UK. It is much more difficult to make cultural diversity a theme in smaller businesses. They need special guidance in order to implement diversity. The CBI has therefore prepared special material and hands on guidance including examples of good practices, monitoring schemes etc. for small firms. This effort has also been supported by the CRE, which also published a special brochure for small business on how to promote diversity and recruit members of ethnic minorities. The equality department of the CBI has set up a special telephone hotline, sponsored by the government focussing on legal advice for small firms. This is a very new approach and has not been evaluated yet. In 1999/2000 the CBI has organised a workshop for small businesses focussing on racial equality and diversity. More conferences and workshops will be organised in the future. These should focus on the concrete local need and experiences, macro approaches and too much lectures are not valued as positive. Furthermore the CBI has developed a personal management tool, a kind of benchmarking booklet, focussing on the culture of the organisation and recruitment practices. Apart from this the CBI is working on an overall standard concerning cultural diversity. By this they hope to attract more enterprises.

There are some well-known examples of cultural diversity in the private sector. Ford has set up a joint equal opportunities and diversity committee. Furthermore it has established the post of a diversity manager who is responsible for implementing the new recruitment schemes and anti-discrimination measures. ASDA stores (a supermarket chain) have implemented an ethnic monitoring scheme and set up a policy on race discrimination and racial harassment, which reaches down to the shop floor. Its Colleague

Relations guidelines advise all employees not to use "racially suggestive words" nor to "repeat or condone racist jokes". It also suggests that colleagues need to "learn more about the needs of minority groups, which will help us to give a quality service to all our customers." Since the early nineties Northern Foods has been publishing an annual review of its Fair Employment initiatives. Their aim has been to reinforce the company's commitment to equal opportunities and provide commercial benefits through a well-educated and flexible work force. By 1996 some 1 800 senior employees had attended a one day training programme, which was supplemented by a two-day "train the trainer" workshop for personnel and line managers. Northern Foods, which has signed up to the CRE Leadership Challenge and employs 22 000 people, has launched initiatives which range from a programme to recruit ethnic minority graduates, by giving them a higher profile in the company literature, to working with the Adult Literacy and Basic Skills Unit to help those with English as an additional language. Usually the Banks are very active in the area of cultural diversity. There is a strong competition between the individual banks regarding the customers. Therefore it becomes crucial for the bank to obtain an individual profile. Also British Telecom has been becoming engaged in this area. Many more examples of this kind could be mentioned.

Race for opportunity is a consultancy providing businesses, which have already or do want to implement measures promoting cultural diversity in the workplace, with support. Race for opportunity (RfO) is a part of Business in the Community. Business in the Community is a consultancy active in corporate Social Responsibility, which was founded 13 year ago. Their main aims are awareness raising for business in the context of the communities in which they are working. Social responsibility can be important in different fields, these include: education, diversity, environment, regeneration, community involvement, human rights and women. Race for Opportunity is only five years old and a kind of network in the network and has about 150 members. Race for Opportunity have chosen the business approach in order to research its clients. They try to focus on the positive impacts, which can result from cultural diversity. They aim at providing information on race and religion, are carrying out market research regarding ethnic communities and help their members to gain better access to ethnic communities. To this end Race for Opportunity is publishing a newsletter twice a year. The members of the network have to pay 1500 pound as a regional member and 10000 pound per year as a national wide membership.

The involvement with Race for Opportunity always means a direct commitment of the employer to do something. First of all RfO in co-operation with the employer does a kind of analysis focussing on recruitment practices, section of people, targeting ethnic minorities, Action Plans and community involvement. After this problem analysis concrete measures and an Action Plan are written up. These Action Plans are usually written up

for one year and include measures in the area of training, reviewing recruitment, etc. For each client an individual approach is chosen. The Action Plans are monitored all three or four months by the staff of Race for Opportunity. One idea of the Action Plans is that cultural diversity should not be hidden. Training is the most important measure in this context. In the area of recruitment Race for Opportunity is analysing the selection and advertisement practice of the firm, it gives advice on how to approach ethnic minorities and analyses what makes people stay in a firm. Regarding recruitment, the links with ethnic communities themselves are very important. In this context community involvement of enterprises also plays a crucial role, as by these activities members of ethnic minorities become interested in an enterprise and might be later willing to work there or become a customer. Community involvement includes for example measures to support ethnic minorities in going to study at the universities sponsoring open days and summer schools. These summer schools are a kind of pre-training course for students needing additional training before entering the university. For example Rollce Royce has strong links with the Asian community and approaches especially women to do some of the manufacturing at home. Some IT firms have opened up their premises to the local community allowing them to use their computing and other technical facilities. By these approaches the firms try to establish contact with their surroundings and have easier access to a pool of persons for recruitment. Until now Race for Opportunity has not approached the firms, usually they are coming by themselves feeling the need to become active in this area. When Race for Opportunity started five years ago they had only 10 members, next year they hope to have more than 200 members. Apart from the individual counselling of firms there are also networking events and seminars organised by RfO. These are focussing on special themes such as the human rights act and on how to implement race in an overall diversity policy.

In the area of media some ethnic minority groups have established their own media. Some of these organisations work in the minority language while others are bilingual. There are also examples of media organisations, especially radio that broadcasts for a number of ethnic minority groups. BBC 1 and 2 have an active monitoring scheme regarding employment targets, positive action, programming and ethnic minority representation. Channel Four is having a special programming for ethnic minorities. In 1997, the Presswise Trust created the "Ethnic minorities and the media Forum". The aim of this forum was to conduct research on the representations of ethnic minorities in the media. In particular it funded a project on "Gypsies, Travellers, asylum seekers and the mass media". A further organisation worth mentioning is "Migrant Media". Migrant Media was established as a media training centre and independent production company run by people from an ethnic minority background. It concentrates on issues related to migrants, ethnic minorities and the abuse of human rights. Its productions cover both the

UK and Europe.

The Centre for Diversity and Business aims at supporting companies in implementing diversity strategies within the changing business landscape. To this end it carries out research into leadership models and current practices in order to develop tools to implement diversity in the workplace. The Centre also organises events and manages various networks, which aim at promoting the exchange of expertise in the field of diversity. It also has a consulting practice, which uses its diversity assessment tools to provide guidance on cultural diversity.

The Runnymede Trust was founded in 1968 as a think-tank on issues of ethnicity and cultural diversity. The Trust funds and conducts policy research in order to influence anti-racist legislation, to challenge racial discrimination and to promote a multi-ethnic Britain. In the area of employment the Trust has funded research on racial equality in the FTSE 100 Companies (index of one hundred prominent companies in the area of Finance and Technology listed at the British Stock Exchange). It has also initiated debates on transnational aspects of racism and xenophobia across Europe. The point of this debate was to help employers re-energise policies and practices in order to combat discrimination and embrace diversity.

The Joint Council for the Welfare of Immigrants was set up as an independent charity in the sixties. It has a dual function of both giving direct advice in all areas of immigration and asylum as well as campaigning to influence governmental policy. The Joint Council for the Welfare of Immigrants has researched and published information regarding a wide range of topics to do with immigration and human rights in the United Kingdom. It also provides training on a wide range of issues.

There are numerous ethnic minority organisations in the United Kingdom. These organisations act in a number of areas and address various ethnic minority groups. A couple of such organisations are discussed in this section below. The Council of Ethnic Minority Voluntary Sector Organisations (CEMVO) and the Ethnic Minority Foundation (EMF) were established to develop resources for the social regeneration of the black and minority communities in the UK. The starting point was the fact that the minority ethnic voluntary sector suffered from a lack of resources. They have carried out consultations on the views of the black and ethnic community voluntary sectors and on the issues that concern them. The CEMVO has developed an important capacity building project. The aim of this project is to increase the training and support given to ethnic minority organisations in order to enable them to be more secure and better managed. Six hundred minority ethnic voluntary organisations will benefit from this project. This capacity building will enable black and ethnic communities to play a greater role in civic life and this will lead to their involvement in policy bodies. The Council also plans to carry out re-

search on issues of diversity in organisations, as well as increasing its research and policy formulations activities.

A quite interesting and innovative example of an NGO involved in improving the labour market access of members of ethnic minorities and promoting cultural diversity is the work of the Proper Job Theatre Project which is settled in Huddersfield, West-Yorkshire, where the rate of unemployment is about ten percent and the percentage of migrants high (thirty percent of Asian, ten percent of black population). Proper Job was funded in 1984 and tries to connect education with theatre. The objective is to raise creativity of the participants and to train their live skills by drama technique, through that the personal identities are explored. The objective is to strengthen the personal identity of the target group (immigrants, young people, long time unemployed, etc.) and to integrate them into the labour market. Today the Proper Job Project forms part of the governmental employment team. However they also work in private companies with the management personnel to teach them communication skills and being more effective in their work. There is an increasing demand of their services.

Before starting a course each possible participant has an interview with two persons from Proper Job to look if he fits and if the course fits for him. The skills the participants have acquired within the two week courses are focussing on self-confidence by theatre playing, and can be transferred to all the fields of work although they come from theatre. At the end of the course the so called "market place" is organised where participants can get in contact with representatives of companies, schools etc. More than three hundred persons are participating in the training courses of Proper Job each year. Two thirds of them could integrate themselves afterwards into employment, self-employment etc. up to now.

4. Measures Taken to Improve Cultural Diversity and Remarks on the National Situation

While there is a wide range of positive measures promoting cultural diversity in the workplace only some of them can be seen as good practices in the specific English context. The four good practices presented here have been chosen as they are also new to the English context and have a high potential for transferability to other EU Member States. Of course the very specific legal framework and the powers of the Commission of Racial Equality as such built the background of these good practices and can as such be understood as a kind of good practice, at least as a kind of model for other Member States.

The Confederation of British Industry (CBI) has prepared special material and handouts

on guidance including examples of good practices, monitoring schemes etc. for small firms concerning diversity issues. The equality department has set up a special telephone hotline, sponsored by the government focussing on legal advice for small firms. In 1999/2000 the CBI has organised a workshop for small businesses focussing on racial equality and diversity. More conferences and workshops should be organised in the future. These should focus on the concrete local need and experiences, macro approaches and too much lectures are not valued as positive. Furthermore the CBI has developed a personal management tool, a kind of benchmarking booklet, focussing on the culture of the organisation and recruitment practices.

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

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

Race for Opportunity, is a private consultancy working all over the United Kingdom. They try to focus on the positive outcomes that can result from cultural diversity by providing information on race and religion and setting up Action Plans for private and public firms. The involvement with Race for Opportunity always means a direct commitment of the employer to do something. The first step is a kind of problem analysis. This analysis is focussing on recruitment practices, section of people, targeting ethnic minorities, Action Plans and community involvement. After this problem analysis concrete measures and an Action Plan are written up. These Action Plans are usually drawn up for one year and include measures in the area of training, reviewing recruitment etc.

In the UK there is a wide agreement amongst all social partners, major NGOs and other institutions active in the field on the importance of supporting cultural diversity in the

workplace and implementing strategies, policies and measures on the practical level, which are aiming at this end. There is a common understanding that racism and discrimination in the workplace, and racism in the wider society go together and are interconnected. Therefore it is generally not only seen necessary to contribute to change within the field of employers, trade unions and workers, but also to look at the area outside work. In this context initiatives and measures, which are based on a co-operative approach involving a wide partnership of different organisations and intervening not only at the actual workplace are favoured. In the past employers only tried to tackle one problem, but they did not choose an integral approach for fighting discrimination. It is not enough to change the recruitment practice but also the culture of the organisation. There is an increasing discussion on corporate culture and employers are getting aware of the positive public image they can gain by being a good diversity employer.

The social partners, trade unions, employers and the government have established a continuous dialogue on the matter of cultural diversity and equal opportunities in employment. These efforts are backed up by the work and activities of the Commission for Racial Equalities, which has above other things established standards for employers in the area of preventing racism and discrimination. There is a wide range of best practices, which have been developed throughout the last years, but their transfer and implementation depends largely on individual persons.

What seems new as well in the English context is that race and cultural diversity are seen as a business case. There is a big difference between the legal obligations, which public and private enterprises have to follow and cultural diversity. It has been learned from experience that if firms and enterprises are forced by law and the state authorities to implement changes, they often tend to react negatively. This has been also understood by the CRE which now has a much more pro-active approach and tries to avoid sanctions. The very restrictive and legalistic approach has not been approved by the CRE; it favours a focus on education and mediation.

NGOs and ethnic minority organisations are not so much directly involved in the implementation of measures even if they have often been the prime force behind the introduction of measures promoting cultural diversity in the workplace. The driving force of immigrants and ethnic minority groups themselves in the UK is quite strong as they are well integrated into many sectors of the society and have good participation possibilities especially on the local and regional level. As persons with an ethnic minority background are represented in many community and municipal councils and have gained influence through regional equality commissions and boards, they have an active power to lobby for these measures and pressurise the public sector to implement them.

There are many positive developments in the UK in the field of promoting cultural diver-

sity. This has not only to do with the influence of ethnic minority groups but also with the quite long time since which these measures were taken up. However, based on this time and engagement, the real outcomes have to be judged critically. The unemployment rate of many ethnic minority groups is still high. Furthermore, persons with an ethnic minority background are still under represented in the middle and higher ranking positions of the public sector and within trade union organisations despite various legal initiatives in this area.

5. List of Organisations and Agencies active in the Field

5.1. Public Institutions

Commission for Racial Equality
Barbara Cohen
Elliot House
10/12 Allington Street
London SW 1E 5EH
Tel.: 0044 207 828 7022
Fax: 0044 207 932 5406

Home Office
Race Equality Unit
50, Queen Anne's Gate
London SW1H 9AT

Birmingham City Council
Khurshid Ahmed - Assistant Chief Executive (Race relations)
Race Relations Unit
Congreve House, Congreve Passage
UK-Birmingham B3 3DA
tel.: 0044 21 235 26 27
Fax: 0044 21 233 91 17

Employment Department
Ms. Marilyn Macey
Head of Racial Equality Section

R428, Caxton House
Tothill Street
UK-London SW1H 9NF
tel.: 0044 71 273 4852
fax: 0044 71 273 5219

5.2. Trade Unions

Trade Union Congress
Mr. Roger McKenzie
Congress House, Great Russell Street,
London WC1B 3LS
Tel. 44 20 7636 4030
rogermckenzie@tollington.fsnet.co.uk

5.3. Confederations of Employers

Confederation of British Industry
Simon Blake
Centre Point

103 New Oxford Street
London WC1A 1DU
Tel.:0044 207 3797400
Fax: 0044 207 240 82 87

5.4. NGOs

The PressWise Trust,
Unit 38,
Easton Business Centre, Felix Road,
Bristol BS5 0HE
Tel. 0044117 941 5889
Fax: 0044117 941 5848

Joint Council for the Welfare of Immigrants
115 Old Street
London EC1V 9RT
Tel. 0044 20 7251 8708
Fax. 0044 20 7251 8707
Email info@jcwi.org.uk
www.jcwi.org.uk

Council for Ethnic Minority Voluntary Sector Organisations (CEMVO)
Mr Krishna Sarda
64 Broadway Stratford
Boardman House
London E 15 INT
Tel.: 0044 20 84 320 307
Fax: 0044 20 84 320 317

Ethnic Minority Foundation
Boardman House
64 Broadway
Stratford
London
E15 1NG
Tel.: 0044 20 8432 0307
Fax: 0044 20 8432 0317

UK Immigrants Advisory Service
County House, 190 Great Dover St.
London SE1 4YB
Tel.: 0044 171 357 7511
Fax: 0044 171 403 5875
iasuk@gn.apc.org
<http://www.vois.org.uk/ias>

Anti_Racist Alliance (ARA)
PO Box 150
GB_London WC1X 9NQ
Tel.: 00 44 71 2786869
fax: 0044 71 2786886

MIGRANT. MeDiA.
90 De Beauvoir Road
London N1 4EN
England.
Tel.: 0044171 2549701
Fax: 0044 171 241 2387
Email: migrantmedia@pop3.poptel.org.uk.

5.5. Research Institutes

Institute for Public Policy Research
30-32 Southampton Street,
London WC2E 7RA
Tel.: 00 44 20 7470 6100
Fax: 0044 207 47 06 111
s.spencer@ippr.org.uk

University of London -
Centre for Ethnic Minority Studies
Egham
Surrey TW20 0EX
44 (0)1784 443816
Fax: 0044 1784 43 06 80 University of Bradford

University of Warwick -
Centre for Research in Ethnic Relations
Coventry
CV4 7AL
Tel. 0044 24 7654 3605 Ms.

5.6. Others

Race for Opportunity
Ms Andrea Callender
137 Sheperdess Walk,
London N1 7RO
Tel: 0044 207 566 8708
Fax: 0044 207 253 1877
andrea.callender@bitc.org.uk (Dominic Johnson)

Runnymede Trust
Ms Michelynn Lafleche
133 Aldersgate Street,
London EC1A 4JA
Tel.: 00 44 20 7600 9666
Fax: 0044 207 600 85 29

Centre for Business and Diversity
Graham Shaw
3rd floor, Paxton House
26-30 Artillery Lane
London E1.7LS
Tel.: 0044 20 7377 6313
Fax: 0044 20 7377 1186
Graham.Shaw@BusinessAndDiversity.pdf.net

Proper Job
Theatre Projects
Mourl Ferryman
48a Byram Arcade, Westgate,
Huddersfield
West Yorkshire, HD1 1ND
Tel.: 0044 1484 51 14687
Fax: 0044 1484 424403

HSBC Bank Plc
Jiten Patel
St Magnus House
3 Lower Thames Street
London
EC3R 6HA
Tel.: 0044 207 260 8000
Fax: 0044 207 260 65 75
jitenpatel@hsbc.com

6. Country orientated Literature

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Part III

6 The Institutions involved in the Promotion of Cultural Diversity

Although the activities carried out by the actors engaged in the field of promoting cultural diversity in the workplace – and the impact of such – differ in each country and have specific features due to the history of the institutions and the individual context in each country (e.g., legal framework, percentage of migrants, overall policies for the promotion of cultural diversity and public discourse), certain similarities do exist. These similarities, with regard to the promotion of cultural diversity in the workplace, are mostly to be seen through the overall interest in culturally diversity as such and through the strategies implemented.

Employers' Organisations and Private Enterprises

In most EU member states it can be observed that until now only larger employers have shown interest in cultural diversity in the workplace. This has to do with the fact that mostly larger employers and transnational corporations employ a workforce with a higher percentage of employees with ethnic backgrounds. Small and medium-sized enterprises have not yet demonstrated interest in this issue, because they often employ only a low percentage of ethnic minorities. Often this is related to the fact that small and medium-sized enterprises employ only a low percentage of persons with ethnic minority backgrounds and therefore do not perceive cultural diversity or anti-discrimination in the area of racism and xenophobia as a real issue. This constitutes a major problem, as in many countries the overall percentage of small and medium-sized enterprises makes up between 70 and 85 percent of the individual economies; they therefore act as the main agents in the labour markets. However, in some countries, such as the Netherlands and the United Kingdom, employers' agencies and state institutions understand the importance of the roles of small and medium-sized enterprises and actively try to interest these enterprises in measures that implement cultural diversity.

There is a tendency to implement measures with high visibility factors or with elements of community outreach, as it is widely believed by employers that this will have a positive impact on their clientele. In this context, ethnic minorities are more and more recognised as important sectors of the consumer market that should be specifically targeted. Due to this specific understanding of the promotion of cultural diversity, private employ-

ers in some countries, e.g., in Belgium, Sweden and the UK, have become very strong driving forces regarding this theme.

Another general feature when analysing the diverse measures and activities implemented by private enterprises in order to promote cultural diversity in the workplace, is that the promotion of cultural diversity is used as a tool to increase the overall profits of the organisations by improving production, the workforce or marketing effects. The promotion of cultural diversity is largely perceived under the label “diversity sells”. In this context, measures that are implemented often focus on recruitment strategies, as migrants, especially in the service sector (e.g., IT), are increasingly perceived as a resource. The measures also focus on preventing conflicts in the workplace, as this is deemed contra-productive to the overall atmosphere in the workplace and, therefore, harmful to production, outcome and profit. There is the idea that measures promoting cultural diversity have a positive impact on the workforce and, therefore, can create a motivating momentum. Usually, these measures are not linked to the question of discrimination; the employers often still neglect this. Apart from these, measures that try to change the culture of an organisation are seldom found, although the culture of an organisation is often the main factor in creating a setting not favourable for cultural diversity, but rather prone to racism and discrimination.

Furthermore, there is a tendency to implement measures with high visibility factors or with elements of community outreach, as it is widely believed by employers that this will have a positive impact on their clientele. Immigrants and members of ethnic minorities are more and more thought of in this context – as an important segment of the consumer market that should be specifically targeted. However, there are also consumer-orientated considerations that are impeding the implementation of measures promoting cultural diversity; for example, when the clientele of an enterprise is constituted mainly by a majority society that rejects immigrants in certain professions or does not want to co-operate with them.

Regarding the implementation of measures, usually a top down approach is chosen that often reaches only the higher levels in organisations, primarily the human resources staff, and seldom the lower levels.

Due to this specific understanding of the promotion of cultural diversity, private employers in some countries, e.g., UK, Belgium, Sweden, have become very strong driving forces regarding cultural diversity. On the contrary, in other countries, such as Greece, Spain and Portugal, where immigrants are still mainly working in the informal sector of the labour markets or only fill niches of the labour markets, the promotion of cultural diversity plays only a very minor role or no role at all.

Public Employers and State Administrations involved in the Topic

Public employers and state administrations directly concerned with immigrants and ethnic minorities, e.g., social welfare agencies, hospitals, integration offices, are generally more interested in cultural diversity in the workplace than those not directly concerned with such. However, there is still a great reluctance in the public sector to open institutions to the promotion of cultural diversity. Especially the state agencies of many EU member states that work on the national level have not demonstrated any real interest in this issue up to now. Apart from other things, this has to do with the fact that restrictions still often exist for foreign nationals entering the public sector (EU-nationals are exempted from this rule). In some countries, third-country nationals cannot become civil servants, in others, certain areas of the public sector, such as the police, and even agencies, such as the postal service, are closed to foreign citizens. Another problem is often the high level of qualification that aspirants for public service have to bring with them. In some EU member states, such as Belgium and Luxembourg, more than one language has to be spoken in order to qualify for entry into the public sector. Other member states have difficult entry examinations, which do not take into account the often specific qualifications of persons with ethnic minority backgrounds. Due to these obstacles, the number of persons with ethnic minority backgrounds, especially in the higher positions in public agencies, is still very limited. This is not only true for countries with a late immigration start, such as Spain, Greece, Italy and Ireland, but also for countries, such as the UK or the Netherlands, which have been actively promoting the entry of foreign nationals into the public sector for some years. This is even more problematic because, in some states (for example, Austria and Denmark), the public sector is one of the largest employers and thus makes up an important share of the individual labour markets.

On the other hand, it must be noted that some member states have taken the opportunity to make the public sector a model agent for promoting cultural diversity in the workplace. In contrast to the private sector, the public sector can be more easily bound to state policies and can also be obliged by governments to implement certain measures. In opening the public sector to more cultural diversity, it is hoped that other sectors of society will follow this good example (e.g., in Sweden). However, in these cases, measures are not taken up voluntarily and it is doubtful whether they will obtain the full support of the individual agencies involved. Often, the activities currently being taken up in the public sector were only implemented due to severe criticism and strong lobbying from organisations outside of the public sector, such as anti-discrimination boards, immigrant self-organisations, etc.

Measures promoting cultural diversity in the public sector often have a horizontal approach, especially those carried out on the local and regional administrative levels. Cul-
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tural diversity is not seen as a question merely pertaining to specific agencies, but rather as a matter across the whole administration. To this end, the whole organisation is in many cases often involved in training measures, etc. The strong involvement of the leadership has often proven to be necessary for the implementation of measures that might have to do with the often quite hierarchical structures in the public sector.

In the case of the public sector, the practices for promoting cultural diversity are increasingly linked to the question of service provision. By these means, the needs and demands of clients with ethnic minority backgrounds are taken into account in a more appropriate manner. Additional funding for measures promoting cultural diversity is often not available, though, because cultural diversity is perceived as an integral part of the overall work. This, however, poses a problem to the agencies in the implementation phase, as there are often not enough resources available to set up more expensive practices, e.g., external training courses, etc. However, there are some positive examples within some regional administrations.

Public employers, such as the police forces, the armed forces or the prison services, which, in recent years, have been accused of racism and of having nationalistic organisational cultures, are also showing a heightened interest in measures promoting cultural diversity. Here, the link between anti-discrimination and cultural diversity is clearly understood. Measures in these agencies not only focus on recruitment strategies regarding persons with ethnic minority backgrounds, but also on awareness raising within the overall staff as well as on the question of service provision. Measures within police forces now can be found in nearly all member states of the European Union.

Trade Unions

Within the trade unions, the interest in the promotion of cultural diversity varies distinctly from country to country. Trade unions sometimes play ambiguous roles in this context.

Most trade unions and trade union confederations throughout the EU are still more engaged in traditional integration activities directed at immigrants and the legal, social and cultural support of foreign workers, than in measures promoting cultural diversity in the workplace. However, this is slowly changing in many EU member states. In particular, trade unions with a higher level of affiliated foreign citizens, such as trade unions for hotels and restaurants, trade unions for cleaning, etc. are increasingly implementing practices to this end. The traditional interest in the support of foreign workers within the trade unions is often based on the notion of solidarity, the fight against wage dumping and social cohesion. Themes such as anti-racism and anti-discrimination only appeared on the agenda of most trade unions in the 1990s, although there are some exceptions to be noted here; even now, these topics sometimes do not play a prominent role.

Most measures implemented by the trade unions in the field of promoting cultural diversity are directed towards shop stewards and work councils trying to make them aware of the cultural diversity issue. Many trade unions on the national, but also on the regional level, are engaged in measures directly implemented in the workplace or in campaigns directed to the wider society; while, in contrast, reflection is not widespread within their own institutions concerning this matter. The monitoring of the representation of persons with ethnic minority backgrounds within trade union structures is often weak, and there are still few measures facilitating the access of foreign workers to higher positions within trade unions. Even within the works councils, the representation of foreign nationals is often weak.

Usually, practices implemented by the trade unions take place in the field of education (seminars for job stewards, foreign workers, etc.) or in the legal sphere (employment agreements, anti-discrimination clauses in collective agreements, code of conducts, etc.). In this context, the link between anti-discrimination activities and cultural diversity is highlighted by the trade unions.

Besides these three main actors involved in the promotion of cultural diversity in the workplace, there are other actors, such as anti-discrimination boards, NGOs, etc. that are also engaged in this field. However, they often lack the direct access to the workplace and, therefore, often only have a limited influence.

Anti-discrimination Boards, Ombudsmen of Anti-discrimination, Anti-racist NGOs

Anti-discrimination boards, ombudsmen pertaining to ethnic discrimination or immigrants and NGOs active in the field of anti-discrimination usually choose only a juridical or legalistic approach towards the promotion of cultural diversity. They deal more with general questions of discrimination in the workplace than with the overall issues of promoting cultural diversity. However, there is a strong link between both activities, and combating discrimination can be seen as one tool for promoting cultural diversity in the workplace.

The main tasks of these bodies are the registration of complaints in the field of ethnic discrimination, racism and the intervention in problem cases. Preventive or pro-active measures by these organisations are rare or are just starting. This can be linked to the problem that anti-discrimination offices, ombudsmen, etc. lack direct access to the workplace and are, therefore, dependent on good co-operation with trade unions and employers' organisations in this context. However, in some countries, such as Belgium, Sweden, etc., it can be observed that they are increasingly involved in these issues, es-

pecially through providing expertise and organising training courses for public and private employers as well as for trade union members. Especially in countries with a longer tradition of these bodies, where they have developed comprehensive structures on the regional and national level and, furthermore, are equipped with comprehensive legal measures, e.g., the Netherlands, Portugal and the UK, these bodies are more influential and have the power to intervene in the workplace.

Their role is of special value in the areas of monitoring discrimination, laws, legal provisions and measures that have been implemented. Based on a detailed analysis of individual complaints, structural deficits and problems are evaluated by anti-discrimination offices, ombudsmen and NGOs and build the basis of the creation of specific measures directed towards the workplace in order to fight discrimination and to promote cultural diversity.

Migrant Organisations and Ethnic Minority Associations

Immigrant self-organisations and ethnic minority associations show only a limited interest in directly promoting cultural diversity in the workplace.

They are mostly engaged in lobbying activities for the promotion of cultural diversity and in the voicing of problems in the workplace. As organisations, contact with the work sector is limited; however, this is slowly changing in some EU member states as some employers and trade unions are actively seeking the contact and co-operation with these organisations (e.g., in the field of recruitment). Very often, immigrant and ethnic minority organisations are too small, or lack the adequate resources, to become directly involved in measures that focus on the workplace. If measures are established, they mostly concentrate on the issues of labour market integration, which is one of the main concerns of these organisations due to the often high unemployment rate of persons with ethnic minority backgrounds. Here, especially the organisations of larger ethnic communities and umbrella organisations have become active. As many immigrant organisations and ethnic minority associations are still organised along national or ethnic lines, the issue of cultural diversity and multiculturalism is in parts neglected. However, more and more immigrant self-organisations feel the need to co-operate with each other and poly-ethnic associations are being established.

Welfare Organisations and NGOs supporting Immigrants

In the context of welfare organisations and NGOs that support the integration of immigrants and members of ethnic minorities, cultural diversity in the workplace is being discussed within the broader theme of the intercultural opening of institutions. Therefore, the promotion of cultural diversity is mainly a question of service delivery, and it does

not focus so much on the organisational structures of welfare organisations as such. While many larger welfare organisations and NGOs, such as Caritas, Deaconries, etc., are involved in some kind of lobbying in this area, they have only few points of contact with the employment sector. When there are activities focussing on the workplace, then they are concerned primarily with labour integration. In the framework of activities promoting the integration of immigrants and persons with ethnic minority backgrounds into labour markets a deficit-orientated approach still often prevails. This approach is based on the idea that immigrants lack the qualifications necessary to enter the labour market. However, this is slowly changing. Positive examples, in which the theme of cultural diversity is integrated into such activities, can be found across the European Union (e.g., in Spain, Germany, etc.). In this context, welfare organisations and NGOs in the field of integration have often, with the funding of European Union programmes, set up pilot projects motivating other organisations to follow up with similar projects and activities.

Media, Cultural institutions, Educational Institutions

The media, cultural and educational institutions are mainly concerned with overall attitude changes concerning the question of cultural diversity within the broader society. These institutions have an important impact on the workplace especially due to the wide reach of the media and the importance of the education system. When looking at these institutions as employers and workplaces, the interest in cultural diversity is often still limited. There are some exceptions. In particular, schools have integrated intercultural elements into their work and have tried to recruit more teachers with immigrant backgrounds, but activities in this field are still quite limited overall. Concerning the media, some positive examples (e.g., Belgium, Germany and the UK) can also be found. However, the implementation of diversity practices in the workplace is not a real strategic objective. Therefore, the main task of these institutions can be seen in the process of awareness raising regarding the promotion of cultural diversity. Cultural institutions are of special importance here, because they often promote the direct contact with “the other” and allow for positive experiences concerning cultural diversity within their daily work. Measures, such as theatre, music, intercultural parties and festivals, may not have a direct impact on the workplace, but rather promote change through their overall contribution and have, therefore, a positive influence on the atmosphere in the workplace.

Other Institutions

Apart from the aforementioned institutions, there are other institutions that work towards the promotion of cultural diversity and anti-discrimination in the workplace, although they cannot be directly categorised as such; by definition, they would belong to one of these categories:

Private consultancies in some EU member states (e.g., in the Netherlands, Sweden and the UK) have actively taken up the issue of cultural diversity. Above all, they focus on diversity management, an approach that was mainly taken over from the US-American activities and adapted to the European context. These advise public and private employers on this issue and often stay in close contact with trade unions. They often work as a kind of think-tank and are very effective in developing new ideas regarding the promotion of cultural diversity in the workplace and in providing support to individual actors in implementing these measures successfully.

Foundations interested in cultural diversity in the workplace (e.g., in Belgium, Germany and the UK) often play a similar role by initiating and funding projects in this field. Furthermore, they work in the fields of research and awareness raising through educational measures. However, the number of foundations that have taken up this issue is still very limited.

On the contrary, European institutions, such as the European Commission, the European Council, etc., play an increasingly important role. These have contributed actively to the promotion of cultural diversity by: setting up programmes (e.g., EQUAL) that concentrate on, among other things, cultural diversity in the workplace; passing directives in this area; and by promoting a public discourse on diversity and anti-discrimination throughout the European Union. The same applies to international organisations, such as the International Labour Organisation (ILO), which have been active in setting standards in this area and carry out large campaigns that try to raise awareness towards this issue.

Finally, research in many European countries contributes to the promotion of cultural diversity. Up to now, however, only a few researchers have taken up these issues. There is still a need for more in-depth research on the promotion of cultural diversity in the workplace and in other areas of society.

7. Measures and Strategies promoting Cultural Diversity in the Workplace

While a wide variety of different practices promoting cultural diversity in the workplace can be found throughout the European Union, they can be summarised into to abstract types of measures, which can then be divided into four different categories that have been chosen for an overview of these practices. Of course, other ways of categorising these measures, e.g., looking at the different actors or considering the main target groups, could have been selected. Here, the approach was chosen to categorise the different measures along their relation to the overall framework of promoting cultural diversity in the workplace. Through this, the following four categories have been developed:

- 1) Measures focussing on the improved access of ethnic minorities to the workplace and measures focussing on the concrete working conditions in the workplace;
- 2) Measures focussing on anti-discrimination policies in the workplace;
- 3) Measures outside of the workplace that establish a framework for cultural diversity activities in the workplace; and
- 4) Measures promoting cultural diversity and fighting the discrimination of ethnic minorities and migrant workers in the workplace.

These categories overlap and mutually reinforce one another. Efforts of the EU member states to promote cultural diversity should therefore not only focus on one category, but should also try to include measures and activities from all categories concerned. Apart from this, different concepts of diversity can be found within the European Union. While in some countries, diversity in the workplace only refers to measures and practices focussing on ethnic minorities and immigrants, in other countries the concept of cultural diversity takes women, the disabled, gays and lesbians as well as persons with ethnic minority backgrounds into account. Although in some countries, such as Sweden, the second approach is predominant, this report looks primarily at diversity measures in regards to the first definition of diversity. However, there is, of course, a potential for mainstreaming in this context and often measures directed towards ethnic minorities could be adapted to other groups. This has often been the case concerning practices that have been developed within the debate on gender equality. Many of these approaches and measures developed in this context are now used for promoting cultural diversity in the workplace.

7.1 Measures focussing on the improved Access of Ethnic Minorities to the Workplace

As the integration of persons with ethnic minority backgrounds into the labour market is still a problem, e.g., the unemployment of ethnic minorities is still high, various obstacles exist preventing the labour market entry of immigrants. As they are still under-represented in many sectors of the labour market, such as in the public sector and in small enterprises, etc., practices to improve the access of ethnic minorities to the labour market play a crucial role in the promotion of cultural diversity in the workplace. There are different practices that can be implemented in this context. A number of them are shortly outlined here:

Monitoring of the Work Force

Measures set up to increase the number of foreign workers with ethnic minority backgrounds in the workplace. Monitoring can be implemented for the whole organisation and/or along different hierarchical levels. Thus, the percentage of persons with ethnic minority backgrounds for the overall institution, or at the specific level, e.g. the clerical level, the managerial level, the unskilled workers level, etc., can be measured. The monitoring is used to establish the representation rate for ethnic minorities at different working levels of an enterprise or public institution. Based on this monitoring, the representation rate can be assessed at certain levels, for example, in contrast to the percentage of the overall foreign labour force, or in relation to the percentage of the foreign population within a specific region or town. These figures can be used as the basis for other measures and for an evaluation of the progress, for example, in hiring and promoting persons with ethnic minority backgrounds. Monitoring has to be done on a regular basis, and must be carried out with the involvement of the management. Furthermore, it is important to utilise monitoring on all different hierarchical levels and not to merely establish an overall percentage for the entire workplace. The monitoring also considers the number of persons with ethnic minority backgrounds who are recruited, promoted and dismissed. Thus, it becomes a basic tool for the promotion of cultural diversity due to the fact that it establishes a platform from which action can be taken. The results of the monitoring process should be made public within the firm, but also within the wider context.

Target-Setting concerning Persons with Immigrant Backgrounds

This measure usually follows the monitoring of the work force, and has the aim of increasing the number of workers with ethnic minority backgrounds in the overall workplace or at certain positions of employment. A specific date, for example one year, is set by which the target should be met. During this time, different recruitment or training

measures are to be implemented in order to reach the target. Targets can be defined in relation to the percentage of ethnic minority population in the relevant area or in the labour market. However, there are not fixed quotas.

Recruitment Practices encouraging Members of Ethnic Minorities

Here a number of practices can be undertaken alone or in combination, these include:

Equal opportunities statements in advertisement

A sentence explaining that applications from ethnic minorities are welcome is added to advertisements for employment. Furthermore, emphasis can be given to intercultural abilities of potential workers. Advertisements can also be translated into different languages in order to reach a wider group of persons.

Contact with immigrant organisations

Job advertisements are sent to immigrant and ethnic minority organisations. This can be used as a link with the ethnic communities. The job advertisements are also published in ethnic minority media or media available to these groups.

Job fairs directed at persons with ethnic minority backgrounds

Special job fairs for persons with ethnic minority backgrounds can be organised. This can be done in co-operation with the employment office or with ethnic minority organisations. These fairs are organised at university campuses and schools with a higher percentage of ethnic minorities, etc.

Revision of entry examinations and interviewing process

The entry examinations, assessment centres or specific tests used in the public sector or private firms for the job entry process, are reviewed by examining whether there are any questions or requirements that are culturally biased that can be removed. Furthermore, the interview process can be reviewed in a similar way. Apart from this, members with ethnic minority backgrounds can be included in the team of interviewers.

Training of human resources staffs

In order to ensure that the above outlined measures are implemented and regularly monitored, human resources staffs have to be trained. Training courses regarding cultural diversity management can be offered. These help human resource staffs acknowledge the capabilities of ethnic minority workers and to revise job profiles in an appropriate way.

Internships for Ethnic Minority Members and Mentor Schemes

Encouraging members of ethnic minorities to take on an internship and offering special places to them is important in this context. This can be combined with mentor schemes,

in which a member with an ethnic minority background supervises the intern and introduces the intern to the workplace. In this way, younger persons in particular are presented with a kind of role model that they can follow and thus can better understand the chances that they have in the labour market. Mentor schemes can also be used for newly recruited staff or for ethnic minority members who have received promotion to higher positions.

Improvement of Qualifications of Persons with Ethnic Minority Backgrounds

These measures include different ways of improving the qualifications of persons with minority backgrounds. Training courses directed at ethnic minority members can be held prior to recruitment and within pre-employment or apprenticeship training courses. They can include basic language courses or languages courses with a focus on the professional language. Other training courses can be implemented supporting the possibilities of promotion of ethnic minority workers.

Introduction Programmes within the First Weeks

Introduction programmes are set up for newly recruited persons with ethnic minority backgrounds in order to facilitate their entry into the regular work force. They include elements of intercultural training, acquaintance elements, meetings and a specific supervisor. Furthermore, specific information on the enterprise and vocational training elements can be included in these programmes.

Change in Practices within Employment Offices and Private Job Placement Firms

Often the recruitment of persons with ethnic minority backgrounds is prevented by inadequate matchmaking by employment offices and job placement firms. Practices employed in this context consist of training programmes for staff or for employment offices and private job placement firms on the subjects of cultural diversity and intercultural competencies. The personnel are then enabled to review and register these specific qualifications and match them with the demands of the employers.

Public and Media Campaigns Outlining the Capacities of Foreign Workers

In order to improve awareness for the positive sides of employing persons with immigrant backgrounds, special campaigns can be carried out by the public sector or trade unions. Through articles, interviews, etc., these public and media campaigns focus on the value of cultural diversity, the abilities of ethnic minorities and positive experiences by employers who are already working with members of ethnic minority groups. The aim of these measures is to give a more positive picture of foreign workers and to make them interesting to employers who until now have not recruited any or a large number of

persons with ethnic minority backgrounds.

Incentives for Entry into the Job Market

This practice refers to state programmes and funding that promote the recruitment of vulnerable groups or groups that are under-represented in the labour market. Through these programmes, the state or the European Community, e.g. via the European Social Fund (ESF), finances for a specific duration part of or the entire salary of a new worker who is recruited and given - in most cases - an unlimited working contract. Often these programmes are combined with specific training measures and vocational qualification schemes in order to enhance the qualification of the vulnerable groups, thus enhancing their chances to find employment.

Affirmative Action

All measures in the area of recruitment of ethnic minorities, which are based on preferential treatment and quotas, can be called affirmative action. The objective of these measures is to provide individuals, who are from groups deemed to have suffered from discrimination, a degree of compensatory preferential treatment in access to opportunities, in this case, to recruitment. These measures can be limited through laws; can be embedded in legislation or only in affirmative action plans.

Community Outreach Programmes

This is a practice, which not only focuses on recruitment, but also on other aspects of promoting cultural diversity in the workplace. This consists not only in linking up with ethnic minorities in the area where the workplace is located, but also in providing services to them, in sponsoring them and in including them into activities in and outside of the workplace. Through the links established between the ethnic communities and employers there will be a positive impact on the ethnic minorities as well as the employees of the organisation. Community outreach practices include offering facilities and rooms belonging to organisations to ethnic minority organisations, sponsoring and co-operating in intercultural festivities, setting up summer holiday working programmes for youngsters with ethnic minority backgrounds, getting employees involved in ethnic community organisations or activities, etc. This practice is important in the area of recruitment, because it lowers the barriers for ethnic minority members when applying for jobs within these firms and aids in creating a positive image of organisations.

Testing fair, non-discriminatory Recruitment Practices of Employers

This practice exists as a testing tool for the recruitment practice of employers regarding ethnic minorities. In this testing approach, fictional job applications of persons with simi-

lar qualifications, but with different names displaying a clear ethnic origin, e.g., "Öztürk" or "Sheik", in contrast to typical autochthonous names, are sent to the employer in order to check who is invited to job interviews. The same can be done with job applications where persons from ethnic minority backgrounds have even better suited qualifications for jobs than the qualifications of native applicants. If only the native applicant is invited to the interview, a clear sign of discrimination is given. This practice can also be done via telephone, etc.

7.2 Measures focussing on the Concrete Working Conditions in the Workplace

Practices promoting cultural diversity in the workplace can be introduced regarding the overall working conditions. These include the culture of an organisation and the working atmosphere. These measures are directed towards creating a better understanding between colleagues, supervisors and subordinates. They are also directed at accommodating the needs of ethnic minorities, at ensuring equal opportunities and at establishing improved working conditions and climate for all workers.

Holiday Regulations

Practices allowing persons with ethnic minority backgrounds to take all holidays at once or to accumulate extra hours and overtime work for a longer holiday is important in this context. This is of special relevance, because only a longer holiday makes it possible and affordable for migrants coming from countries outside Europe to visit their country of origin. While this practice is still common in many of the newer immigration countries in the EU, it has lost considerable importance in the traditional labour recruiting countries, such as Germany and the UK.

Offering of Special Foods in Canteens

This practice takes into account the eating habits and the food needs of religious groups, such as Muslims or Jews. In the canteens, specific foods for these groups are provided or the possibility for self-catering is established.

Praying Rooms and Flexibility towards Religion

By establishing specific praying rooms for Muslims and other religious groups, by allowing breaks for praying, changes in working hours or more free time during religious holidays, the religious imperatives of ethnic minority groups are accommodated. While there are only few workplaces that have established praying rooms, taking breaks for praying

is increasingly possible. This is often not formally arranged, but rather the different workers arrange for the spare time of their Muslim co-workers by, e.g., compensating for work during the prayer time. Another possibility is that breaks for work are added to the overall working time or deducted from the lunch break. Especially religious holidays, such as Ramadan, which can have repercussions on the ability of the staff to work, should be taken into account by employers. Often special holidays can be established.

Work Clothes and the Integration of the Headscarf

Practice allowing for a free choice of working clothes and allowing Muslim or other religious women to wear a headscarf as long as the work safety is not limited. In workplaces where female workers have to wear a uniform, the headscarf can be integrated into the uniform. The same applies to turbans and other clothing that are prescribed on the basis of religion.

Translation of important Documents and Meetings in different Languages

The practice of making important documents, such as contracts, collective agreements, security regulations or personnel questionnaires, accessible to persons with limited language competency by translating them into the language of their countries of origin is important in this context. Furthermore, important meetings, e.g., by all members of work councils or overall enterprise meetings, can be translated into other languages that are spoken by larger groups of workers with ethnic minority backgrounds.

Training Courses on Anti-discrimination and Cultural Diversity

This includes specific training courses on different themes such as cultural diversity, anti-discrimination in the workplace, conflict management, basic knowledge about ethnic minorities in specific countries, etc. for specific groups of employees or for the entire work force. These training courses can be implemented internally or by external trainers and can focus on specific grades, branches of the organisation or the overall organisation. Furthermore, specific course for ethnic minority members of the work councils can be organised by the trade unions.

Intercultural Mediators

The practice of appointing or employing special staff members, with ethnic minority backgrounds as intercultural mediators, when possible. These are trained in the field of cultural diversity, anti-discrimination, conflict management, etc. Their main objective is to intervene in conflicts between colleagues from different cultural backgrounds or between employees and clients. They are also engaged in preventive activities regarding dis-

crimination and conflicts and in improving the overall working conditions. To this end, they can implement different practices such as training, awareness-raising campaigns, etc.

Establishment of Ethnic Minority or Cultural Diversity Committees and Working Groups

This practice involves the setting up of forums for discussions over cultural diversity in the workplace or within an organisation. This can be done by establishing a horizontal committee including representatives from the work councils, employers, etc., by appointing a specific committee or by allowing foreign workers to establish their own structures. These bodies have advisory functions, can bring up ideas on how to promote cultural diversity, can articulate the problems and concerns of ethnic minorities and other workers and can implement projects.

Vocational Training for Persons with Ethnic Minority Backgrounds

Specific vocational and training courses directed towards persons with ethnic minority backgrounds supporting their promotion (For more details see point 1).

Free-time Activities and Multicultural Parties

Different measures focussing on the promotion of intercultural exchanges through different free time activities. These can include sports courses, family meetings, intercultural festivities, and special food weeks in canteens, etc.

Awards for Activities

Practice of awarding a prize to a manager, a leader or a section or department within a specific workplace who or that has been especially active in the promotion of cultural diversity in the workplace, or who or that has taken up a leading role or implemented a wide range of measures. These awards can be given by a committee within the workplace or an external board where, for example, members of ethnic minority associations (here a link up with community outreach) or members of anti-discrimination offices participate. The awards are made public within, and sometimes outside of the enterprise, and are often connected with concrete incentives, e.g. one-week holidays, getting a company car for a week, etc.

Poster Campaigns and Publicity within an Organisation

The practice of raising awareness regarding cultural diversity or anti-discrimination

through poster campaigns, articles in the internal newspaper of the workplace or the organisation. These poster campaigns or publicity efforts can be implemented by groups of ethnic minority workers in co-operation with other workers and be distributed in and outside of the workplace.

Codes of Conduct or Codes of Practice, Works Agreements

Codes or agreements can be agreed upon by employers and trade unions, often with the involvement of a variety of groups in the workplace and external advice, for example, from anti-discrimination offices. Besides a general anti-discrimination and equal opportunities statement, these codes often include a combination of specific measures to be implemented in the workplace. The agreement can focus on one specific workplace (works agreements), an entire branch (codes of conduct) or on a whole sector, for example, the public sector. For an easier implementation process, model codes have been developed that can be adapted to the individual context. A board of trade union representatives and employers monitors these agreements; they should also be evaluated regularly.

Action Plans

This practice combines sets of measures and implements them usually within a limited period of time. These action plans include specific targets and objectives that should be reached within a given time period, and they introduce the different measures implemented to this end. The practice further specifies the responsibilities of different groups within the workplace for achieving these goals, and it lays out monitoring and evaluation procedures. These action plans can focus on one specific area e.g. recruitment or on different issues.

7.3 Measures focussing on Anti-discrimination Policies in the Workplace.

These are practices directly applied to the workplace in order to counteract and prevent discrimination. Some of them, such as the codes of conducts and the working agreements have already been mentioned above, as they not only refer to the aspect of anti-discrimination. These internal practices are often accompanied by legal standards and anti-discrimination outside of the individual workplace or organisation.

Complaint Structures within the Workplace

This practice establishes a board of persons, individual persons or other structures in

the workplace to which a complaint can be made, and ensures an overall transparent and fair review of the complaint, including the participation of members of work councils, the personnel office, the management board and other persons, e.g., from an ethnic minority board within the organisation. Complaint structures should be based on a code of conduct, works agreements, collective agreements or on similar legal or quasi-legal agreements. A good complaint structure also includes information material and information events on the complaint structures and procedures in order to ensure the accessibility and the use of such if necessary. Furthermore, detailed actions, such as sanctions, dismissal, bringing the case to an external court, etc., that are undertaken in cases of discrimination have to be laid down and publicised. These complaint structures are normally directed to all forms of discrimination in the workplace, but can also look into specific grounds of discrimination – in this case, ethnic or racial discrimination.

Monitoring of Complaints

This practice refers to the registration and constant analysis of complaints on the grounds of ethnic (or other) discrimination in one specific workplace or within an overall branch. This can be done by the employers themselves, by work councils, larger trade unions, ombudsmen within organisations or specific boards or committees set up to this end. The monitoring is done on a continuing basis. Reports, which include a structural analysis of the complaints, are written up on a yearly or quarterly basis. These reports and the overall monitoring process then build the basis for further action and the implementation of other practices promoting cultural diversity in the workplace.

Ombudsman for Ethnic Minorities, Foreign Workers or Discrimination

This practice establishes a person as the main contact for ethnic minority workers. This person registers complaints and intervenes in the review process of the complaint. This person can be elected by the foreign workers or appointed in co-operation between the work council and the management board of an organisation. It should be an independent body working on the basis of a code of conduct, works agreement, etc. Besides this task, the ombudsman can be responsible for monitoring complaints and for the implementation of practices that prevent and counteract discrimination in the workplace.

Anti-discrimination Clauses in Works Agreements and Collective Agreements

This practice refers to the insertion of anti-discrimination clauses in works agreements, code of conducts or collective agreements. These agreements can be legally binding (collective agreements) or be treated as a quasi-legal standard. The anti-discrimination clause introduced can refer either to ethnic minorities or to a wider set of grounds, such

as discrimination on the basis of gender, disability, etc. The anti-discrimination clause can lead to the implementation of anti-discrimination structures in the workplace and to specific bodies that monitor and review the complaints.

Contract Compliance

This practice includes making the awarding of contracts for the provision of good and services in the public sector, either on the local or national levels, conditional on the employer's compliance with anti-discrimination and/or the active implementation of practices promoting cultural diversity and anti-discrimination. For example, the conditions laid down in a law or specific agreement can be used. By limiting the awarding of a contract to employers who meet such criteria, this measure offers positive economic incentives to promote cultural diversity in the workplace.

7.4. Measure outside of the Workplace establishing a Framework for Cultural Diversity Activities in the Workplace

These practices refer to measures implemented outside of the direct workplace, but nevertheless have an important impact or spill over effect on promoting cultural diversity in the workplace. These are often crucial for the success of practices outlined in the above three categories.

Political and Educational Practices

These refer to measures in the areas of education and media and to the activities of politicians and political institutions that have an impact on the promotion of cultural diversity in the workplace. For example:

Training of teachers and students in the area of cultural diversity and revision of curricula

The promotion of cultural diversity in education can raise the general awareness for cultural diversity and anti-discrimination issues, thus laying the basis for an in-depth understanding of the situation regarding future workers, managers, trade union leaders, etc. To this end, anti-discrimination standards and topics relating to cultural diversity and anti-discrimination have to be integrated into curricula of schools and universities. Another practice consists in revising the teaching materials used in schools and universities and in including anti-discriminatory and cultural diversity elements.

Opinion shaping of political leaders and key decision makers

This practice involves making political leaders and other key decision makers inform

themselves and show interest in labour market politics, other areas important to the workplace, the issue of cultural diversity and anti-discrimination. This can be done through lobbying by different NGOs or anti-discrimination boards, by the organisation of information events, by overall publicity campaigns, etc.

Promoting a public and political discourse on cultural diversity (in the workplace)

This practice aims at interesting and informing the wider society on cultural diversity in the workplace, and explains the positive aspects and outcomes that can be achieved for all by promoting cultural diversity in the workplace and in the overall society. This can be done, for example, through media campaigns in local and national newspapers, radios and television, through the organisation of information weeks and other events that are aimed at informing the wider society on these topics. These information campaigns and events should include educational aspects and can be supported and implemented by a network of institutions in order to have a wider impact.

Awarding of prizes for cultural diversity in general and in the workplace

This practice aims at giving an incentive to different sectors of society and, more importantly, to those involved in the workplace, e.g., enterprises, trade unions, etc., by awarding prize to an institution or initiative that has proven successful in the establishment and implementation of practices promoting cultural diversity in general or in the workplace. These prizes can be awarded by the media, educational services, the government, employers' organisations, etc. and be combined with publicity campaigns and similar measures.

State funding and state programmes for improving cultural diversity in the workplace

This practice of sets up special state programmes that finance (or co-finance) initiatives and projects aimed at improving cultural diversity in the workplace. These initiatives and projects are carried out and implemented by the social partners, NGOs, ethnic minority self-organisations and other institutions. These programmes can serve as an incentive to become active in this area and to start pilot projects. Furthermore, these programmes can be directed towards specific target groups, for example, young migrants. They can also be directed towards specific problems, for example, discrimination in the workplace or specific subjects that raise the awareness concerning the issue of cultural diversity. Similar programmes can also be set up by the social partner organisations of the foundations themselves and by other funding institutions. Often these programmes can be established within larger programmes funded by the European Union to this end.

Promotion of political and institutional participation of immigrants and ethnic minorities

This practice works towards improving the participation of persons with ethnic minority

backgrounds in the political field (e.g., parties, local governments, etc.) and at the organisational level of trade unions, employers' associations, chambres of industry and commerce and within similar institutions important to the workplace. This can be done by information campaigns, by reducing the obstacles and barriers which prevent ethnic minorities from entering these institutions, by raising the awareness within these institutions concerning the need for an increased participation of persons with ethnic minority backgrounds and by similar measures. Most important in this context is the fact that persons with ethnic minority backgrounds still do not have the right to vote at the national levels in the EU. Furthermore, in many EU member states third country nationals cannot even participate in elections at the local and regional levels. In some countries, they cannot stand to be elected as a work council member. Promoting equal opportunities and providing for equal access is important, because through an increased participation of persons with ethnic minority backgrounds in the institutions mentioned above, they would have an improved possibility to voice their demands and become active themselves.

Cultural and Social Action

Here, measures concentrating on the social and cultural perspectives in and outside of the workplace are included. All sorts of different actors can take these up, for example NGOs, immigrant self-organisations, welfare organisations or cultural institutions. They include practices such as organising intercultural festivals, intercultural exchange programmes, international fairs, etc.

Overall Anti-discrimination Laws and Anti-discrimination Offices and Equality Authorities

The practice of establishing overall anti-discrimination laws includes the discrimination of ethnic minorities in the workplace or the establishing a specific anti-discrimination law to this end. This can be done with a specific anti-discrimination law or by including these provisions in constitutional law, criminal laws or labour laws. In parallel, an agency monitoring the implementation of the laws or legal provisions can be set up. This agency not only oversees the implementation and compliance with the law, but also registers and monitors complaints, proposes and implements actions towards anti-discrimination in the workplace, carries out information campaigns on discrimination in the workplace and produces manuals and information materials on the compliance of the laws etc. The introduction of anti-discrimination laws sanctioning discrimination in the workplace and a body that oversees this law is often crucial for initiating other practices geared at promoting cultural diversity in the workplace and builds a framework into which other measures can be integrated. These also set reference points for legal or quasi-legal

measures taken up directly in the workplace.

International Conventions, Treaties, Standards and Recommendations

This practice refers to the ratification and implementation of and compliance with international conventions, treaties, resolutions and codes adopted by international organisations, such as the UN, the ILO, the European Union, Council of Europe, etc., regarding discrimination of ethnic minorities in general, and more specifically in the workplace. It includes also taking up recommendations adopted by international conferences, e.g., the Vienna Work Conference on Human Rights, the Copenhagen World Summit for Social Development, and the Durban World Conference against Racism. These recommendations often offer states and actors useful guidance for the elaboration of appropriate practices in fighting discrimination and in promoting cultural diversity. Furthermore, EU member states can make use of the resources that these organisations provide and can ask them for advice regarding anti-discrimination and cultural diversity.

Research

The practice includes promoting, funding and taking into account the research on the issues of anti-discrimination and cultural diversity in the workplace. Ongoing research, both by public and private institutions, is necessary to extend the data and further build the case for anti-discrimination efforts. It is also needed to identify and evaluate measures to combat discrimination, to promote equality and to ensure the implementation of practices promoting cultural diversity. Research results should be distributed and made available to all actors involved in promoting cultural diversity in the workplace.

8. Analysis of successful Practices and Failures

In order to analyse the success and failure of practices, different indicators were used. These indicators have been partly used in the evaluations of practices implemented in the promotion of cultural diversity in the workplace. They have also partly been taken over from other analyses of good practices in the fields of integration and anti-discrimination. Although these indicators have previously been used, they have, in most cases, not yet been tested in practice. The process is still ongoing, e.g., the International Labour Organisation and other institutions concerned with anti-discrimination in the workplace are working towards establishing a common set of standard indicators that have been tested over a longer period of time in the evaluation of measures promoting cultural diversity in the workplace. The indicators developed in the framework of this study can therefore be understood as a first attempt to outline some indicators for the evaluation of good practices in the area of promoting cultural diversity in the workplace. The following set of indicators was selected for this study:

Participation of Target Groups in the Design and Implementation of Measures

This indicator refers to the question asking which groups have been involved in the design and implementation of a practice. It establishes whether the target groups, e.g., members of ethnic minorities, specific minority groups, young persons, the human resources staffs of enterprises or workers of the dominant group, were involved in discussing the practice before it was implemented, and whether these groups had an impact on its implementation. The participation of the target groups - mostly in the form of representatives - is often important in order to avoid later pitfalls, e.g., by establishing a practice not wanted by the target groups or not taking into account the specific needs of such groups. The participation of the target groups in the design of such measures can also ensure that they are later motivated to participate actively in the implementation phase.

Participation and Implementation by a Group of Actors or Institutions

This indicator refers to the actors involved in the establishment and implementation of the practice. Here, the participation of a wide number of institutions from different areas is seen as positive. If a practice has the backing of different institutions or actors, e.g., the social partners, it is more likely to be successful, because its own group will not reject the practice. In the case of the workplace, different groups and institutions are usu-

ally involved, thus measures that take them all into account and that are set up by all involved, are likely to have a concrete impact. Furthermore, an overall networking approach, e.g., with the intention to co-operate with new organisations in relation to the implementation of a practice, is seen as positive.

Cross-organisational Approach

This indicator refers to the level to which a practice is implemented throughout an organisation. It is examined if a measure is only implemented at a specific level or grade of the organisation, for example, only at the managerial level or only in a specific department, for example, only in the Human Resources department. The indicator is usually positive if the entire organisation is involved and an approach taking into account the leadership as well as structures at the bottom of the organisation.

Leadership Involvement and Backing

This indicator considers not only whether the leadership of an organisation is involved in practices, but also whether it actively supports the practices implemented. The involvement of leadership and its backing makes it more likely that the measures are taken seriously and, therefore, does not merely have a symbolic function. It has usually also a positive impact on outside visibility and can bring other institutions and individual persons to take similar stances.

Accountability and Definition of Clear Aims

Accountability refers to the setting and naming of concrete results, targets or outcomes that are to be achieved with the implementation of a specific practice. It further analyses whether there is a person or department responsible for the practice throughout the implementation process. The definition of clear aims examines whether everyone can understand the formulation of the practice and that it is not merely a kind of appeal or proclamation. The aims and objectives, as well as the results, should be as transparent as possible and made public within the organisation.

Multilevel Approach

This indicator examines whether a measure is linked to various practices, instead of being merely focussed on one activity. An example of this is whether measures in the area of recruitment are combined with measures geared at improving working conditions. Measures with a multilevel approach have usually a greater success and a higher impact for change than those without a multilevel approach.

Awareness-raising Elements

This indicator takes into account whether a practice raises the awareness of a group regarding the issues of cultural diversity and discrimination. These must not be only measures directed towards this goal, but also measures that have a similar side effect. Awareness raising is crucial in the promotion of cultural diversity, because only through such means can sustainable changes be implemented within an organisation towards creating an overall culturally diverse workplace.

Anti-discriminatory Elements

This indicator looks at the anti-discriminatory potential of a practice, which can vary because most practices have some anti-discriminatory potential. Anti-discriminatory elements are not only necessarily included in legal instruments, but also in a wide range of training measures or even practices underlining the intercultural abilities of persons with ethnic minority backgrounds. As discrimination is still a main obstacle towards cultural diversity in the workplace, anti-discriminatory elements are important to strengthen the overall impact of measures.

Learning from Each Other

This indicator looks at the potential of a practice that promotes a process of learning from each other. This indicator refers especially to situations where an intercultural exchange takes place, e.g., where members of an ethnic minority group are co-operating with persons from the majority population, but it also includes processes where, for example, all superiors and the employed can exchange experiences regarding a specific subject. Learning from each other means learning from experience and often supports more substantial change.

Visibility and Publicity

This indicator refers to the outside visibility of a measure and takes into account how it is made public in the wider society or even within an institution and its dependant organisations, for example in the trade unions, the employers' organisations or the public sec-

tor. It also considers whether, with the implementation of a practice, information materials have been produced, the media have been informed, etc. Visibility is important because it has a positive impact on mainstreaming and may encourage other organisations to follow. It also has an impact on the wider public discourse on the subject of cultural diversity and may influence decision makers and other key players.

Cost-effectiveness

This indicator examines the costs of the design, the implementation and the monitoring of practices (including the evaluation of a measure) in relation to its concrete results and outcomes. This indicator is not always valuable, but is appropriate within the field of measures directed towards an improved access of persons with ethnic minority backgrounds to the labour market, in which an exact number of, for example, newly recruited persons with ethnic minority backgrounds can be established. It is less valuable concerning qualitative changes, but it can be used regarding the implementation of training courses and similar measures, for example, with regards to the number of participants.

Quantitative and Qualitative Changes

These indicators refer to concrete quantitative and qualitative changes regarding the outcomes and results of a practice. While quantitative changes can be sometimes analysed on account of a thorough monitoring, qualitative changes can only be evaluated through studies, employer questionnaires and similar measures. Therefore, this indicator examines whether the quantitative or qualitative objectives targets have been met.

Evaluation

This indicator considers whether, in what way and by whom an evaluation of the practice has been carried out. A constant or at least retrospective evaluation of a practice is necessary in order to be able to establish and examine the success of a practice, to improve and revise it. The evaluation should involve internal staff of an organisation and, where possible, external experts. Furthermore, not only leading staff or human resources staff of private or public employers should be included in the evaluation, but also the entire workforce that has been targeted by a specific measure promoting cultural diversity in the workplace.

Sustainability

Sustainability refers to the long-term impact and continuation of a practice. This studies whether a practice has either, for example, only been implemented for one year and then ended because there was no more support, funding or interest for it; or if a meas-

ure has become integrated into the overall work and policies of an institution or sector of the society, e.g., in training policies, recruitment policies, overall codes of behaviour, etc. Sustainability is important concerning success in the long-term and feasible changes, which do not only stop merely because one target has been reached. The promotion of cultural diversity in the workplace is a constant task and thus should be implemented in a sustainable manner.

Potential for Mainstreaming

This indicator evaluates the potential for mainstreaming. It tries to analyse whether a measure can be adapted or easily transferred to another sector apart from the workplace. It is not a very powerful indicator, because it cannot be tested empirically and can only give an insight into the likelihood of an application in a different context.

Community Outreach and Impact Outside of the Workplace

This indicator establishes whether a practice that focuses on the promotion of cultural diversity in the workplace has an impact outside of the workplace, for example, whether it promotes a change in society or if it is interconnected with the work and activities of ethnic minority groups.

In order to analyse the success and failure of practices, ten positive examples and some failed practices, both of which have been evaluated according to the aforementioned indicators, are to be presented below. Of course, not all indicators are appropriate for the evaluation of a specific practice, and other factors such as the specific context in a country, the activities taken up so far in a country or by an institution, etc. have to be taken into account. Generally, a practice is associated with a set of positive indicators in order to qualify for a good practice. The examples of good practices analysed here have been taken from different EU member states and from different fields of interventions as well as institutions implementing them.

Example 1: Police Training by the Association *Volkshilfe Österreich* in Vienna and Austria (see the Country Report on Austria)

For some years, the independent association *Volkshilfe Österreich* has organised training courses with the police in Vienna on cultural diversity and anti-discrimination. These training courses are aimed at different levels of the police force and, after the success of the courses in Vienna, they have been extended to the rural police forces (*Gendarmarie*) in various parts of the country. A kind of curriculum has been developed and the training courses can now be more easily implemented by different teachers. Part of the course focuses on concrete experiences with persons from different ethnic backgrounds

or different cultures, so that the police have the opportunity to speak with refugees, gypsies or representatives of migrant organisations. This guarantees the participation of the target group. This approach also helps to reduce prejudices against the police by persons with ethnic minority backgrounds and promotes learning from each other. The senior levels of the police force also promote the courses. Especially through the contact with the target groups and special pedagogical practices, there is a strong focus on awareness raising, while anti-discrimination is only of minor importance. As the intercultural training course forms a part of the vocational training program for the police force, such courses are positive in their cost-effectiveness and sustainability seems to be granted. As shown by the transfer to the Gendarmerie, the training course can easily be transferred to other sectors of the public service and thus has a potential for mainstreaming.

INDICATORS FOR THE AUSTRIAN EXAMPLE:

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group	■	■	■		
Participation by a group of actors or institutions	■	■			
Cross organisational	■	■	■	■	
Leadership involvement and backing	■	■	■	■	
Accountability and definition of clear aims	■	■			
Multilevel approach	■	■			
Awareness raising elements	■	■	■	■	
Anti-discriminatory elements	■	■			
Learning from each other	■	■	■		
Visibility and publicity	■	■			
Cost-effectiveness	■	■	■	■	
Quantitative and qualitative changes	■	■			
Evaluation	■	■			
Sustainability	■	■	■	■	
Potential for mainstreaming	■	■	■	■	
Community outreach and impact outside the workplace	■	■			
Total evaluation (1,8 points)	■	■	■		

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Example 2: Positive Action Plans supported by the Flemish Government and implemented by various Firms in the Private and Public Sector (see the Country Report on Belgium)

The project was designed in co-operation with all social partners. Representatives from ethnic minority groups were involved in the design of the project. Through the participation of trade unions, immigrant self-organisations and the private as well as the public sector, the engagement of a diverse set of actors could be ensured. Furthermore they also had an impact on its implementation, as the government specifically tried to recruit personnel (Positive Action Managers) with ethnic minority backgrounds in order to advise businesses about these action plans. The action plans were usually implemented

throughout the entire organisation, and they involved concrete tasks. Therefore, a high accountability was ensured. The action plans did not focus on merely one measure, but rather on a combination of different measures, and thus secured a wider impact. This included the training of human resources staff and others on cultural diversity as well as measures focussing on the recruitment of ethnic minorities. Therefore, they successfully combined awareness-raising elements with other practices of which some had anti-discriminatory notions, for example, the review of entry examinations. Furthermore, constant monitoring was provided to the businesses, and an evaluation looking at the outcome of the yearly action plans was carried out. Leadership involvement was secured both by the Flemish government through the funding of the projects and the promoting this practice, as well as within most of the individual firms involved. Visibility and publicity were ensured mostly through the production of information material, but also through a website and different information events. After the first year of the campaign, a considerable number of enterprises had implemented action plans. On the basis of these action plans, the enterprises themselves recruited a number of persons with minority backgrounds. Thus, quantitative and qualitative changes were often secured. Although the state funding was halted after one year, some enterprises continued with similar measures. The sustainability of the practices was further enhanced through the production of manuals on training measures and through the review of workplaces with regard to cultural diversity. In general there is a high potential for the mainstreaming of action plans of this kind; however, they would have to be completely adapted and their contents specified along the lines of the objectives to be achieved. As the action plans were funded by the state for the first year and then must to be financed by the firms themselves, the cost-effectiveness of the measures was ensured on a medium-range level.

INDICATORS OF THE BELGIUM EXAMPLE

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group					
Participation by a group of actors or institutions					
Cross organisational					
Leadership involvement and backing					
Accountability and definition of clear aims					
Multilevel approach					
Awareness raising elements					
Anti-discriminatory elements					
Learning from each other					
Visibility and publicity					
Cost-effectiveness					
Quantitative and qualitative changes					
Evaluation					
Sustainability					
Potential for mainstreaming					
Community outreach and impact outside the workplace					
Total evaluation (2,6 points)					

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Example 3: Mentor Scheme (Godfather-Godson-Project) of the Danish Labour Union (LO) (See the Country Report on Denmark)

The target group of this project, in which persons with ethnic minority backgrounds were introduced into the labour market by shop stewards, were young immigrants. Immigrant self-organisations and the refugee council co-operated with the trade union in establishing this project. The senior managerial level of the private enterprises participating in the project welcomed the mentoring scheme and helped to find suitable mentors, but in general the backing and involvement was only of medium importance. The project had a strong emphasis on a process of learning from each other, and it allowed for intercultural experiences. Therefore, effective awareness raising elements could be found in the project. On the other hand, anti-discriminatory elements did not play a role. By including persons from different organisations as mentors, for example, from public administration, schools, etc., a wide support across different institutions and improved networking on this issue was granted. The project set clear quantitative tasks within a specific time-frame and provided for monitoring through a responsible person within the trade union. The project did not focus only on an introduction to the labour market, but also had links to the ethnic communities themselves. With the inclusion of the support and advice of parents, the practice has clear features of community outreach that went beyond the workplace. The cost-effectiveness of the project can be judged as very favourable due to the fact that all mentors engaged themselves on a voluntary basis and thus only minor costs had to be carried by the trade union.

INDICATORS FOR THE DANISH EXAMPLE

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group					
Participation by a group of actors or institutions					
Cross organisational					
Leadership involvement and backing					
Accountability and definition of clear aims					
Multilevel approach					
Awareness raising elements					
Anti-discriminatory elements					
Learning from each other					
Visibility and publicity					
Cost-effectiveness					
Quantitative and qualitative changes					
Evaluation					
Sustainability					
Potential for mainstreaming					
Community outreach and impact outside the workplace					
Total evaluation (2,3 points)					

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Example 4: Prize for Cultural Diversity within the Project promoting the Establishment of Multicultural Workplaces run by the Finish Ministry of Labour (see the Country Report on Finland)

The prize for cultural diversity is a highly visible practice. The Ministry of Labour awards this prize to a cultural diversity employer in the public or private sector who has shown a high level of engagement in this area and has implemented different measures to this end. Through this prize, a high visibility is given, and is thus effective in the process of raising the awareness of employers. At the same time, it motivates them to carry out similar activities. This prize has the potential for mainstreaming across other sectors, but also within the field of promoting cultural diversity in the workplace. As the prize is awarded by a special board of different institutions, it ensures the participation and backing of different sectors of the labour market. Because the Ministry of Labour awards the prize, there are clear elements of leadership involvement, and sustainability is also guaranteed.

INDICATORS FOR THE FINISH EXAMPLE

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group					
Participation by a group of actors or institutions					
Cross organisational					
Leadership involvement and backing					
Accountability and definition of clear aims					
Multilevel approach					
Awareness raising elements					
Anti-discriminatory elements					

Learning from each other	1	1	1	1	1
Visibility and publicity	2	2	2	2	2
Cost-effectiveness	1	1	1	1	1
Quantitative and qualitative changes	2	1	1	1	1
Evaluation	1	1	1	1	1
Sustainability	2	2	2	2	1
Potential for mainstreaming	1	1	1	1	1
Community outreach and impact outside the workplace	2	2	2	2	1
	1	1	1	1	1
Total evaluation (2,0 points)	2	2	2	2	2
	1	1	1	1	1

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Example 5: Politique de la ville in different French Cities (see the Country Report on France)

In the framework of the intersectoral Politique de la ville, different measures have been implemented promoting cultural diversity in the workplace. As these measures are usually developed on the concrete experiences at the local level and try to include all actors and institutions active and relevant at this level, not only are the participation and needs of the target groups integrated into these measures, but also the participation of many different institutions is ensured. Due to the intersectoral approach different levels of the city administration are reached. As implemented by the city administration leadership involvement is given. While the main focus of the different measures does not rest on the promotion of cultural diversity, the central aim contains anti-discriminatory aspects promoting more equality between different groups. Thus, culture only plays a minor role. As a standard policy instrument of the local city administration, the outcomes of the different measures are regularly analysed and evaluated in order to adjust practices. Although there is a growing interest in these kinds of city policies that focus on the inequality between the groups, the implementation of these measures depends on the financial situation of the community at hand. Therefore, the long-term sustainability of the measures cannot be granted. On the other hand, due the diverse number of targets and the variety of measures, which do not focus exclusively on inequalities and discrimination in the workplace, there is a high potential for mainstreaming. The same accounts for community outreach, a central aspect of all measures implemented within the "Politique de la ville".

INDICATORS FOR THE FRENCH EXAMPLE

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group	1	1	1	1	1
Participation by a group of actors or institutions	1	1	1	1	1
Cross organisational	1	1	1	1	1
Leadership involvement and backing	1	1	1	1	1
Accountability and definition of clear aims	1	1	1	1	1
Multilevel approach	1	1	1	1	1
Awareness raising elements	1	1	1	1	1
Anti-discriminatory elements	1	1	1	1	1

Learning from each other	■	■	■	■	■
Visibility and publicity	■	■	■	■	■
Cost-effectiveness	■	■	■	■	■
Quantitative and qualitative changes	■	■	■	■	■
Evaluation	■	■	■	■	■
Sustainability	■	■	■	■	■
Potential for mainstreaming	■	■	■	■	■
Community outreach and impact outside the workplace	■	■	■	■	■
	■	■	■	■	■
Total evaluation (2,3 points)	■	■	■	■	■
	■	■	■	■	■

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Example 6: Intercultural Opening of the Public Service (see the Country Report on Germany)

The project was designed by the employment office in Göttingen in close co-operation with ethnic minority associations in order to establish specific demands and to assess the needs of ethnic minorities. This involved the target groups involved in the practice. The main aim of the project was to provide better services to persons with ethnic migrant backgrounds by meeting their specific demands. To this end, specific training courses and information measures were designed as well as an interpretation service and a general focus on the intercultural opening of the public service, e.g., by trying to employ more persons with ethnic minority backgrounds. While the measures were only taken up within the public administration, they aimed at a cross-organisational approach through which they ensured a wide participation of different departments. To this end, a specific horizontal working group on cultural diversity was implemented. The training measures were not only directed at the managerial level, but also at all staff within the public service. These training courses included awareness-raising elements as well as elements of learning from other experiences. The overall project focussed on a variety of measures and, therefore, supported a multilevel approach. High visibility and a potential for mainstreaming were reached not only in the production of information material, but also through the organisation of a large conference focussing on the intercultural opening of local administrations. The EU evaluated the project at the end of its funding. The sustainability of the project has been guaranteed, as the public administration in Göttingen has taken over most of the practices in its mainstream activities. In order to support the visibility of the project, a specific project homepage was set up. Although an evaluation was undertaken, there were no specific targets or indicators in order to account for the quantitative and qualitative changes.

INDICATOR FOR THE GERMAN EXAMPLE

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group	■	■	■	■	■
Participation by a group of actors or institutions	■	■	■	■	■

Cross organisational	■	■	■	■	■
Leadership involvement and backing	■	■	■	■	■
Accountability and definition of clear aims	■	■	■	■	■
Multilevel approach	■	■	■	■	■
Awareness raising elements	■	■	■	■	■
Anti-discriminatory elements	■	■	■	■	■
Learning from each other	■	■	■	■	■
Visibility and publicity	■	■	■	■	■
Cost-effectiveness	■	■	■	■	■
Quantitative and qualitative changes	■	■	■	■	■
Evaluation	■	■	■	■	■
Sustainability	■	■	■	■	■
Potential for mainstreaming	■	■	■	■	■
Community outreach and impact outside the workplace	■	■	■	■	■
	■	■	■	■	■
Total evaluation (2,5 points)	■	■	■	■	■
	■	■	■	■	■

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Example 7: Specific Point-awarding System for Entry Examinations and University and in the Public Service for Pontian Greeks (see the Country Report on Greece)

As the Pontian Greeks still have less favourable results regarding their final examinations in school due to language and other integration problems, a special system of awarding them additional points for the entry examinations into university and public service has been developed by the Greek Ministry of Education. This measure was set up in co-operation with different associations of Pontian Greeks and is based on the specific needs of Pontian Greeks. Through this measure, the number of Pontian Greeks entering university has increased. At a very low cost, the system allowed for the improvement of qualification and entry chances for an underprivileged group. This system has been implemented nation-wide and could easily be transferred to other ethnic groups.

INDICATORS OF THE GREEK EXAMPLE

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group	■	■	■	■	■
Participation by a group of actors or institutions	■	■	■	■	■
Cross organisational	■	■	■	■	■
Leadership involvement and backing	■	■	■	■	■
Accountability and definition of clear aims	■	■	■	■	■
Multilevel approach	■	■	■	■	■
Awareness raising elements	■	■	■	■	■
Anti-discriminatory elements	■	■	■	■	■
Learning from each other	■	■	■	■	■
Visibility and publicity	■	■	■	■	■
Cost-effectiveness	■	■	■	■	■
Quantitative and qualitative changes	■	■	■	■	■
Evaluation	■	■	■	■	■
Sustainability	■	■	■	■	■

Potential for mainstreaming	■	■	■	■	■
Community outreach and impact outside the workplace	■	■	■	■	■
Total evaluation (1,8)	■	■	■	■	■

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Example 8: Anti-racist Workplace Initiative (See the Country Report on Ireland)

The Anti-racist Workplace Initiative brought together a wide variety of labour market institutions and was supported by all social partners, thus establishing a network as a basis of the practice. The main aim of the initiative week is to discuss anti-discrimination and cultural diversity in the workplace. It can be seen as an innovative measure in the Irish context, because, until now, the theme of cultural diversity in the workplace did not play a relevant role. Regarding the participation of business, higher-ranking senior managers were involved in most cases in the event, thus guaranteeing a strong involvement of the business leadership. The large number of different measures organised within the framework of the Anti-racist Workplace Initiative ensured a multilevel approach and a wide visibility even outside the main actors of the workplace. The visibility of the initiative was increased greatly by an advertisement campaign and by the publication of information materials. Furthermore, the exchange of experiences with anti-discrimination and anti-racism in the workplace was supported, thus introducing elements of interactive learning. The sustainability of the project and its practices has been reached above all through the production of manuals focussing on a cultural diverse workplace. As the week has only been organised of the first time and not prior evaluation was undertaken the quantitative and qualitative changes cannot be assessed. However, there is a certain potential for mainstreaming, as these kinds of cross-organisational information weeks can be easily adapted to other areas of the society. Through its public nature and high visibility, the initiative also had a strong community outreach, as not only the traditional organisations active in the labour market were reached, but also wider sections of the society. This also had to do with the positive media coverage of the event.

INDICATORS OF THE IRISH EXAMPLE

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group	■	■	■	■	■
Participation by a group of actors or institutions	■	■	■	■	■
Cross organisational	■	■	■	■	■
Leadership involvement and backing	■	■	■	■	■
Accountability and definition of clear aims	■	■	■	■	■
Multilevel approach	■	■	■	■	■
Awareness raising elements	■	■	■	■	■
Anti-discriminatory elements	■	■	■	■	■
Learning from each other	■	■	■	■	■
Visibility and publicity	■	■	■	■	■
Cost-effectiveness	■	■	■	■	■

Quantitative and qualitative changes	■				
Evaluation	■	■			
Sustainability	■	■	■		
Potential for mainstreaming	■	■	■		
Community outreach and impact outside the workplace	■	■	■	■	
Total evaluation (2,4 points)	■	■	■	■	

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Example 9: Setting up of a Commission on Integration within Zanussi (see the Country Report on Italy)

The establishment of an integration commission can, above all, be seen as a very innovative measure in the Italian context. The project was implemented across organisations and has strong support from the leadership. Ethnic minority representatives were engaged in setting up an integration board through the trade union, namely the work council. Through this, the target group was involved in the design of the measures. The commission focuses its work not only on the management level, but rather on all hierarchical levels of the firm. However, as no action plan was established defining concrete goals, an evaluation of the results is difficult. An analysis of the quantitative and qualitative changes also proves difficult. In order to have better impact, different measures, such as special holiday regulations, special awareness of religions needs, etc. were combined, thus ensuring a multidimensional approach. The measures were made transparent to everybody and in this way it is promoting accountability. By combining measures looking at training, recruitment practices and working conditions (e.g., holiday regulations and food provisions), a multilevel approach was chosen. This approach includes both awareness-raising elements and, to a lesser extent, anti-discriminatory elements. Major qualitative changes were reached through the new holiday regulations and through the establishment of an institution within the enterprise directed particularly at ethnic minorities. Also, although high visibility was not intended from the beginning, it has attained visibility by good media coverage by the Italian press, which viewed the measures taken by Zanussi as innovative in the Italian context. The sustainability of the measure cannot be judged yet, as the commission was only quite recently established and the sustainability of the measure will ultimately depend on the success of the work of the commission.

INDICATORS FOR THE ITALIAN EXAMPLE

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group	■	■	■	■	
Participation by a group of actors or institutions	■				

Cross organisational	■	■	■	■	■
Leadership involvement and backing	■	■	■	■	■
Accountability and definition of clear aims	■	■	■	■	■
Multilevel approach	■	■	■	■	■
Awareness raising elements	■	■	■	■	■
Anti-discriminatory elements	■	■	■	■	■
Learning from each other	■	■	■	■	■
Visibility and publicity	■	■	■	■	■
Cost-effectiveness	■	■	■	■	■
Quantitative and qualitative changes	■	■	■	■	■
Evaluation	■	■	■	■	■
Sustainability	■	■	■	■	■
Potential for mainstreaming	■	■	■	■	■
Community outreach and impact outside the workplace	■	■	■	■	■
	■	■	■	■	■
Total evaluation (2,7 points)	■	■	■	■	■
	■	■	■	■	■

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Example 10: Festival of Migrations (see the Country Report on Luxembourg)

The Festival of Migrations is an intercultural festival mainly organised by the Committee of Ethnic Relations and Immigrant Activities (CLAE) on a yearly basis. It aims to create a meeting forum, in which different associations and ethnic minority organisations can present their work and activities in an intercultural environment. The main characteristics of the festival are: the participation of a wide range of different actors and institutions and, through the *CLAE*, which is an umbrella organisation of more than 100 ethnic minority organisations, a strong input by the target group is possible. Leadership backing is guaranteed through the participation of the Commissioner for Foreigners (*CGE*). The festival attracts not only members of ethnic minorities, but also many Luxembourgers. Due to the combination of cultural elements with the sharing of information, awareness raising on the issue of diversity is a major issue at these festivals. Although the festivals are not clearly linked to cultural diversity in the workplace, they have positive side effects on this theme through the strong community outreach, the awareness-raising elements and its high visibility. Through its backing from a great variety of institutions, sustainability is likely over the next years. The evaluation of the success of the festival has only been carried out internally and did not play a crucial role. The same accounts for the accountability. There is a strong potential for mainstreaming, because other issues could be taken up in the form of intercultural festivals.

INDICATORS FOR THE LUXEMBOURG EXAMPLE

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group	■	■	■	■	■
Participation by a group of actors or institutions	■	■	■	■	■
Cross organisational	■	■	■	■	■
Leadership involvement and backing	■	■	■	■	■
Accountability and definition of clear aims	■	■	■	■	■
Multilevel approach	■	■	■	■	■

Awareness raising elements					
Anti-discriminatory elements					
Learning from each other					
Visibility and publicity					
Cost-effectiveness					
Quantitative and qualitative changes					
Evaluation					
Sustainability					
Potential for mainstreaming					
Community outreach and impact outside the workplace					
Total evaluation (2,5 points)					

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Example 11: Codes of Conduct developed by the LBR (see the Country Report on the Netherlands)

Codes of conduct are written agreements usually implemented within an institution, e.g., a private enterprise, which lay down clear regulations for behaviour and the norms of conduct of all parties signing the agreement. In this case, the main aim of the codes of conduct is to reduce the discrimination of ethnic minorities, promote equality and to allow for different measures that create a culturally diverse workplace. Codes of conduct can be used by a variety of organisations; they have a high potential for mainstreaming. They can be taken on by an individual organisation or by a whole branch. The inclusion of the target groups and all other groups in a specific workplace (e.g., employers, works council) is ensured because they all participate in the discussion concerning the specific design of the code of conduct. As all parties of an institution have to take part, leadership backing is not only expected, but is usually the basis of the establishment of any code of conduct. Codes of conduct include diverse measures focussing on anti-discrimination and cultural diversity, thereby choosing a multilevel approach and including elements of awareness raising and anti-discrimination. Through the clear definition of objectives, rules, procedures and the monitoring process that accompanying these codes, a high level of accountability is reached. The basis for evaluations is also laid down, although there is still a lack of evaluations made after the codes have been introduced. Sustainability is ensured through a permanent inclusion of the codes in the policies of the workplace.

INDICATORS FOR THE DUTCH EXAMPLE

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group					
Participation by a group of actors or institutions					
Cross organisational					
Leadership involvement and backing					
Accountability and definition of clear aims					
Multilevel approach					
Awareness raising elements					
Anti-discriminatory elements					
Learning from each other					
Visibility and publicity					
Cost-effectiveness					
Quantitative and qualitative changes					
Evaluation					
Sustainability					
Potential for mainstreaming					
Community outreach and impact outside the workplace					
Total evaluation (2,9 points)					

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Example 12: Meeting des Meer Project of the Anne Frank Foundation (see the Country Report on the Netherlands)

In the framework of the project Meeting the Mayor, mayors from all over the Netherlands were approached in order to convince them to act as intermediaries in motivating regional businesses and local public services to become engaged in the promotion of cultural diversity. The practice can be seen as innovative in the context of the Netherlands, because it approached a group of actors, the city mayors, who had not been actively involved in the promotion of cultural diversity in the workplace. In this way, not only leadership involvement could be secured, but also a high level of visibility. This was not only reached through the activities of the majors, but also by a large conference, which had very wide media coverage. During the individual information and advisory meetings for local businesses at the city level, an exchange of experiences was promoted, thus the possibility of learning from each other was available. With the combination of advice, publicity and training elements, a multilevel approach built the basis of the project. The practice has a strong potential for mainstreaming through engaging mayors and other important key players in similar initiatives. The Anne Frank Foundation evaluates the practice, and it is also responsible for the overall monitoring of the project. Not only were mayors reached by this measure, but also a wide variety of different actors. The project has clear-cut goals and, through regular reporting, the success of the project and the future quantitative and qualitative changes can be assessed with relative ease. Of special importance is the high cost-effectiveness as the project is quite inexpensive in contrast to its high impact. Another favourable point in this project is the high potential for affecting not only groups directly related to the labour market, but also the community as

a whole.

INDICATORS FOR THE DUTCH EXAMPLE

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group					
Participation by a group of actors or institutions					
Cross organisational					
Leadership involvement and backing					
Accountability and definition of clear aims					
Multilevel approach					
Awareness raising elements					
Anti-discriminatory elements					
Learning from each other					
Visibility and publicity					
Cost-effectiveness					
Quantitative and qualitative changes					
Evaluation					
Sustainability					
Potential for mainstreaming					
Community outreach and impact outside the workplace					
Total evaluation (2,8 Points)					

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Example 13: Ombudsman against Ethnic Discrimination in Portugal (see the Country Report on Portugal)

The practice of establishing an Ombudsman of Ethnic Discrimination as an official state institution is innovative in the Portuguese context. The main target group of the ombudsman was involved in the process of setting up the ombudsman and is still active through participating in his work by means of regular meetings, etc. Not only the participation of the target group, but also that of other organisations and institutions, such as trade unions, schools, welfare organisations and other public sector agencies, is secured. The activities of the ombudsman are based on a law and on yearly plans regulating the work of the ombudsman. These are public and thus achieve a high level of transparency. Through the concrete activities laid down in the framework plan of the law, the work of the ombudsman shows a high level of accountability. A multilevel approach is secured within the activities of the ombudsman, due to the combination of anti-discrimination measures with awareness-raising elements (for example, training measures). The evaluation is done on a yearly basis by the office of the Ombudsman and external experts. As a state institution, sustainability is guaranteed although there are limits to the work of the Ombudsman against ethnic discrimination due to a lack of adequate financial resources. The potential for mainstreaming can be seen in the possibility of establishing other ombudsmen on the basis of other forms of discrimination. It could also serve as a role model of a combined office for ombudsmen who focus their work on all forms of discrimination.

INDICATORS FOR THE PORTUGUESE EXAMPLE

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group					
Participation by a group of actors or institutions					
Cross organisational					
Leadership involvement and backing					
Accountability and definition of clear aims					
Multilevel approach					
Awareness raising elements					
Anti-discriminatory elements					
Learning from each other					
Visibility and publicity					
Cost-effectiveness					
Quantitative and qualitative changes					
Evaluation					
Sustainability					
Potential for mainstreaming					
Community outreach and impact outside the workplace					
Total evaluation (3,0 points)					

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Example 14: Specific Match-making Programme for Migrants by the Catholic Commission for Migration in Spain (ACCEM) (see the Country Report on Spain)

The Catholic Commission for Migration in Spain (ACCEM) has set up special match-making programmes in order to facilitate the integration of migrants into the labour market. In these programmes, the qualifications of migrants are analysed, improved, where necessary, and matched with the demands of the employers. Furthermore, employers in different regions are actively approached by the ACCEM and informed on the possibilities of employing a person with an ethnic minority background. The whole process of integration in the new workplace is monitored by the ACCEM in order to avoid problems in the first phase of the new employment relationship and to intervene if necessary. These programmes have been established in close co-operation with the target group and with local institutions active in the field of labour market inclusion. Furthermore, the local public administrations and local businesses have been included in the project, thus also promoting leadership backing of the entire project. Through the combination of the analysis of qualifications, the recognition of specific cultural capabilities, vocational and language training and information, a multilevel approach has been chosen placing a high importance on awareness raising on the side of the employers. Until now, the measure has proven to be a success. Evaluations of the programme undertaken on a regular basis by the ACCEM have demonstrated that the majority of persons participating in the programme could be placed in the labour market. Through the clear definition of aims and procedure, the programme is accountable and the qualitative and quantitative changes have become clearly visible. Also the cost-effectiveness can be judged as

positive based on the relative success of the programme. The sustainability of the programme is very high, as the programme is up to now totally dependent on the work of ACCEM and relies completely on its financing. There have been up to now no intentions on the part of the public administration or the private sector to take over the programme or finance it in a stronger way. The programme has been opened up to other groups apart from migrants, and it thus demonstrates a high potential for mainstreaming.

INDICATORS FOR THE SPANISH EXAMPLE

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group	■	■	■	■	■
Participation by a group of actors or institutions	■	■	■	■	■
Cross organisational	■	■	■	■	■
Leadership involvement and backing	■	■	■	■	■
Accountability and definition of clear aims	■	■	■	■	■
Multilevel approach	■	■	■	■	■
Awareness raising elements	■	■	■	■	■
Anti-discriminatory elements	■	■	■	■	■
Learning from each other	■	■	■	■	■
Visibility and publicity	■	■	■	■	■
Cost-effectiveness	■	■	■	■	■
Quantitative and qualitative changes	■	■	■	■	■
Evaluation	■	■	■	■	■
Sustainability	■	■	■	■	■
Potential for mainstreaming	■	■	■	■	■
Community outreach and impact outside the workplace	■	■	■	■	■
Total evaluation (2,4 points)	■	■	■	■	■

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Example 15: Public Sector Action Plans in Sweden (see the Country Report on Sweden)

The public sector action plans are, first of all, characterised by a wide participation of different agencies in the public sector, because all public sector agencies have to establish and implement these plans. They have to be implemented across the organisation, and must include practices regarding all employers in the public sector. A strong leadership backing is given, as the leaders of the individual agencies have to participate and the government evaluates the implementation. These evaluations are carried out on a yearly basis by a special department. These evaluations include interviews with the staff of the public service and, therefore, allow for the input of the personnel with ethnic minority backgrounds. Transparency and accountability are secured as the plans are monitored at the ministerial level, and concrete tasks and objectives, e.g., specific recruitment targets relating to ethnic minorities, are formulated. The evaluations of the action plans in the last years demonstrated an improved cultural diversity. Not only has the number of persons with an ethnic minority background working in the Swedish public sector increased, but also the awareness for the issue in general could be raised. Of course, there are great differences regarding the success of the action plans in the dif-

ferent departments and branches of the public service. A central aspect in accordance with the anti-discrimination legislation and work of the Ombudsman of Ethnic Discrimination is the strong focus on anti-discrimination. Finally, sustainability is achieved because the plans are seen as permanent tasks by the public sector agencies. The potential for mainstreaming, not only regarding other issues in the public sector, but also as a model for the private sector, is very high.

INDICATORS OF THE SWEDISH EXAMPLE

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group					
Participation by a group of actors or institutions					
Cross organisational					
Leadership involvement and backing					
Accountability and definition of clear aims					
Multilevel approach					
Awareness raising elements					
Anti-discriminatory elements					
Learning from each other					
Visibility and publicity					
Cost-effectiveness					
Quantitative and qualitative changes					
Evaluation					
Sustainability					
Potential for mainstreaming					
Community outreach and impact outside the workplace					
Total evaluation (2,9 points)					

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Example 16: Anti-discrimination Law on the Workplace in Sweden (See the Country Report on Sweden)

Due to the fact that this is an overall legal practice, many standard indicators cannot be used. The practice here is characterised through its wide target group including all individuals and agencies in the work life. Within the specific articles, a multi-level approach is chosen that not only includes (predominant) anti-discrimination elements, but also measures of awareness raising. Employers and other institutions are directly asked to implement measures promoting cultural diversity in the workplace. Thus, the law has a strong focus on the prevention of discrimination, rather than on merely sanctioning discrimination when it occurs. The Ombudsman for Anti-discrimination (DO), who is responsible for monitoring the law, secures the accountability and regular evaluation of the impacts of the law and registering all complaints brought under the law. To this end, a specific reporting system has been created. These reports are made public and, therefore, guarantee a high level of transparency. The predominant role of the DO in the implementation and monitoring of the law has also supported the high visibility and publicity of the law. However, besides the efforts of the DO in propagating the law across the labour market, e.g., by publishing regular information brochures on the law, there are

still businesses and sectors of the labour market that are not informed on the law. Also, the law is not only aimed at the public sector, although it has had here the greater impact of the two sectors. This mainly has to do with the strong leadership backing received. Through this, the quantitative dimension of the law can also be measured. Finally, there is a high potential for mainstreaming. Similar laws could be used in other areas of the society, regarding other fields besides the workplace and concerning ethnic or other forms of discrimination. Indeed, there is the idea to develop a common law for different forms of discrimination regarding the labour market as well as setting up a comprehensive overall anti-discrimination law. This is supported by the idea that special Ombudsman should be appointed, who would be responsible for all forms of discrimination outlined in Article 13 of the Amsterdam Treaty.

INDICATORS FOR THE SWEDISH EXAMPLE:

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group					
Participation by a group of actors or institutions					
Cross organisational					
Leadership involvement and backing					
Accountability and definition of clear aims					
Multilevel approach					
Awareness raising elements					
Anti-discriminatory elements					
Learning from each other					
Visibility and publicity					
Cost-effectiveness					
Quantitative and qualitative changes					
Evaluation					
Sustainability					
Potential for mainstreaming					
Community outreach and impact outside the workplace					
Total evaluation (3 points)					

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Example 17: Small-business Initiative by the Confederation of British Industry (CBI) (see the Country Report on the UK)

In the framework of the Small Business Initiative, the Confederation of British Industry (CBI) has started to inform small businesses on the issue of cultural diversity. Furthermore, a special telephone hotline and workshops focussing on cultural diversity and equality issues have been organised to meet the specific demands of small businesses. The measure is innovative in the British context as it concentrates on a new target group that has not been involved in the promotion of cultural diversity in the workplace. The CBI co-operates here with the Commission for Racial Equality (CRE). This ensures the participation of a wide range of different institutions linked to the CRE and a wider reach of the overall initiative. Leadership involvement is another element, as mainly the lead-

ing managers of the smaller enterprises are contacted. The measures are aimed at small businesses on the whole in order to stimulate a cross-organisational approach. The project intends to combine different measures, e.g., training with information campaigns, and thus relies strongly on a multilevel approach. In the materials produced within this project, and through the overall practice, awareness-raising elements are promoted. However, anti-discrimination plays only a minor role. Visibility is to be achieved through the organisation of conferences as well as through the publication of information materials, which are to be widely distributed. The measure has a high potential for transferability to other countries where smaller enterprises have shown a limited interest in the promotion of cultural diversity up to now. An evaluation of the measures is foreseen for the future but has not taken place yet. This has also to do with the relatively recent implementation of the measure. The same accounts for the possibility of measuring qualitative and quantitative changes, which is still not possible due to the only recent implementation. A growing interest by small businesses for the issue of cultural diversity can be observed, especially due to the high participation of small business representatives in the workshops offered by the CBI.

INDICATORS FOR THE BRITISH EXAMPLE

Indicator	0	0-1	1-2	2-3	3-4
Participation of target group					
Participation by a group of actors or institutions					
Cross organisational					
Leadership involvement and backing					
Accountability and definition of clear aims					
Multilevel approach					
Awareness raising elements					
Anti-discriminatory elements					
Learning from each other					
Visibility and publicity					
Cost-effectiveness					
Quantitative and qualitative changes					
Evaluation					
Sustainability					
Potential for mainstreaming					
Community outreach and impact outside the workplace					
Total evaluation (2,3 points)					

(0=not taken into consideration, 1=low, 2=average, medium, 3=high, 4=very high)

Measures that did not reach their Goals

Regarding those measures aimed at the improvement of cultural diversity in the workplace that did not reach their goals and failed either in the establishment or implementation phase, only general features and a very small set of failed measures can be outlined. This is because there is a great reluctance towards giving information on failed practices. Furthermore, evaluations regarding the majority of practices implemented are

still outstanding.

Especially in the area of the implementation of legal anti-discrimination provisions and other laws that intervene in the workplace, a number of failures in the promotion of cultural diversity in the workplace can be noted. Most prominent is the example from the Netherlands with its first version of the Fair Employment of Ethnic Minorities Act (WBEAA). This law was more or less rejected by the private sector, but also large parts of the public employers as well, because they found it too restrictive and did not support the targets outlined under the law. Furthermore, firms and enterprises mainly in the private sector of the economy did not want to be forced by a law that included financial sanctions, if the employer did not recruit the percentage of persons with ethnic minority backgrounds foreseen in the law or if the employer failed to undertake the necessary reporting and other measures (e.g. setting up an action plan). The main failure in the introduction of the law was the lack of participation through the main target groups – in this case public and private employers – in the establishment and design of the law. Furthermore, it did not have strong leadership involvement and awareness-raising elements, which would have been needed to make the issue of cultural diversity understandable to the employers. These elements were not promoted within the implementation process of the law and the meeting of concrete recruitment tasks were to be a voluntary process. Similar problems within the legal sphere were noted in the UK.

Another problem is the existence of different codes of conduct, behaviour standards, etc., for example, in Germany, in the UK and in the Netherlands. The multiplication of codes means that employers and trade unions do often not take them seriously. In addition, measures and regulations in different codes do not fit together and even contradict each other. In this context, it would be necessary to set up a common standard for these kinds of codes and work agreements.

There are also shortcomings in the design and implementation of anti-discrimination laws not only with regard to employers, but also with regard to the persons discriminated against, namely persons with ethnic minority backgrounds. This leads to their failure (see also the studies done by the ILO on this subject). The burden of proof often still remains by the victim; there is a lack of protection against negative reactions in case of launching a complaint. Complaint structures in most anti-discrimination laws focussing on ethnic minorities are insufficient as well. This has often led to the failure of these laws (e.g., in Portugal, the UK and Belgium). The small number of complaints that are taken up at the court level and the number of cases of discrimination reported to NGOs, support groups, etc. are another indicator for the failure of these legal measures. In this context, an independent monitoring and implementation authority is often lacking. This contributes to the failure

In the area of measures promoting an improved integration into the labour market and thereby also promoting cultural diversity, different failures can be observed as well. For instance (e.g., in Belgium and Sweden), the attempts to recruit persons with ethnic minority backgrounds by merely stating in newspaper advertisements that ethnic minority members are welcome, or informing the employment office about the willingness to employ foreign workers, often failed. Ethnic communities did not read the newspapers used for the normal advertisement, and the staff of the local employment offices often lacked the adequate training to find candidates meeting the demands of the employer. In the recruitment process it has been observed that different measures have to be combined in order to ensure success and, above all, employers have to co-operate with ethnic minority organisations in order to reach immigrants and ethnic minorities.

Other employers, who were successful in receiving sufficient applications from persons with ethnic minority backgrounds, did not recruit them in the end, as many ethnic minority applicants failed in the entry exams or showed a bad performance in the interviewing process. The majority of employers, even if they encourage measures to promote cultural diversity in the workplace, have not reviewed their entire entry process and have not removed obstacles based on a cultural bias.

But even after the successful recruitment of persons with minority backgrounds, many employers, especially in the public sector, had the problem of losing their ethnic minority staff again (see the examples pertaining to the Dutch public sector). Thus, the success of the prior recruiting processes was reduced. Many employers still believe that it is enough to simply change the recruitment strategies, but they do not change the existing working conditions. Thus questions, such as holiday regulations, promotion within the enterprise, access to further training, a change in the understanding of cultural diversity of the autochthonous workers and intercultural training for all employees, are not or only inadequately taken into account. In many EU countries, despite the implementation of good practices in the area of recruitment, the organisational cultures and the overall working atmospheres are still a problem within the police forces, the fire brigades (see UK) and others that are trying to recruit persons with ethnic minority backgrounds.

In the area of training measures, the main objective, namely raising the overall awareness on the issue of cultural diversity in the workplace, was not often achieved. For example, in an automobile enterprise in Germany (Ford) cultural diversity training was implemented as obligatory for the entire work force. However, prior to the training, the work force was not informed on the need and objective of these courses, nor was the work force involved in the design and implementation of the courses. They thus perceived the participation in the courses as a burden, and often found that cultural diversity is not a policy of relevance to the workplace. Other training measures, e.g., in the

public sector in Belgium, Germany and Austria, only focused on a specific grade of the organisation; a cross-organisational process was avoided. Likewise, the training measures were thought to improve the understanding of cultural diversity in the whole institution.

Apart from these specific failures, a general failure in the design and implementation of practices promoting cultural diversity in the workplace can be seen in the missing inclusion of appropriate and detailed evaluation tools regarding these practices.

9. Possibilities for Mainstreaming

As indicated in the above analysis, many good practices identified within the project have a potential for mainstreaming. Their potential for mainstreaming can be understood specially by reviewing types of measures abstractly. There are already measures that not only have an impact in the workplace, but also in other sectors. Furthermore, practices directed at different target groups, e.g., ethnic minorities, disabled, elderly, are combined, thus creating a mainstreaming perspective. However, all measures that are transferred from one specific objective or field of intervention to another have to be adapted according to the new context. Some examples of mainstreaming into other activities are outlined here. The list is far from complete and many more possibilities for the transfer and mainstreaming of good practices could be mentioned.

Housing

Codes of conduct could be adapted to public and private housing agencies ensuring the equal access of persons with ethnic minority backgrounds to social and communal housing. These codes of conducts could include anti-discriminatory elements as well as training measures for the staff of these agencies.

Monitoring of the percentage of ethnic minorities, which have obtained social housing and setting targets for the appropriate representation of these persons. This should be especially used in the private housing sector and in co-operatives that not only focus on social factors to provide accommodation.

Education

Cultural diversity training can be adapted in order to reach teachers and the overall staff of schools. Furthermore, training elements can be introduced into the standard curricula. Up to now, training measures at schools often only included general elements regarding ethnic minorities, but did not have a cultural diversity perspective.

A **Cultural diversity week** could be implemented within schools (e.g., similar to the Anti-racist Workplace Initiative). An event like this would allow for an in-depth discussion of cultural diversity in education and other related topics.

Poster and publicity campaigns can be used as tools for raising the awareness of students and professors at schools and universities regarding the issue of cultural diversity. Here, for example, the specific research contributions of foreign scientists, or the existence of intercultural elements in our daily life, could be topics.

Arts

Carrying out of **intercultural projects** that bring together persons with ethnic minority backgrounds with people from the majority society. Such projects promote intercultural exchange.

Specific recruitment strategies, for example, **contact with ethnic minority groups** and practices promoting the **recognition of intercultural competencies and capabilities** in the artistic expression, could be adapted to the activities within the arts in order to ensure a higher representation of persons with ethnic minority backgrounds in music groups, theatres, opera houses, museums, etc.

Media

Awards for media productions that promote cultural diversity. This prize, similar to the prizes awarded in the field of cultural diversity in the workplace, can be awarded to media production of movies, radio programmes and newspaper articles dealing with the issue of cultural diversity. There are some prizes in the area of the media, although they usually deal more with the issue of representing ethnic minorities than with the topic of cultural diversity.

Adoption of **different recruitment practices** in the media-related workplaces. This is of importance because still a very small number of persons with ethnic minority backgrounds work in the media.

Training of journalists and media people concerning the issue of cultural diversity. Not only is there still a lack of persons with ethnic minority backgrounds working in the field of media, there is also a lack of knowledge and awareness regarding the issue of cultural diversity in relation to journalists, new reporters, etc. with non-immigrant backgrounds.

Health sector

Introducing adequate provisions allowing to serve food according to the special needs of ethnic minorities or persons with different religious backgrounds, e.g., in hospital canteens. As the main issue within the health sector is service provision, meeting specific religious requirements of ethnic minorities in hospital as well as in care institutions for elderly migrants should be a central objective in the health sector. This includes not only special food provision, but also the establishment of praying rooms in larger hospitals and residences for elderly.

Furthermore, important **patient information could be translated into the main lan-**

guages of ethnic minorities and **intercultural mediators** could be designated. Even with an improved knowledge of the language of the country of reception, many persons with immigrant backgrounds still face problems regarding the scientific language, e.g., in medicine, therefore here translation and mediation of intercultural mediators could be good practices.

Complaint structures could be introduced in the health sector and especially in hospitals. Often persons with ethnic minority backgrounds feel they are not treated equally or are discriminated against by doctors or staff members of hospitals. Independent structures or boards, to which complaints can be submitted, could be set up within the health sector.

10. Recommendations to improve the Success of Good Practices

Despite a great variety of measures that have been taken up promoting cultural diversity in the workplace and a growing interest in this issue, projects are still limited on the level of implementation and their successes are ambivalent or not easily accountable due to a lack of evaluations. The institutions and actors usually focus only on a small number of measures. No overall comprehensive approach towards the promotion of cultural diversity in the workplace is visible; this is true for the national, regional and the local levels. Many measures are still in the discussion process and the debate of these questions does not necessarily lead to action.

However, there has been a shift from a deficit-oriented approach, which looks at persons with ethnic minority backgrounds as a group of persons lacking qualifications, etc., to an approach valuing the positive resources, intercultural competencies and capabilities that they bring with them. This has also had an impact on the workplace, where immigrants and members of ethnic minorities are viewed in a more positive way and their capabilities taken into account regarding job profiles, etc.

While the concepts of diversity and cultural diversity have become relevant, especially within the scope of the enactment of Article 13 of the Amsterdam Treaty and the related programmes and directives implemented in the framework of this article, most EU member states directed their efforts towards different discriminated groups (e.g., disabled, women, gays and lesbians, ethnic minorities, etc.). At the level of implementation, though, the overall emphasis of measures concerns often only one group, in this specific case, persons with ethnic minority backgrounds. However, this is changing, and many institutions are trying to open up their policies regarding gender or ethnic minorities towards other groups. Other efforts include the bringing together of specific ombudsmen, e.g., for women, ethnic minorities, disabled, etc.

Private and public sector employers in many EU member states mainly drive the discussion process around the promotion of cultural diversity. The main focus is therefore on diversity management. This means that many measures are implemented by a top-down approach and do not actively promote the co-operation with ethnic minorities groups or their representative organisations in and outside of the workplace. The same is the case regarding the limited co-operation with other organisations, such as anti-discrimination offices and in some cases even the trade unions. The focus on diversity management measures is also connected to the fact that affirmative action is deemed an inappropriate tool for promoting cultural diversity in the workplace. Affirmative action

tools and clearly defined anti-discriminatory measures play only a subordinate role in the current debate, and activities on the promotion of cultural diversity. Thus, individual and structural discrimination that can be found within the workplace are tackled only randomly.

Apart from this interest in the promotion of cultural diversity in the workplace, some EU member states have undergone parallel developments regarding economic growth, reduced unemployment, demographic changes or a higher demand for skilled workers. Therefore, it is not clear whether practices promoting cultural diversity will be sustained through economic recessions or when the demand for foreign workers falls. Until now, the sustainability of the measures is often not guaranteed; a long-term perspective seldom exists. The promotion of cultural diversity is still seen as a temporary task that can be abandoned after certain - often economic or quantitative - objectives have been reached. It has not yet been understood that cultural diversity should be integrated within the overall activities in the workplace.

Furthermore, practices focussing on the promotion of cultural diversity in the workplace are only directed at the formal labour markets and legal workers. Therefore, in most cases illegal workers are neither protected by anti-discriminatory measures nor can they directly benefit from other practices. This constitutes a major problem, as in some member states of the European Union, e.g., Greece, Italy, Portugal but also Germany, a large number of undocumented workers still exist in the workforce. The informal sector still plays a prominent role especially in the countries of southern Europe. Measures promoting cultural diversity do not necessarily have the potential of changing these circumstances, but they should be combined with other strategies and practices that focus on the prevention of undocumented workers, irregular contracting and related issues. Countries seriously concerned with the promotion of cultural diversity in the workplace as well as other sectors of the society should also focus on this theme.

What is needed is a comprehensive approach towards the promotion of cultural diversity in the workplace that not only takes into account the various measures focussing on the entry of ethnic minorities, diversity management and working conditions, but also includes the context in which these measures occur (e.g., laws, public discourse etc.). An approach that gives a comprehensive look at diversity management and implements practices to this end cannot contain a comprehensive concept of promoting cultural diversity in the workplace when it is not linked to measures that empower ethnic minorities and that give them equal rights and opportunities as well as possibilities for participation in the labour market. Cultural diversity in the workplace should not be reduced to a concept that merely looks at the economic or qualification values (e.g., perceiving persons with ethnic minority backgrounds as simple resources), but rather should be based on

the notion of equal rights and equal opportunities.

What is also needed is a discussion on cultural diversity in the workplace involving all actors engaged in this area – including the target groups themselves. It is necessary not only to have a view from the top, but also to include the perspective from below. Furthermore, different sets of practices have to be combined in order to have a real impact, for example as is done in action plans or specific codes of conduct. However, there is still a lot of testing and research needed in order to establish which practices are best suitable for promoting cultural diversity in the workplace. It is too early to draw conclusions in this respect, as many practices have only started within recent years and evaluation is still lacking. There is still a lack of accountability concerning the concrete impact on the target groups, be it the ethnic minorities themselves or the majority population.

Based on these considerations, the following aspects should be taken into account when establishing and implementing practices promoting cultural diversity in the workplace:

- 1) The indicators outlined above (see chapter 8) should be taken into account in the process of design and implementation of a practice. In this context, especially the indicators referring to the participation of the target groups, the participation and support of a wide number of different institutions, clear objectives and accountability of the practice play a crucial role. However, all other indicators are also important and should not be neglected.

- 2) Secondly, it is recommended to draw up measures and practices along the lines of the typology of practices outlined in Chapter 7. This set of abstract measures has to be adapted to the specific country context, as well as to the specific requirements of the institutions.

- 3) Initiatives on all levels, taken up by different actors, should be promoted actively. This includes groups that have not yet been active in this area, but could play a decisive role, such as small businesses, ethnic businesses, chambers of trade and commerce, cultural institutions, universities, etc. These should become interested in these themes and can be asked to become active. It can be advisable to integrate these into existing networks and to enhance the co-operation and exchange of experiences with actors already active in this field.

- 4) Specific resource centres on cultural diversity should be set up within the public or private sectors. Existing resource centres should be strengthened. They should collect and analyse experiences in the field, document and make relevant data and literature accessible. These resource centres should produce interactive tools, handouts and

manuals on the topic of cultural diversity in the workplace. They can be established on the national or regional level and take into account experiences made in the respective country but also within other countries.

5) Furthermore, reference and advice points should be set up at the regional levels. These should be funded and established under the responsibility of regional or local governments and should provide advice on all questions concerning cultural diversity in the workplace. They should be run in close co-operation with all social partners, anti-discriminations boards, ethnic minority organisations, etc. Besides the advice and support regarding the implementation of practices within the workplace, they should work as think tanks for new practices in this area and should test them through model projects.

6) Special efforts should be made by all actors involved in promoting cultural diversity in the workplace, but especially by the public sector, to increase the number and quality of evaluations on practices implemented so far. This has to go hand in hand with improved and continuous monitoring processes of the practices implemented and the overall process of improving cultural diversity in the workplace. Specific boards should be set up with representatives from all institutions engaged. Improved monitoring and evaluation processes are necessary for enhancing the impact and outcome of the practices, for singling out practices that have failed and for gaining more knowledge about the conditions that are necessary for successful practices.

7) Overall standards for the promotion of cultural diversity in the workplace should be developed as a framework for the implementation of individual measures in the workplace. In this context, existing standards and model codes should be harmonised and brought together. In many EU member states, standards do not exist at all. In other countries there is a diverse set of standards and codes that often produces confusion and does not promote a comprehensive approach.

8) Last, but not least, special consideration should be given to actions creating a framework for the introduction of measures promoting cultural diversity in the workplace and for practices outside the workplace which nevertheless have an important impact on the workplace (see Chapter 7.4). These measures (e.g., education and publicity) can have an important impact on the workplace and should be strengthened and improved. In this context, the empowerment of ethnic minorities, and the securing of equal rights and opportunities are particularly important.

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