



European Network Against Racism

Réseau européen contre le racisme

Europäisches Netz gegen Rassismus

Extended Fact Sheet No. 29

**Durban's Legacy:
National Action Plans against Racism in the European Union**

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The objective of this extended factsheet is to examine the actions of EU Member States, including those that might not have been members of the EU at the time of the 2001 WCAR, to comply with the Durban programme. It will give ENAR members an overview of the work of national governments and enable members to advocate for the implementation of plans in their countries with reference to good and bad practice in the other EU Member States.

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Introduction

At the UN World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR)¹, held from 31 August to 8 September 2001 in Durban, South Africa, the signatories agreed to a Declaration and Programme of Action that:

“Urges States to establish and implement without delay national policies and action plans to combat racism, racial discrimination, xenophobia and related intolerance, including their gender-based manifestations.”

The importance of the national action plans against racism (NPAR) stems from a need for an overall comprehensive, long-term strategy to address racism in our societies. These strategies provide governments with an overview of the problem of racism, enabling them to systematically work towards equality for all, as well as work together internationally with other governments. An effective NPAR facilitates a comprehensive response to racism which can be monitored and evaluated.

The five-year anniversary of the Durban Programme is marked by a scattered effort in the EU Member States; some states have pushed ahead with ambitious programmes while others lack a comprehensive action plan, or indeed any anti-discrimination plan at all.

The aim of this fact sheet is to examine the actions of EU Member States, including those that might not have been members of the EU at the time of the 2001 WCAR, to comply with the Durban programme. It will give ENAR members an overview of the work of national governments and enable members to advocate for the implementation of plans in their countries with reference to good and bad practice in the other EU Member States. This report is structured to first briefly review the WCAR, second analyse the existing national action plans and finally, provide useful links for further information.

World Conference against Racism

The UN has designated three decades, between 1973 and 2003, for action to combat racism. Therefore the UN has organized three World Conferences against Racism, which were held in 1978, 1983 and 2001. Before the third WCAR was held the UN noted that the goals of previous conferences had not been attained and emphasised the importance of action and the need to reach concrete recommendations. It was stated by the Secretary-General of the Conference and High Commissioner for Human Rights, Mary Robinson, that the conference needed “a strong follow-up mechanism to examine whether Governments have delivered on their promises made”. The Conference gathered 2,300 representatives from 163 countries, including 16 heads of state, 58 foreign ministers and 44 ministers, and nearly 4,000 representatives of NGOs.

The objectives of the conference were to:

1. Review all factors leading to racism and racial discrimination;
2. Review progress in the fight against racism;
3. Increase awareness of the problems; and
4. Recommend measures to combat all forms of racism.

¹ www.un.org/WCAR/

Despite the controversy which characterised the conference, the attending states reached an agreement to implement national action plans against racism. Since the WCAR the UN has established, within the Office of the High Commissioner for Human Rights (OHCHR), an Anti-Discrimination Unit as the lead implementing agency of the Durban Programme of Action. One of its functions is to act as a liaison with NGOs in order to encourage participation of civil society in the implementation of the Durban Declaration, both directly and indirectly. Moreover, an intergovernmental working group has been established to oversee the implementation of the programme of action.

National Action Plans against Racism in the EU

Since 2001 the EU Member States have worked on their national action plans in very different ways. Table 1 provides a rough guide to where national action plans exist, where there is an on-going process to draft one and where the preliminary work is yet to be initiated. It should be noted that there could be quite marked differences between countries that are found in the same column, for example some ‘pending countries’ have made much more progress than others. Moreover, even in those countries where a national action plan process has not been started, there might be other measures that have been taken to fight racism.

Table 1: The status of NPARs in the EU Member States

Country	NPAR initiated	NPAR pending	No NPAR
Austria		X	
Belgium	X		
Cyprus	X		
Czech Republic	X		
Denmark		X	
Estonia			X
Finland	X		
France			X
Germany		X	
Greece			X
Hungary			X
Ireland	X		
Italy			X
Latvia	X		
Lithuania	X		
Luxembourg			X
Malta			X
Netherlands	X		
Poland	X		
Portugal			X
Slovak Rep.	X		
Slovenia			X
Spain			X
Sweden	X		
United Kingdom	X		
Northern Ireland	X		
Scotland	X		
Wales	X		

Belgium, Cyprus, the Czech Republic, Finland, Ireland, Latvia, the Netherlands, Poland, the Slovak Republic, Sweden and the UK plus Northern Ireland, Scotland and Wales have initiated national action plans against racism, although the content of these plans varies widely. In Austria, Germany and Denmark, national action plans are being prepared, but have not yet been launched. Some of the national action plans are not available to download from the Internet and/or might only exist in their national language, making them difficult to access. Specific information on each plan is provided in the Annex to this factsheet.

Lessons learned: An analysis of the NPARs

The NPARs that exist in the EU today are diverse and reflect the specific culture and history of each country. However, there are some similar characteristics and in this section the key features will be presented. Those characteristics fall into six categories: 1) process of designing the action plans 2) the involvement of civil society, 3) role of education and information campaigns, 4) the lack of official data, 5) mainstreaming as implementation instrument, and 6) evaluation.

Designing a national action plan

In most of the EU Member States that have instigated a NPAR civil society was involved in the process of drafting the document and had an input in the final plan. Engagement with civil society is crucial since the action plans should be grounded in the community and enjoy wide support. The process can foster dialogue with NGOs and other actors with specialized knowledge that can contribute to the realisation of the plan in a positive way. Moreover, the process puts anti-discrimination on the agenda and stimulates discussion on old legislation and policies as well as new initiatives.

Civil society

Civil society was not only consulted on the drafting of various national action plans, but also included in its execution. For example the involvement of NGOs and other social actors in the realisation of the plan has been clearly stated in the Irish NPAR. Of course this does not mean that states without NPARs do not recognize the importance of civil society, however, where they exist the NPARs can provide a structured framework for ongoing dialogue and engagement.

Education and information

Education and information campaigns have been emphasised in all the action plans, often children are especially targeted, such as in the UK's 'Aiming High' programme. People working in the judicial system, politics at national and local level and the media are also targeted for education on human rights issues. Latvia's action plan includes particular measures to prevent intolerance in the mass media, while the Swedish government has initiated a homepage for information on human rights.

Data

Concerns relating to lack of official data on ethnic minorities is present in all most all of the national actions plans against racism as well as in the EU Member States that have not presented plans. Lack of data means that it is difficult to assess the situation of ethnic and religious minorities, undermines the design of policies aimed at overcoming inequality and disadvantage, and undermines capacity to evaluate the impact of measures under taken to improve racial equality.

Implementation

National action plans against racism must have a real impact on how society works otherwise they will lose their purpose. Legislative intent, the administrative capacity of the implementing bureaucracy, pressure from civil society, political will and executive support all matter when it comes to realizing the vision of the WCAR.

It is of vital importance how national governments choose to implement the plans and ENAR observes that most of the national action plans are a part of a larger **mainstreaming**, i.e. all government agencies will be affected by the new policies on all levels. However, there are some policy areas that will be more affected than others, notably the areas of education, labour market, and social welfare. If the structural arrangements between government departments work, then mainstreaming might very well be a success. However, mainstreaming have been characterized by problems on previous occasions, and so it is essential that the process is co-ordinated by a steering group or Ministry in order to provide leadership and make sure that the implementation runs smoothly and is not undermined by a lack of clarity on responsibilities.

Implementation of NPARs has been accompanied by concerns with regard to budget and **resources**. In many cases resource concerns are linked to reluctance to take responsibility for implementation. In addition, separate funding is needed for the steering group that co-ordinates and monitors the plan in order for it to function. Latvia and Ireland are among those EU Member States that have allocated specific funds for the implementation of the national action plan.

Most EU Member States have installed a **steering group** or responsible Ministry in their action plans. If there are any grey areas in terms of who will do what in the action plan it will cause friction in the co-operation between government departments and/or national and local levels of government. Problems between the national and local level of government have been reported in Sweden and were addressed in the evaluation of the Swedish NPAR. In Finland the co-operation between the national and the local level is a potential problem as the municipalities of Finland, enjoy a high degree of independence. This implementation problem is quite common, where different levels of government or different departments pass responsibility between each other. Therefore, it is imperative that the plan names who is responsible for particular actions.

Experience to date has shown that implementation may also be undermined by a lack of **clarity** and ambiguous language in the NPARs. Even if the NPAR clearly designates a specific task to a specific ministry, lack of time frames and vague language can lead to government departments and agencies not taking the action plan seriously enough. For example, the Irish NPAR has been criticised by an NGO Alliance for failing to provide for specific timed actions. Understandably, general objectives cannot be too specific, as it could inhibit local solutions and make the process rigid, but there is a need to have a clear direction of what kind of action is expected. While public servants should be able to use their special knowledge in order to carry out the policy efficiently, there are dangers linked to open-ended policies since they will be dependent on individual public servants, political will and the resources of specific departments. If public servants cannot relate to the text, it is very likely that little will be done to implement the plan.

Evaluation

Most of the NPARs have not yet been evaluated and there is no standard on how to measure the impact of government's efforts. The EU Member States that have evaluated their action plans are Sweden, the United Kingdom and the Netherlands. Belgium and Finland are currently preparing evaluations.

Sweden's evaluation, *Bra början, men bara en början* (January 2005), is available in Swedish on the official government homepage. The first section deals with the aim of the action plan and the method of the evaluation itself, which was based on qualitative interviews and surveys answered by involved parties. Then the action plan is assessed in terms of how it was created, how it could be used as an instrument by involved actors, how the national and communal authorities actually used the plan to achieve results, what were the key areas in the plan, how information about human rights were spread in the educational system and different levels of authority, and finally recommendations for the new plan. The evaluation was a rigorous process and could be a useful model for other countries.

The evaluation of the United Kingdom's NPAR, focused on the progress that has been made in public services (education, the labour market, housing, health and the criminal justice system), progress in integration at the local community level and how the legal framework can protect against discrimination. It concludes with a section on statistics and areas where improvement is needed. The UK NPAR has time frames and a reasonable amount of detail, but the evaluation is vague about what actually has been done. The concrete recommendations for future action plans are limited and there is little criticism of the current plan.

In the Netherlands a NPAR was established in 2002. The Minister of Immigration and Integration informed the Parliament in 2005, for the first time, on the progress in the implementation of national action plan. In the Netherlands, the coordinating Ministry is supposed to send the Parliament an update every year of the progress, so far this has happened only once.

Conclusion

Five years after the World Conference against Racism, about half of the EU Member States have initiated a national action plan. There are weaknesses with the implementation of the action plans, such as a lack of clarity on responsibility for local authorities, but there are also positive steps forward, such as the involvement of social actors in the realisation of the plans. Evaluation of the action plans is essential in order to review both positive progress and to look at the weak points of previous plans and the challenges that need to be addressed.

It is not until a comprehensive plan is presented that governments can systematically deal with the issues of racism. Therefore, it is important that those EU Member States that have not initiated their action plans explore the value of this approach and consider how a comprehensive plan against racism would contribute to the realisation of more equal societies.

This fact sheet has sought to raise awareness amongst ENAR members of the positive legacy of the Durban Conference, and provide them with an analysis of good and bad practice in the elaboration, implementation, and evaluation of the national action plans against racism.

Annex: Overview of National Action Plans

Austria

A national action plan against racism is being prepared, but it has not been launched yet. It is anticipated that the formal launch of the action plan will take place after the general elections in October 2006 and it is to be a mainstreamed effort. The federal chancellery is responsible for developing the policy concerning the national action plan.

<http://www.austria.gv.at/site/3544/default.aspx>

Belgium

A national action plan against racism was launched on 17 March 2005. The Ministry of Equal Opportunities, Ministry of Justice and Ministry of Interior, and the Centre for Equal Opportunities and Opposition to Racism collaborated to create the action plan. The action plan has primarily been implemented as part of a broader mainstreaming policy, therefore there is no specific fund for this initiative. Funding is met on the departmental basis and for specific projects. An evaluation is under way and is expected to be presented in Autumn 2006.

<http://www.diversiteit.be/CNTR/default.aspx>

Cyprus

The National Report of the Republic of Cyprus on the Implementation of the Conclusions of the European and World Conferences against Racism was adopted by the Council of Ministers and will be monitored by Ministerial Committee, consisting of the Ministers of Justice and Public Order, Foreign Affairs, Interior, Labour and Social Insurance, and Education and Culture. They will assess the action plan's impact and effectiveness with the assistance of various advisors.

<http://www.mjpo.gov.cy/mjpo/mjpo.nsf/All/7788DB61559E32DEC2256F0A0037FAF2?OpenDocument&highlight=national%20action%20plan%20against%20racism> [English version]

Czech Republic

The Government has adopted a national action plan on fundamental rights as well as a national action plan to combat racism.

<http://www.mzv.cz/wwwo/mzv/default.asp?id=10851&ido=7593&idj=2&amb=1>

Denmark

A national action plan against racism is being prepared, but it has not been launched.

Finland

Finland adopted a national action plan to combat ethnic discrimination and racism in March 2001. This plan covered the period 2001 to 2003. The plan has clearly divided the responsibilities at national, regional level and local level. However, as the municipalities of Finland enjoy a high degree of independence, the measures applicable to them are mainly recommendations. The only exception to this independence of the municipalities is the Act on the Integration of Immigrants and Reception of Asylum Seekers. The national action plan is a part of a larger mainstreaming effort so there is no separate fund for anti-discrimination issues.

http://www.mol.fi/mol/en/99_pdf/en/90_publications/thj286.pdf

Germany

There has been a lengthy process involving government administration and civil society, but to date no action plan against racism has emerged.

Ireland

The Irish government launched *Planning for Diversity – The National Action Plan against Racism* on 2 January 2005 after a twelve-month public consultative process, which was overseen by a national steering group. The action plan received a mixed response from NGOs in Ireland. An NGO Alliance has commented on some of the plan's strong points, such as the inclusion of social partners such as employers/businesses and trade unions in its implementation. However, according to the NGO Alliance, the document lacks time frames, its language is vague and there are no sanctions suggested if government departments and agencies do not meet their obligations. Ireland has allocated 5 million Euro to the fight against racism, ear-tagging 1.14 million Euro to integration elements of the national action plan and about 1 million Euro to special initiatives such as research and mapping activities. An evaluation will be presented at the end of 2006.

<http://www.diversityireland.ie/Publications/Publications/Navigation.html>

Latvia

There is no national action plan that specifically deals with racism, however, the Latvian Government has included the recommendations made at the UN World Conference in Durban into a National Programme against Intolerance. The National Programme was adopted in 2004 and covers five years. It addresses the problems faced by ethnic and religious minorities in Latvia, especially the Roma. Responsibility for the plan lays with the Secretariat of the Special Assignments Minister for Social Integration. The activities that have been planned for the National Programme against Intolerance includes raising public awareness. Resources have been set aside to implement this programme.

http://www.integracijja.gov.lv/doc_upl/Tolerance_English.doc?PHPSESSID=91147d0ca42abe758c0b1b098acc50e6

Lithuania

The Government of Lithuania has recently approved a National Action Plan against discrimination 2006-2008. It includes age-related, sexual orientation, disability, racial, ethnic, religious or conviction-related discrimination aspects of discrimination. This first plan is to deal with legislative concerns as well as information and awareness raising, such as initiating studies as well as to inform and encourage tolerance in society through campaigns. The action plan is to be implemented as a mainstreaming effort between government agencies co-ordinated by the Office of Equal Opportunity Ombudsperson. NGOs have also been invited to cooperate with these agencies to realise the action plan's goals.

Netherlands

The Netherlands has initiated a national action plan against racism after extensive consultations with civil society. In 2002 a national platform for consultation and cooperation against racism and discrimination was established. One of its tasks was to advise the Minister on the national action plan. In 2005 Minister for Immigration and Integration informed the Parliament, for the first time, on the implementation progress of the national action plan. Most of the plan is mainstreamed, meaning that there is no specific funds for the NPAR. However, there are some specific projects that have been funded and will be evaluated later.

www.nprd.nl [in Dutch]

Poland

On 18 May 2004 Poland adopted a National Programme against Racial Discrimination, Xenophobia and Related Intolerance 2004-2009. It came about after consultation with civil society, including NGOs, public bodies, and independent experts. It was also displayed on the website of the government where interested parties could comment on the document. The action plan is mainstreamed and has a broad base that will include central government administration, the Human Rights Ombudsman, public broadcasters etc. The action plan emphasizes a different theme each year, the first year was devoted to researching the situation in Poland, the second and third years will be focused on education and information campaigns as well as introducing necessary legislative changes. In the fourth year the legislative changes will be evaluated and in the final year the action plan will be evaluated. Parts of the action plan are financed by the EU and its implementation will be overseen by a Monitoring Working Group, which consists of experts, representatives of the ministries and selected representatives of NGOs. The group will present annual reports to the Council of Ministers and is co-coordinated by the government plenipotentiary for Equal Status for Men and Women.

Slovak Republic

An Action Plan for the Prevention of All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and other Expressions of Intolerance 2004 – 2005 was adopted by the Government of the Slovak Republic.

<http://www-8.mensiny.vlada.gov.sk/data/files/2163.doc>

Sweden

A national action plan to combat racism, xenophobia, homophobia and discrimination was launched by the Swedish Government in connection to the UN World Conference on human rights in Vienna 1993. Since then, on UN recommendations, the scope has been made extended to include human rights. A delegation on human rights in Sweden has been set up to oversee the work on the action plan. The delegation has a reference group made up of representatives from NGOs and is expected to deliver a final report to the Government by 31 March 2010. The first national action plan covered 2002-2004 and has been evaluated. In the evaluation strengths and weaknesses with the 2002-2004 plan are presented and there are recommendations for the next national action plan, which will cover 2006-2009. Various government agencies are involved in implementation, so the funding for the national action plan is integrated into the budget of those agencies. There is no separate fund for the national action plan.

<http://www.regeringen.se/sb/d/5920/a/59842> [in Swedish]

<http://www.regeringen.se/sb/d/5070/a/38514> [in Swedish]

United Kingdom

In 2005 the United Kingdom initiated a cross-government Strategy for Race Equality and Community Cohesion, *Improving Opportunities, Strengthening Society*, in which the recommendations of the Durban programme are considered. The plan is part of a larger mainstreaming programme and although the process leading up to the final document was made in close consultation with non-governmental and community-based organizations, there have been differences with some NGOs that feel that the government has abandoned the NPAR. The Race Equality Strategy was originally the responsibility of the Home Office, through its Race Equality Unit, but since May 2006 it is the Department for Communities and Local Government (DCLG) that takes the lead. An evaluation of the Race Equality Strategy was published in July 2006.

<http://www.homeoffice.gov.uk/documents/improving-opportunity-strat>

<http://www.communities.gov.uk/index.asp?id=1501928>

It is noted in *Improving Opportunity, Strengthening Society* that “This is a strategy for Great Britain and will apply in Northern Ireland only to those matters that are reserved or excepted under the provisions of the Northern Ireland Act 1998... This strategy has been developed in consultation with the Scottish and Welsh administrations, who are committed to its aims and will produce their own plans, outlining how they will promote community cohesion and race equality over the next three years”.

Northern Ireland

Northern Ireland has its own Equality Strategy. A Racial Equality Strategy for Northern Ireland 2005-2010 was launched by the Office of the First Minister and Deputy First Minister and presented on 27 April 2006. It contains six strategic aims that involve different parts of government, such as the Department of Education and the Department of Social Services and Public Safety. There are planned actions within each Department and each action comes with time frames. It is stressed that the Strategy is a working document and that indicators for evaluation are being developed.

<http://www.ofmdfmini.gov.uk/race-equality-strategy.pdf>

Scotland

The Scottish Executive has initiated a race equality scheme that was first launched in November 2002. There is a second scheme, which was launched in November 2005.

<http://www.gro-scotland.gov.uk/abotgros/race-equality-scheme.html>

<http://www.scotland.gov.uk/library2/doc01/sli-01.htm>

<http://www.scottish.parliament.uk/business/officialReports/meetingsParliament/or-06/sor0628-02.htm>

Wales

The Assembly of Wales launched Race Equality Scheme 2005-2008 on 21 March 2005. There is a time frame to when the scheme, which have been evaluated before 31 May 2008. Linked to this scheme is the race equality action plans within each Assembly Department, which have been in place since 1 April 2005.

<http://www.wales.gov.uk/themesraceequality/index.htm>