"Forgotten" ethnic minority groups and communities in EU policies and debates

Editorial

Mohammed Aziz, ENAR Chair

It gives me great pleasure to introduce this latest issue of ENARgy, dedicated to "forgotten" ethnic minorities in Europe, both in terms of debates and policies addressing the specific challenges they face. This is also the last printed issue of ENARgy, after four years of thought-provoking editions, before the newsletter is redesigned into an exciting new "webzine" as from 2011.

So far, the European Union's stance on the fight against ethnic and religious discrimination has been to adopt a transversal approach to equality, treating all groups equally and rejecting any hierarchies. Similarly, ENAR has and continues to adopt such a transversal approach, working as a voice for *all* ethnic and religious minorities in the fight against racism, discrimination and related intolerance in Europe.

Over the last decade, however, the European Commission and the European Parliament have, under the pressure of different human rights and Roma organisations, including ENAR, put the Roma question high on their agenda and have started devising specific strategies to tackle the multiple and complex patterns of discrimination Roma communities have been facing over centuries and to enhance their social, economic, political and cultural inclusion within European societies. We have welcomed and contributed to this focused work, and will do all we can to ensure this continues.

There are, however, many minority groups in Europe, who have their own specificities in terms of anti-discrimination and social inclusion issues, that have been forgotten in EU policies and debates. These include national, ethnic, religious, cultural, or linguistic minorities whose members face various and specific experiences of discrimination in access to housing, health, education, employment and criminal justice on a daily basis but who are not on the political and policy "radar", whether at the EU or national level. ENAR has, therefore, felt it important to devote this issue of ENARgy to their plight - highlighting specific challenges faced by just some of these communities.

The articles in this newsletter aim to prompt a first reflection in this arena. We start with a conceptual article on the paradox of EU anti-discrimination policies and how these affect "forgotten" minority ethnic groups, followed by a statistical overview of migration trends in Europe. The newsletter goes on to focus on a selection of groups currently absent in EU policy discussions in relation to anti-racism and anti-discrimination - Black African communities, Asian communities, mixed heritage groups and stateless persons - highlighting the specific discrimination and social inclusion challenges they face and offering testimonies by members of these groups on their personal experiences. We conclude with a Q&A with Patrick Lozès from the "Conseil Représentatif des Associations Noires" (CRAN) in France and Ernesto Bianchi from the European Commission, providing insights into how they perceive the issue of "forgotten" minorities and the EU's past, present and future policies addressing such specific communities.

Finally, as the current Board of ENAR draws to the end of its term and I step down as Chair in December, I would like to take this opportunity to say how much I have enjoyed working with you all - in serving this great organisation and our shared cause. But there is, of course, still a long journey ahead in terms of ENAR's mission - and, as I move on, I wish ENAR every success in that noble mission.

"Forgotten" minorities? The paradox of
Michaël Privot, Director, European Network Against Racism

This article highlights an interesting paradox in EU anti-discrimination policy - which on the one hand advocates a transversal approach and on the other proposes measures "in favour" of certain specific communities - and to suggest a number of avenues for further reflection.

It is important to state at the outset that this is a very delicate subject. Although the very concept of what constitutes a minority remains undefined, official EU policy in relation to combating discrimination based on ethnicity and religion has long been rather transversal in nature. It is rooted in an unwillingness to enter into the potentially inextricable quagmire of acknowledging the needs and demands of minorities whose existence may not even be suspected but who should be able to benefit from the principle of equal treatment for all.

To a certain extent, ENAR has itself chosen a similar approach, albeit for slightly different reasons relating to the history and development of the organisation. ENAR was structured with the aim of becoming the voice of all ethnic and religious minorities in relation to the racism, discrimination and associated issues with which, to varying degrees, they are all confronted. On the other hand, as in any network which brings together diverse organisations, the issues on which ENAR chooses to concentrate are also the result of different levels of influence, reflecting the presence, weight and structure of certain communities in relation to others. These communities thus succeed in bringing certain demands - all of them legitimate - to the fore within the organisation.

This process has led ENAR to reflect continuously both on its own working methods and on those to be found in its immediate political and institutional environment. It has also come to question the highly political dimension of the choices which an institution such as the EU may make "in favour" of one or more specific communities but also, more deeply, the reasons which may lead the EU, knowingly or not, to make such choices. Thus the intention here is not to undertake an exhaustive analysis of a reality consisting of multiple parameters, some of which we would be bound to overlook, but rather to shed light on an interesting paradox in EU anti-discrimination policy. We wish to consider its impacts and to suggest a number of avenues for further exploration.

ENAR welcomes the fact that the European Commission has finally decided to make a clearer commitment to establishing a holistic strategy to tackle the generally appalling situation of the Roma minorities, in the wake of recent events in France in particular. However, there are still other communities experiencing similar issues to varying degrees which are by no means at the top of the European agenda, not to mention that of the Member States.

In this context it is interesting to note that the issue of anti-Semitism, although duly mentioned on paper, has for some years been dropping down the European administration's priority list.[2] While levels of interest in Roma issues continue to grow, the trend with respect to anti-Semitism is the exact opposite. We are not suggesting any kind of correlation of cause and effect between the two, but we do wonder about the impact of certain current media and national policy themes on the general directions taken by the EU in relation to anti-discrimination. At the same time, reports continue to be published by a number of Jewish organisations specialising in monitoring occurrences of anti-Semitism, which show that such incidents are still taking place and, indeed, are on the rise. What is more, this is not simply due to the situation in the Middle East. Is this a community on its way to being forgotten?

Another interesting case is that of Islamophobia or, to be more precise, discrimination against people of the Muslim faith or those who are perceived as such. Despite the fact that reports by the European Monitoring Centre on Racism and Xenophobia (EUMC)[3], the EU Fundamental Rights Agency (FRA)[4] and other organisations (the Open Society Institute[5], the Network of European Foundations[6], the European Policy Centre[7] and the Council of Europe[8]) show the existence of

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1   The author wishes to thank ENAR colleagues Emmanuel Rosas and Georgina Siklossy for their research for and contributions to this article.

2   The last EUMC (European Monitoring Centre on Racism and Xenophobia, predecessor of the EU Fundamental Rights Agency) report on anti-Semitism dates from 2002-2003: http://fra.europa.eu/fraWebsite/research/publications/rapid_responses/pub_cr_antisemitism02-03_en.htm. However, FRA publishes a yearly update of this report: http://fra.europa.eu/fraWebsite/attachments/Antisemitism_Update_2009.pdf.

3   EUMC (2006), "Muslims in the European Union: Discrimination and Islamophobia", www.fra.europa.eu/fraWebsite/attachments/Manifestations_EN.pdf.

4   FRA - EU-MIDIS (2009), European Minorities and Discrimination Survey, "Data in focus - Muslims", http://fra.europa.eu/fraWebsite/eu-midis/eumidis_muslims_en.htm and FRA (2010), "Experience of discrimination, social marginalisation and violence: A comparative study of Muslim and non-Muslim youth in three EU Member States", www.fra.europa.eu/fraWebsite/attachments/Pub-racism-marginalisation_en.pdf.

5   Open Society Institute (2009), "Muslims in Europe: A Report on 11 EU Cities", At home in Europe project, New York-London-Budapest, www.soros.org/initiatives/home/articles_publications/publications/muslims-europe-20091215/a-muslims-europe-20100302.pdf.

6   Stefano Allievi in collaboration with EthnoBarometer (2009), "Conflict over mosques in Europe. Policy issues and trends", NEF Initiative on religion and democracy in Europe, www.scribd.com/doc/23426366/Conflict-over-mosques-in-Europe-Policy-issues-and-trends.

7   European Policy Centre - Sara Silvestri (2007), "Islam and the EU: merits and risks of Inter-cultural dialogue", www.interculturaldialogue.eu/web/files/82/en/Islam_and_EU_merits_and_risks_of_ICD_-_EPC_June_2007.pdf.

8   A report by the Committee on culture, science and education of the Parliamentary Assembly of the Council of Europe entitled "Islam, Islamism and Islamophobia in Europe" was drafted on 25 May 2010 in view of a draft resolution. See http://assembly.coe.int/Documents/WorkingDocs/Doc10/EDOC12266.pdf.

EU anti-discrimination policies
(ENAR)[1]

major discrimination against a large number of Muslims solely on the basis of their religion or a combination of their real or assumed religious identity and ethnicity, the EU institutions and the majority of the Member States have retreated into a cosmic silence. Yet some experts[9] have no hesitation in acknowledging that Islamophobia is well on the way to becoming one of the most significant issues in Europe over the next few years. Are these "forgotten" communities or are they too politically "sensitive" to be considered?

The case of black minorities is also a very interesting one. Even though anti-racism is inextricably linked to the fight for equality between black and white people and many organisations and campaigns blithely combine black and white in their logos and other materials, black people are as invisible in European anti-discrimination policy[10] as they are at the level of the Member States[11]. That is, except when polygamy or female circumcision are under discussion. Yet the various Sub-Saharan African communities - to give just one example - face a range of issues and needs which are sometimes extremely complex (post-conflict trauma, violence due to the migration process itself, family and cultural breakdown[12] and the denial of acknowledgements of slavery and colonisation, to name but a few).

These issues have a crucial impact on these communities in terms of the process of integration into European societies. Here, too, might it be said that these communities are forgotten or is it the case that they are so taken for granted that there is no need to spell out the issues anymore?

> "WE ARE SEEING THE DEVELOPMENT OF A SHARPLY CONTRASTED ENVIRONMENT, WHERE THE TENDENCY IS NOT TO ACHIEVE A MINIMUM OF EQUAL OPPORTUNITIES FOR ALL BUT INSTEAD TO IMPLICITLY ESTABLISH A HIERARCHY AMONG MINORITIES BY OFFERING THEM WIDELY VARYING OPPORTUNITIES FOR INCLUSION IN OUR SOCIETIES"

Minorities from the Indian subcontinent, East Asia and Latin America have probably never even appeared on the radar of the European institutions. Of course, human diversity is infinite, but Europe today, because of both its colonial and commercial history and its active role in the globalisation of material and human transactions throughout every part of the world, has contributed to the fact that communities from all over the world are to be found on its territory. Thus Europe cannot behave as though these issues are alien to it. These minorities and the many communities they comprise certainly do share common features and needs with regard to protection from discrimination. However, they still have their own specific characteristics which are not taken into account and which make any discussion about them in relation to inclusion somewhat disconnected from the reality of our societies or, to be more precise, so general as to be rendered inadequate.

At a time when Europe is setting relatively ambitious targets in terms of combating social exclusion (to lift 20 million people out of poverty within ten years), we note the additional issues faced by a growing number of individuals within these minorities: extreme poverty, homelessness, irregular status or an interminable regularisation procedure which hampers any process of social integration through work, housing and education. To this must be added the dimensions of gender (women generally footing the bill for the failure to take these issues into account) and that of sexual orientation (which generates highly vulnerable sub-communities within minorities already under pressure), as well as those of disability and age.

Thus we are seeing the development of a sharply contrasted environment, where the tendency is not to achieve a minimum of equal opportunities for all but instead to implicitly establish a hierarchy among minorities, as well as the communities and the individuals of whom they are comprised, by offering them widely varying opportunities for integration and inclusion in our societies. And this is completely out of step with European institutional discourse, which in theory advocates a transversal approach to equality and non-discrimination.

Of course, the Member States, their administrations and different levels of representative power continue to bear the greatest responsibility for this situation, as they have implemented, sometimes with the worst will in the world, European equality legislation. Nevertheless, to a certain extent, the European Commission and the European Parliament have the opportunity to change the situation and to compel or at least strongly encourage the Member States to take into consideration the rich patchwork of minorities which now make up Europe's human and cultural capital.

We do not wish in any way to suggest that fewer efforts should be made to support the Roma. Quite the contrary - we demand that the European institutions and the Member States undertake more and better measures. However, the other minorities should also be able to benefit from these measures, in order to speed up their inclusion in European societies. This will allow Europe to emerge more quickly from the economic crisis, by capitalising on the incredible resources and talents which it already has "to hand", rather than investing considerable sums to keep them in a state of inactivity or socially exclude them. But this will necessitate a *political* decision at the highest level to treat all minorities, communities and individuals which make up our societies equally and equitably. And ENAR considers itself as a key partner in this change, as access to these minorities and communities is the very essence of our work and the expertise we can provide.

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9   Bangstad, Sindre and Bunzl, Matti (2010), "Anthropologists Are Talking About Islamophobia and Anti-Semitism in the New Europe", Ethnos, 75: 2, 213 - 228, http://dx.doi.org/10.1080/00141841003764021.
10 There is for instance no thematic report by FRA on the discrimination faced by the Black population in Europe.
11 Pap Ndiaye (2008), "La condition noire. Essai sur une minorité française", Edition Calmann-Levy, Paris, p.73-81.
12 Hugues Lagrange (2010), "Le déni des cultures", Paris, Edition le Seuil.

International migration in the European

Lucia hug, Population Division, Department of Economic and

International migration has become an important phenomenon in the European Union (EU). This article uses various United Nations sources to assess levels and trends of international migration in the 27 EU Member States.

Estimates of the migrant stock

The United Nations estimates the global migrant stock at regular intervals. The international migrant stock is based on the number of the foreign-born enumerated in national population censuses. For countries lacking information on country of birth, the number of persons with foreign citizenship has been used. Thus, the stock of international migrants is defined as the number of persons who were born in, or have the citizenship of, a country different from where they were enumerated. Except for Belgium, Greece and Malta, all EU countries provide data on the number of foreign-born. Refugees constitute an important part of the migrant stock. In most EU countries, refugees are included in the count of the foreign-born or foreign citizens. In Hungary, Slovakia and Slovenia (before 2005), the refugee population, as reported by the United Nations High Commissioner for Refugees (UNHCR), was added to the migrant stock.

In 2010, the total population in the EU is estimated at 500 million, about 7 % of the world population. The EU is hosting about 47 million international migrants, approximately one-fifth of the global migrant stock. From 1990 to 2010, the number of international migrants living in the 27 member countries of the EU increased by 76 %, from 27 million to 47 million. Since 1990 the EU has been adding between 3.4 and 6.7 million international migrants during each five-year period. As a result, the share of international migrants in the total population in the EU increased from 5.7 % in 1990 to 9.4 % in 2010.

In many EU countries, international migrants have become a significant component of the total population. Within the EU, Germany hosts the largest foreign-born population (10.8 million), followed by France (6.7 million), the United Kingdom (6.5 million), Spain (6.4 million) and Italy (4.5 million). Together, these five countries host more than two-thirds of the number of international migrants in the EU. While the most populous EU countries tend to host the largest immigrant populations in absolute terms, the share of international migrants in the total population is significantly higher in some smaller countries, including Luxembourg (35 %), Ireland (20 %) and Cyprus (18 %).

In most EU countries, the international migrant stock increased between 1990 and 2010. Exceptions are Estonia, Latvia, Lithuania, Poland, Romania and Slovenia, which recorded an absolute decrease in the number of international migrants. From 1990 to 2010, the largest absolute increase in the number of international migrants was recorded by Spain (5.5 million), followed by Germany (4.8 million), Italy (3 million) and the United Kingdom (2.7 million). While Germany recorded the largest increase in the number

of international migrants during the 1990s, mainly as a result of the high levels of *Aussiedler*[2], Italy and Spain recorded the largest increase in the migrant stock between 2000 and 2010. Between 1990 and 2010, the share of international migrants in the total population increased by at least ten percentage points in Cyprus, Ireland and Spain and by at least five percentage points in Austria, Germany, Greece, Luxembourg and Sweden.

The origin of the migrant stock

This section analyses the country of birth or citizenship of the migrant stock, based on the latest available data derived from national population censuses and population registers. These indicate that some 46 % of the international migrant population residing in the 27 countries of the EU originates from developing countries.[3] More than one-third of all international migrants in the EU, some 38 %, originate from another EU country.

Europe is the main geographical region of origin of international migrants residing in the EU: about half of all international migrants were born in Europe. The second largest region of origin for international migrants in the EU is Asia (22 %), followed by Africa (16 %) and Latin America and the Caribbean (9 %). The proportion of the migrant population in the EU born in Northern America is limited to 2 %, while Oceania accounts for only 1 % of international migrants in the EU.

France, the Netherlands, Portugal, Spain and the United Kingdom host more international migrants from developing countries than from developed countries. In the remaining 22 EU member states, migrants from developed countries outnumber those from developing countries. In Belgium, the Czech Republic, Hungary, Ireland, Luxembourg and Slovakia, more than two-thirds of the migrant stock originates from other EU countries. In the Baltic States and Slovenia, fewer than 13 % of all international migrants originate from other EU countries.

International migrants from Africa constitute a relatively large share of all international migrants in Portugal (46 %), France (39 %) and Italy (23 %). More than 30 % of international migrants residing in Denmark, Germany, the Netherlands, Sweden and United Kingdom originate from Asia. International migrants born in Latin America and the Caribbean represent an important share of all international migrants in Spain (38 %) and the Netherlands (28 %). In the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Luxembourg, Slovakia, Slovenia and Poland, more than 90 % of international migrants were born in another European country. Europe also represents the main region of origin of international migrants in Austria, Belgium, Bulgaria, Cyprus, Finland, Germany, Greece, Ireland, Italy and Malta. The proportion of female migrants in the EU (50.7 %) is slighter higher than for the world as a whole (49 %) and has increased slightly, from 50 % in 1990 to 50.7 % in 2010. While female migrants are relatively underrepresented in Greece (45

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1 The views expressed in this article are those of the author and do not necessarily reflect those of the United Nations.

2 Aussiedler or Spätaussiedler are persons of German descent, who lived in Eastern Europe or in the area of the former Soviet Union and who ha d the right to take up residence in Germany and to acquire the German citizenship upon arrival.

3 Less developed regions comprise all regions of Africa, Asia (excluding Japan), Latin America and the Caribbean, as well as Melanesia, Micronesia and Polynesia.

Union[1]
Social Affairs, United Nations

%), Germany (47 %) and Spain (48 %), they often constitute 55 % or more of the migrant stock in the Baltic States and countries in Eastern Europe. Some 77 % of the international migrants residing in the EU are aged between 20 to 64 years old, 11 % of the migrants are under the age of 20, while 12 % are 65 or older. Men outnumber women among migrants of working age and those aged under the age of 20. Among migrants aged 65 and older, women migrants far outnumber men (56 %), a situation that is similar among non-migrants.

In 2010, the global number of refugees was estimated to reach 16.3 million persons, almost 8 % of the total number of international migrants. The proportion of refugees in the total migrant stock in the EU is quite modest. In 2010, the EU hosted 1.4 million refugees, about 8.4 % of the global refugee population. The number of refugees in the EU increased in the early 1990s to reach 2.1 million in 1995, but has decreased since then. In 2010, refugees constituted only 3 % of the total migrant stock in the EU.
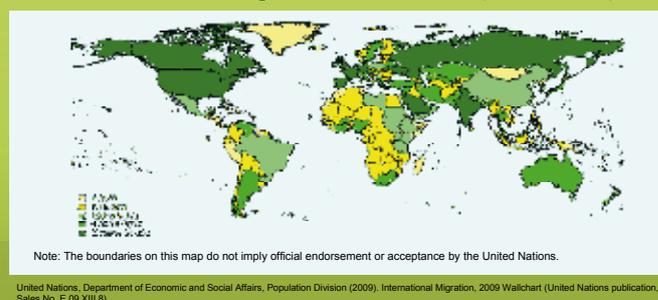
International migration flows

EU countries collect data on immigration and emigration flows through a variety of sources, including population registers, the deliverance of permits, statistical forms and border surveys. The comparability of these data is not only affected by the different sources through which they are collected, but also by the differences in time criteria used to define an international migrant. Moreover, some data sources include the international migration of nationals, whereas other sources are limited to foreigners. Data on international migration flows is available for 20 out of the 27 EU countries.

Between 1990 and 2010, the largest average annual inflow of international migrants was recorded by Germany (966,000), Spain (324,000), Italy (204,000), France (167,000, foreigners only). During 2005-2008, Spain was the largest recipient of international migrants in the EU, receiving 811,000 immigrants annually, followed by Germany (680,000), the United Kingdom (576,000), Italy (292,000) and France (201,000, foreigners only). While the most populous countries in the EU attract most immigrants, they also record the highest numbers of emigrants. Between 2005 and 2008, Germany recorded an average of 635,000 emigrants each year, followed by the United Kingdom (366,000), Spain (176,000) and Italy (56,000).

In France, Italy, Spain and the United Kingdom the annual inflow from developing countries increased from 1990 to 2008. International migrants from developing countries accounted for more than two-thirds of all immigrants who arrived in France and for approximately half of all arriving immigrants in Italy, Spain and the United Kingdom between 2005 and 2008. In Germany, about 25 % of the immigrants who arrived between 2005 and 2008 came from less developed regions. The enlargements of the EU that took place in 2004 and 2007 led to increased movements from the "new" to the "old" member states. As a result, inflows from the developed countries into the EU increased more rapidly than inflows from developing countries during the second half of the 2000s.

The majority of international migration flows to countries of the EU originate within Europe. International migration flows from and to the rest of the world tend to be limited, except for some major receiving immigrant countries in the EU. Thus, many immigrants who arrived in Spain between 2000 and 2008 came from Latin America and the Caribbean. In France, African immigrants represented more than 40 % of the annual inflow between 2000 and 2008. In Italy and Spain, immigrants from Africa constituted between 13 and 20 % of total arrivals between 2000 and 2008. In all three countries, the inflow from Africa, and in particular Northern Africa, increased significantly compared to the 1990s. In the United Kingdom, immigrants from Asia constitute more than 30 % of the annual inflow. Since 2005, the immigrant inflows from Europe to the United Kingdom outnumbered the inflow from Asia.

Net international migration

Net migration constitutes the difference between the number of immigrants and emigrants. Net migration is estimated indirectly by attributing the population change that is not the result of the difference between the number of births and deaths to international migration.

Between 2005 and 2010, the EU had a positive net migration balance of 1.3 million international migrants each year. Spain was the country with the largest net migration, averaging 350,000 international migrants, followed by Italy (333,000), the United Kingdom (189,500), Germany (110,000) and France (100,000). While most EU countries recorded a positive migration balance, Bulgaria, Latvia, Lithuania, Poland and Romania recorded negative annual net migration between 2005 and 2010. The largest annual population losses due to emigration were recorded in Romania (- 40,000), followed by Poland (-24,000) and Lithuania (-20,000).

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Building of ethnicity and the post-colonial variable:
The example of the Congolese's deskilling in Belgium

Sarah Demart, Sociologist, Centre for Ethnic and Migration Studies, University of Liège (Belgium)

The issue of ethnicity can refer to a series of different realities which depend on varying contexts but also on the approach taken. Although the notion of "ethnic minority" is generally defined by common cultural, linguistic and territorial characteristics, it is nevertheless not a fixed entity. The sedentary versus mobile - or even "multi-settled" - nature of social groups can lead to significant variables. In addition, in situations where groups are not on their own territory (due to displacement, exile, migration), national origin can define a group as "ethnic" from the point of view of the host or transit society.

However, all populations with a foreign background are not necessarily considered as ethnic minorities, which is why it is necessary to take account of the ethnic group's definition as a category of ascription. Following research by Barth[1], a whole generation of researchers has aimed to demonstrate that ethnic groups and their continuity depended above all on the perpetuation of frontiers and a codification of differences which is constantly being renewed, and which are generally wrongly approached from the perspective of cultural differences[2]. From this perspective, the revision of processes of political, economic and ideological supremacy of one group over the other is crucial, including through the reduction to "otherness" which the process of ethnic identification entails[3].

Seen from this angle, the issue of "forgotten" ethnic minorities in the European Union is not only linked to the invisibility experienced by certain social groups, but also to systemic discrimination which leads to complex ethnicity issues and processes leading to invisibility. Recent demographic data on Congolese immigration (from the Democratic Republic of Congo) to Belgium show a professional deskilling which is a reflection of this process.

Firstly, the overrepresentation of Congolese men (as from 30 years old) who have a university diploma[4] in relation to other population groups, both foreign and "native", has created a unique migratory and post-migratory situation. At the same time, unemployment levels within this population group (in all age groups) are high above those of other population groups in Belgium. Furthermore, although women are generally less educated, they also strongly experience this professional deskilling[5]. This situation leads to a population group being treated along ethnic lines although it is characterised more by its qualifications and university background than by its cultural origin,

A Congolese student

which is in fact multi-faceted as there are around 350 ethnic groups present in the Democratic Republic of Congo (divided into four linguistic groups).

Given the shared history of this "ethnic minority" and the host society, this socio-professional "downgrading" appears as a reflection of the latter's hegemony over social mobility which, while it is representative of general tendencies towards racial discrimination in Europe, indicates a pattern of reduction to inferiority over a long period of time.

> "**Even though the proliferation of migrant Congolese with a university diploma has now led to comparable education levels, and indeed even higher levels for this minority, inequalities in terms of social status continue**"

The colonial period, as we know, was characterised by the lack of creation of an intellectual elite in favour of a moral elite - the so-called "civilized" indigenous populations - and by widespread primary school education across the country[6]. However, even though the proliferation of migrant Congolese with a university diploma has now led to comparable education levels, and indeed even higher levels for this minority, inequalities in terms of social status continue. When looking more in depth at this "minority's" daily life and career progression, the racial, but also post-colonial, nature of this discrimination is apparent. This discrimination is all the more inacceptable given their country of origin's contribution to Belgium's development.

Finally, given the effervescence in Belgium around the recent celebration of the 50th anniversary of the Congo's independence, which mobilised virtually all the country's institutions last June, we must ask ourselves if we are not experiencing a form of conscious oblivion of this minority (and its skills). This in a context in which, as early as the 1960s, Congolese nationals came to study in Belgium and a significant proportion of Belgian students go to the universities of Lumumbashi and Lovanium in the Republic of Congo.

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My experience of racism in Sweden

Victoria Kawesa, Senior researcher, Centre against racism, Sweden

I was born in Uganda and came to Sweden as a 9-year old in 1984. We came to Sweden as refugees; my father had been killed during the Idi Amin war when I was three years old. Coming to Sweden was exciting and I looked forward to living a life without war. Coming to Sweden turned out to be more traumatic than I had anticipated. For the first time in my life I realised that my skin colour was not accepted, and that I was a target of racism, harassment, abuse and violence.

The first time I was subjected to racism was at school. I didn't yet speak Swedish, but I could understand that I was not welcome. Several students gathered around me in the playground and started touching my skin. It felt very uncomfortable and degrading, but I let them do it to be accepted. I changed my mind when I realised that the obsession of my skin colour also led to violence and abuse. Daily, I was met by a group of boys that wanted to beat me up and called me "Neger" (Nigger). I reported the incident to my school teacher, but she just said that they didn't mean anything bad, they didn't know better. There were no measures taken by the school to stop the racist harassments despite my attempts to raise attention to the racism I was experiencing. Eventually I withdrew from going out to play during the breaks and stayed inside the classroom to avoid further torment. This was the beginning of discrimination and racism that I have been subjected to as a black person in Sweden.

After completing my bachelor's degree as a social worker as a 23 year old, I was employed at a school for adult education. We were three social workers working at the school, and I was the only black employee in the school. One day I experienced a very disturbing situation with a student that sexually harassed me at work. He refused to understand that he could not ask me out, and when I explained this, he became furious. I went to my colleagues for advice on how to handle the situation. Instead of support, they began to insinuate that I had encouraged him. I became very upset and we had an argument. Minutes after I had returned to my office, one of my colleagues came into my room, closed the door, and looking straight into my eyes, said: "Damn Nigger!". I was shocked and asked her immediately to leave my office. Shaking and horrified, I rushed to the principal's office to report the incident. After explaining the whole incident, the principal replied: "That is very strange of Anna to do; she knows that we have a diversity plan at the school, what did you do to make her say that?" It was then that I realised the deep-rooted denial of racism that is reproduced structurally. Still, I hoped that

the trade union might help me and reported the incident. The only advice they gave me was that I should just try and talk to my colleagues about it, they didn't mean anything bad. The trade union didn't take any action. Finally I had no other choice than to quit my job.

Today I am working to combat discrimination and racism against Africans in Sweden and still the issue of denial of racism against black people is prevalent. This is obvious in the way derogatory words such as "Neger" (Nigger) or "Negerboll" (Nigger balls) are tolerated and assumed to be just words, not recognising the historical devaluation of black people that they represent.

Victoria Kawesa

> "I REALISED THAT MY SKIN COLOUR WAS NOT ACCEPTED, AND THAT I WAS A TARGET OF RACISM, HARASSMENT, ABUSE AND VIOLENCE"

Hidden from public view: The experience

Suresh Grover, Director of The Monitoring Group, UK's leading anti-
Chair of Min Quan, a Chinese-led project of The Monitoring Group[1]

> In this article, the authors describe the experience of Chinese communities in Britain, focusing on migration, the catering sector and racism.

The 2001 British census shows that the British Chinese community constitutes approximately 0.5% of the population, numbering just over 250,000. However, given the inflow of new migrants over the last decade, a more accurate estimate is in the region of half a million. The census also shows that over 70% of the Chinese people in the UK are self-employed, the vast majority of whom are based in the catering or associated industries. This statistic is usually cited as an indicator of a self reliant, insular and hard-to-reach community.

Migration

Migration plays an integral part in the British Chinese community whether it is for economic or social reasons. This decade began with the tragic death of 58 Chinese migrants, found suffocating in the back of a lorry while attempting to enter the UK. The intervening years have proved to be equally challenging, due to numerous changes in immigration laws and Government policy. Coupled with the growth of racism and the latest economic crisis, they pose a disturbing and dangerous trend and new challenges for civil society.

The first big wave of Chinese migrants arrived in the UK during the 1st World War, in April 1917. They were recruited on low wages, from the Shandong province in China, to support British soldiers fighting on the "Western Front". The initial contingent numbered just over a thousand but grew hundred fold in a couple of years and were the largest migrant group in the country during this period that included Indians, black South Africans, Egyptians and West Indians. However unlike other migrants the Chinese were subject to martial law and thus in 1920, over 95% were repatriated back to China.

Permanent settlement of Chinese people into the UK began at the end of the 2nd World War, mainly from countries that were either colonies or ex-colonies such as Hong Kong, Malaysia and Singapore. A combination of factors connected with the post-war economic boom in the West and the circumstances relating to the civil war in China pushed Chinese migrants from Hong Kong's New Territories towards the UK, and led to the creation of a new sector in the catering industry.

A further group of Chinese migrants, mainly students, arrived in the late 60's. During that period, both Hong Kong and Malaysia experienced anti-Chinese riots. The 1967 riots in Hong Kong created a new mindset for many Chinese parents who began to plan settlement outside by sending their children to study abroad. Malaysia posed a deeper problem as the Government imposed a so-called positive discrimination policy for indigenous Malaya's but its effect was to discriminate against the Chinese and Indian minorities. Moreover the implementation of this policy was sometimes accompanied by anti-minority rhetoric that often led to large-scale violence, such as the anti-Chinese riots in 1969.

The war between China and Vietnam in 1989, apparently prompted by the expulsion of Chinese refugees, created another wave of Chinese migrants to the UK and Europe. In Britain, the increase in new Chinese labour not only allowed the Chinese catering industry to expand dramatically, it also created new markets, especially within the clothing sector, in which the new Vietnamese Chinese used their skills to open small cloth making factories in large cities such as London.

The Chinese catering sector

Despite its expansion, the Chinese catering sector, as the main employer of Chinese people in the UK, has continued to suffer from twin problems of labour shortage and upgrading of skills. Employers usually resolved this problem by recruiting skilled labour from overseas. This practice is now under threat, with grave consequences for the Chinese communities, from the Government's new set of policies that include imposing draconian civil penalties on employers of undocumented workers as well as establishing a new points-based system that governs the way in which people, other than visitors, may enter the UK. The latter impacts on the Chinese catering industry's ability to survive and expand by having a realistic opportunity to recruit chefs from overseas who have the necessary skills required in this industry. Many Chinese-owned businesses are now facing closure in an already difficult economic climate. Restaurant owners and customers in London's Chinatown have also complained of heavy-handed tactics in many high profile raids, including the use of armed policeman and the presence of news television crews. This has bred distrust between the British Chinese community and the authorities and led to the first ever strike, last year, by all restaurant owners and staff in Chinatown who closed their businesses for half a day to protest against government policies.

Racism and rights

The British Chinese community is constantly stereotyped. On the one hand, they are presented as members of "triads" or mass victims of gangs and gang-masters. On the other, they are presented as so-called positive role models, as high achievers in business or academia. These crude generalisations have been doubly debilitating for the Chinese community in the UK. Apart from their inherent inaccuracy, they have obscured from public view the extent of racism directed against people of Chinese origin. There is an established myth that the Chinese are a satisfied community that is immune from racism. In truth, this is far from being the case.

Last year The Monitoring Group launched "Hidden from Public View", a commissioned study conducted by independent researchers and academics. It is the first effort to comprehensively examine the extent of the problem. The report reveals that the UK Chinese community faces unacceptable levels of racism in a very wide variety of locations: in homes, on the street and in the workplace. Even more disturbing, it shows that there is an ongoing cycle of neglect on the part of authorities and a reaction of increased mistrust on the part of the UK Chinese community.

Mr. Chung's story

On 10 January 2010, Chinese takeaway owner Mr. Sui Chung was beaten up by six white youths in a racist attack. The 53-year-old dad of three suffered a broken arm and wrist and bruising to his face, which left his eye swollen, after challenging their racist abuse outside Clifton Chinese Takeaway, Nottingham. He spent two nights in the Queen's Medical Centre receiving treatment for his injuries. It was not the first race-hate crime he had endured since opening his takeaway 14 years ago. "They challenge me every day," he said. "Sometimes as many as 30 youths. They are aged 15 or 16, with some younger. This has been going on a long time."

Mr. Chung's daughter, Gar Wai Chung, 21, said she was unhappy with how police dealt with the attack on her father. "The police attitude is hideous," she said. "They did not come to the takeaway, where they may have got a glimpse of the youths that did this.

The Monitoring Group and Min Quan are helping and supporting the family at the moment.

Police and local authorities are often reluctant to term attacks against people of Chinese origin as racist, or investigate them in a satisfying manner. Consequently, these crimes are under-reported because the Chinese community does not feel able to bring the matter to the authorities. All of this "hides" the experience of racism from the larger public. Nevertheless, the impact on those affected is extremely significant and points to a pattern of eroding trust between the UK Chinese community and other communities in UK. It is not yet clear how the new Government will respond to the urgent recommendations made by the authors of the report.

Even where public authorities are committed to tackling racial attacks the report suggests that standard one-size-fits-all measures and programmes are proving ineffective. Policies geared towards addressing the racism faced by the UK Chinese must be carefully tailored to the needs of the community. Chinese civil society organisations, which could help bridge the widening divide between the authorities and the Chinese community, are not considered important intermediaries in the present policy perspective. As a result, they rarely have the required funding, facilities and training to deal with problems related to hate crimes.

More specifically the report found that:
(a) An alarming proportion of people of Chinese origin are victimized:
- Between one-fifth and one-sixth of the UK Chinese population has experienced racial harassment or violence. This is a higher proportion than the figure for any other ethnic minority in England.
- Owners of takeaways and restaurants are among the groups of UK Chinese most vulnerable to attacks. However, they are by no means the only victims of racial violence.
- Chinese students, of both sexes, are another particularly vulnerable group.
- Chinese people between the ages of 16-30 were more likely to face racial violence than other groups.

(b) Attacks range from verbal abuse to serious assault and repeat victimisation is common:
- The survey revealed that almost 71% of respondents who said they had been targeted because they were Chinese had been subjected to verbal abuse. Comments such as "Chinky", "Chink" and "yellow" were common. Verbal abuse occurred in many different locations - from walking down the street to places of work.
- Women and students, in particular, were statistically more likely to be targeted for verbal abuse.
- Damage to businesses (41% of affected respondents) and refusal to pay (24% of affected respondents) were also very common.
- In 34% of cases vehicles were damaged and in 22% of cases homes were damaged.
- Threats, physical attacks, burglary and thefts were reported in 10-20% of cases where racist incidents had occurred.
- Repeat victimisation is a common occurrence. More than two-thirds had been victimised more than once. Almost one-third of those who had experienced incidents had been victimised more than 3 times. While most repeat incidents were verbal abuse, damage to property or home were also commonly repeated.
- Almost two-thirds of respondents had made changes to their lives because of racist incidents. In depth interviews revealed that the psychological wellbeing of a large number of victims was affected. Persistent fear, anger and worry were routinely reported.

(c) The Chinese community has very low confidence in the authorities:
- 36% of respondents who had faced racial attacks did not report them to the police. Most did not do so because they felt that the police would not do anything. Almost as many thought that the incident was not significant.
- Over 60% of those who had reported incidents to the police were dissatisfied with the police response. The percentages were even higher in the London (83%) and North Western regions (78%).
- Problems in communicating incidents to the police were often due to the lack of interpretation services.
- In-depth interviews with over 60 respondents who had experienced racism revealed that there were a variety of causes for this mistrust. Most common amongst these was the lack of follow-up of their complaint. But there was also a perception that police were reluctant to actively pursue prosecutions. Only two cases were successfully prosecuted.
- Secondary victimisation - victimisation as a consequence of the response of institutions and individuals to the victim during and after the original incident - was evident in a number of cases by police as well as local authority social services.

The rise of mixed race Britons: A challeng identification and policy?

Jessica Mai Sims, Runnymede Trust, United Kingdom

This article article focuses on 'mixed heritage' or 'mixed race' groups in the United Kingdom, highlighting trends in terms of statistics and personal experiences, as well as the specific social inclusion challenges they face.

The 'mixed' ethnic category poses interesting questions for anti-racism and social inclusion. The recognition of the experiences of people of mixed ethnic backgrounds tests the boundaries of concepts of ethnicity and race as fluid identities, as well as the understanding and acceptance of diversity existing within and between communities. However despite news headlines hyping demographic projections of the increase of people of mixed ethnic backgrounds in the United Kingdom (UK), there has been limited comprehensive information or targeted policy interventions for the group.

In the context of the UK, the marker of the lack of consensus on issues related to people from multiple ethnic, racial and or faith backgrounds has been illustrated in the inability to agree on common terminology. It is common to see identities being described as mixed race, mixed heritage, dual heritage, biracial, and multiracial - with all having the commonality of being limited in acceptability and applicability.

In 2001, the UK census featured a 'mixed' ethnic category, alongside the existing options of White, Black, Asian Chinese and Other. Under the mixed category there were four choices: White and Black Caribbean, White and Black African, White and Asian and any other mix (with a space to specify). For the first time in the history of the UK Census, there was comprehensive information on the group. Although people of mixed ethnic groups only accounted for 1.2% (667,000) of the total population, it was identified as the third largest and fastest-growing ethnic minority group. Half of the group were aged 16 and under at the time of the Census, with demographers predicting a 40% increase by 2010 and 80% by 2020.[1] Attesting to the youthful profile, research commissioned by the UK Equality and Human Rights Commission (EHRC) found that more than one in four children in inner-city primary schools is already of mixed race.[2]

Through statistical analysis we know that in the UK some groups are more likely to mix than others, with predictions that children of mixed Caribbean heritage will soon overtake numerically children who are solely of Caribbean heritage.[3] Among the Census sub-categories, White and Black Caribbean and White and Black African people account for 48% and White and Asian account for 29% of the total mixed category. The largest groups identified in the Other Mixed category were 'Chinese and White', 'Black and White', 'Black and Asian', 'Asian and Chinese' and 'Black and Chinese' which suggests further diversity within the category (10%, 7%, 4%, 1% and 1% respectively).[4]

Despite the growing mixed population in the UK, the group has not easily fit into wider understandings of identity and belonging or policy frameworks. People of mixed ethnic backgrounds are often portrayed as 'mixed up' about their identity, with their identity crisis attributed to the assumed inevitable 'culture clash' stemming from their parents' relationships.[5] The high lone parent group rate of parents with children from mixed ethnic backgrounds (45%) has been used as further evidence to generalise mixed relationships being transient or prone to break down.[6] The links between negative life chances of people of mixed ethnicity and their families were highlighted in a speech by the then-chair of the former Commission for Racial Equality, Trevor Phillips: "The mixed-race Britons are young and they show the highest employment rates of any minority group. But they also exhibit the highest rates of lone parenthood and family breakdown, in some cases three times the average. They suffer the highest rates of drug treatment... Many people talk of identity stripping - children who grow up marooned between communities."[7]

> "AS THE MODEL OF COMMUNITY RELATIONS IS BUILT ON PROMOTING ENGAGEMENT BETWEEN SEPARATE ETHNIC GROUPS, THE EXPERIENCES OF PEOPLE OF MIXED ETHNIC BACKGROUNDS CHALLENGE TRADITIONAL THINKING ON SOCIAL INCLUSION AND INTERCULTURALISM"

However, rigid conceptions of identity based on discrete ethnic or racial groups does not accurately reflect the lived experience of how people identify. It also does not recognise the role wider society plays in perpetuating stereotypical assumptions of how inequalities are based on family background or lifestyle choice rather than racism and discrimination.

Recent research on Britons of mixed ethnic backgrounds found that nearly all surveyed understood the self-described ethnic identity question in terms of a factual description of their parental heritage.[8]

1 Owen, C., 2007. 'Statistics: The Mixed Category in Census 2001'. In: Sims, J. Mixed Heritage: Identity, Policy and Practice. London: Runnymede Trust. Available under www.runnymedetrust.org.

2 Platt, L., 2009. Ethnicity and family. Relationships within and between ethnic groups: An Analysis using the Labour Force Survey. London: EHRC, www.equalityhumanrights.com/uploaded_files/raceinbritain/ethnicity_and_family_report.pdf.

3 Ibid.

4 Bradford, B., 2006. Who are the 'Mixed' ethnic group? London: Office of National Statistics. Available under: www.statistics.gov.uk/articles/nojournal/Mixed_ethnic_groups_pdf.pdf.

5 Caballero, C., Edwards, E., and Puthussery, S., 2008. Parenting 'mixed' children: Negotiating difference and belonging in mixed race ethnicity and faith families. York: JRF. Available under: www.familyandparenting.org/Filestore/Documents/research/2231-parenting-children-difference.pdf.

6 See: Caballero, C., and Edwards, E., 2010. Lone Mothers of Mixed Racial and Ethnic Children: Then and Now. London: Runnymede Trust, www.runnymedetrust.org and Caballero, C., Edwards, E., and Puthussery, S., 2008. Parenting 'mixed' children: Negotiating difference and belonging in mixed race ethnicity and faith families. York: JRF, www.familyandparenting.org/Filestore/Documents/research/2231-parenting-children-difference.pdf.

7 Grimston, J. 2007. 'Mixed-race Britons to become biggest minority'. The Sunday Times. (21 Jan). Available under: www.timesonline.co.uk/tol/news/uk/article1295000.ece.

8 Song, M., 2010. 'Is there 'a' mixed race group in Britain? The diversity of multiracial identification and experience.' In: Critical Social Policy 30(3), pp. 337 - 358.

Despite the tendency to describe themselves on forms in terms of their parents' backgrounds, many clarified how they did not necessarily see themselves in terms of their parental backgrounds. For example, while one participant described himself as White British and Black Jamaican, he saw himself as primarily Black due to personal experiences of racism. Elsewhere research has found that self-identification is influenced by a number of factors, including people's phenotype, cultural influences and upbringing, presence of extended family, where they live and social class.[9]

As with any ethnic group, the challenge of interpreting inequalities based on personal identification remains. However, because this group comprises a greater range of ethnic backgrounds, it is vital that policy interventions take in account the differences between groups.

When delving into research mapping differences, it is difficult to make generalisations for people of mixed ethnic backgrounds because of internal disparities. In terms of educational achievement, Mixed White and Asian pupils along with Chinese and Indian pupils were among the highest achievers in 2009 (62.3%, 71.6% and 67% respectively) while pupils from Mixed White and Black Caribbean backgrounds were among the lowest achievers - along with Black Caribbean and Other Black pupils (42.3%, 39.4%, and 41.2% respectively).[10] Furthermore, while 26% of people of mixed ethnic backgrounds have been reported in managerial or professional occupations, White and Asian were most likely and White and Black Caribbean were least likely to hold those positions (30% and 20% respectively).[11]

In terms of the Census and policy, often mixed ethnic categories are aggregated to be compared with the other ethnic monitoring groups: White, Black, Asian, Chinese and Other. However, there is little evidence that people of different mixed backgrounds feel kinship or community affinity in the ways attributed to other ethnic groups.[12] As the model of community relations is built on promoting engagement between separate ethnic groups, the experiences of people of mixed ethnic backgrounds challenge traditional thinking on social inclusion and interculturalism. For policy and practice to be responsive to the needs of people of mixed ethnic backgrounds, it needs to be more nuanced in analysis of Census categories, allow space for the voices of mixed people to be heard and reject many assumptions about the fixity of ethnic categories.

9   Caballero, C., Edwards, E., and Puthussery, S., 2008. Parenting 'mixed' children: Negotiating difference and belonging in mixed race ethnicity and faith families. York: JRF. Available under: www.familyandparenting.org/Filestore/Documents/research/2231-parenting-children-difference.pdf.

10 Department for Children School and Families. Key Stage 4 Attainment by Pupil Characteristics, in England 2008-09. London: Office of National Statistics. Available under: www.education.gov.uk/rsgateway/DB/SFR/s000900/SFR34_2009Revised.pdf.

11 Bradford, B., 2006. Who are the 'Mixed' ethnic group? London: Office of National Statistics. Available under: www.statistics.gov.uk/articles/nojournal/Mixed_ethnic_groups_pdf.pdf.

12 Song, M., 2010. 'Is there 'a' mixed race group in Britain? The diversity of multiracial identification and experience.' In: Critical Social Policy 30(3), pp. 337 - 358.

Nina's story

For Nina, being mixed is a source of pride. As a daughter to a white British mother and Caribbean father, she never felt out of place growing up in ethnically diverse London. This experience contrasted to her parents' experience as a couple in Coventry in the early 80s where they both faced racial slurs from white people by virtue of being in a mixed relationship.

Nina was raised solely by her mother, and feels that categorising herself as only black is somewhat fraudulent and misleading. Nina feels that hair and exact tone of skin colour have also had a hand in the categorisation open to, or felt appropriate for, her or her family members. For example, Nina's eldest sister has tight curls typical of African-Caribbean hair, and is therefore more often seen as black than Nina, whose hair is fine and wavy, characteristic of European hair. Nina believes that the way others see you has an effect on how you then see yourself, perhaps accounting for her past reluctance to use the term 'Black' to describe herself.

Growing up, Nina knew others who felt disconnected from their father's cultural background, for example, not having being well-versed in black history, their mother's struggle with working with their hair, and how to deal with racial abuse. Nina has always been surrounded by people of different races, however, and kept a close relationship with her father and his family. Having many mixed-race relatives and friends meant that 'mixed' was a choice for self-categorisation too, rather than having to choose between white or black.

Nina has been to the Caribbean island of St Vincent, where her father was born and buried, three times. Meeting Vincentians of all colours, many with Amerindian ancestry, and learning their multi-racial history has helped Nina to feel rooted in a Caribbean culture. If not black, Nina wouldn't hesitate to describe herself as Caribbean or Vincentian, despite the obvious overlap in the minds of many.

While feeling that there is a lack of adequate terminology to describe her identity, Nina has felt comfortable and confident with being biracial or being seen as black. As she has grown older Nina has learned more about the political significance of the label 'Black' and is happy to be described that way, though she often feels she has more in common with other mixed-race people (whatever their ethnic origins) than she does with those who are not.

Nina is Editor, Runnymede Online for the Runnymede Trust

The "erased people" in Slovenia: Depriv as a threat of statelessness

Neža Kogovšek, ll.m., human rights lawyer and researcher, Peace

This article sheds light on the specific situation of the "erased people" in Slovenia, as well as similar cases of citizenship and state succession issues in Latvia and Estonia, revealing problems of lack of legal status and statelessness faced by these people.

Izidor, 29, likes to read. The library is his sanctuary. He lives with his partner and young daughter, and takes care of his elderly mother. After work in a kindergarten he attends classes to become a pre-school teacher. His life seems idyllic but it has not always been that way. In 1992 when he was eleven years old, he was among 25.000 people (1.2 % of the population of Slovenia) who were deprived of their legal status in the newly established Republic of Slovenia after the dissolution of the former Yugoslavia.[1] As many other erased people, Izidor was born in Slovenia to parents who immigrated from one of the other Yugoslav republics. In Yugoslavia each Yugoslav national had citizenship which consisted of both federal Yugoslav citizenship and local, republican citizenship of one of the six republics. Before the dissolution, the republican citizenship did not have any significance for people's lives. It was acquired by birth and although changing of republican citizenship was possible, hardly anyone decided to do so. What people who migrated internally usually had to do in order to obtain full time employment in another Yugoslav republic was to register their permanent residence in the republic of their new employment.[2]

At the moment of independence, about 200.000 Yugoslav nationals with republican citizenship of one of the other republics were permanently registered in Slovenia. They were not granted citizenship of the new state automatically on the basis of the principle of continuity in the same way as those who already had Slovenian republican citizenship at the time of independence, but were given the possibility to apply for it under more lenient conditions compared to those usually required for naturalization.[3] Regardless of whether they would apply for and obtain citizenship or not, they expected that they would retain their established permanent residence rights in Slovenia. However, this was not the case. Those former Yugoslav nationals who did not apply for Slovenian citizenship or whose application was rejected, were also deprived of their established rights to reside in Slovenia as permanent residents, as well as of all rights deriving from this

status, such as the right to enrol in secondary school or university, the right to access the labour market, social security rights etc. Due to the fact that the victims of this measure were put in the position of undocumented migrants, their freedom of movement was limited, often by detention in aliens centres, and in many instances they were deported and were not as lucky as Izidor, who went through the period of illegality in hiding. Among those affected were also former members and retirees of the Yugoslav national army. This deprivation of the status of permanent residents, together with all its consequences, became known as the "erasure".

Not all erased people became stateless. Other successor states of the former Yugoslavia also automatically granted citizenship in accordance with the principle of continuity to those who already had their citizenship when they were still Yugoslav republics. However, citizenship books on the level of the republics were poorly managed so there were instances when before the dissolution of Yugoslavia a certain person was not inscribed in any of the republican citizenship books.[4] This was the case in particular in relation to people born after 1968, when the republics were given the authority to inscribe into their own citizenship books the fact that a certain person was a citizen of another republic.[5] This means, for instance, that if a child was born in Slovenia to parents who had a Serbian republican citizenship and the child met the conditions to obtain the same citizenship, the fact of his or her Serbian republican citizenship was inscribed in the Slovenian citizenship books but it was often the case that Serbian republican authorities were never informed of the fact the fact that this child was born and obtained Serbian citizenship. After the dissolution of the former Yugoslavia this child, if he or she did not obtain Slovenian citizenship and was erased, also became stateless. Statelessness can therefore not be equated with erasure, as the "erasure" in general did not cause statelessness. It did however cause statelessness in the cases described above.

1 For Izidor's full story see 'Kot da bi šel na Mount Everest' [As if I climbed Mount Everest] in 'Brazgotine Izbrisa. Prispevek h *kritičnemu* razumevanju izbrisa iz registra stalnega prebivalstva Republike Slovenije' [The Scars of Erasure. Contribution to Critical Understanding of Erasure from the Registry of Permanent Residence of the Republic of Slovenia], Peace Institute, Ljubljana, 2010, pp. 79-82.
2 See Felicita Medved, EUDO Report for Slovenia, 2010.
3 This possibility was provided for under Article 40 of the 1991 Citizenship of the Republic of Slovenia Act, Official gazette RS, No. 1/91-I.

4 See Felicita Medved, From Civic to Ethnic Community? The Evolution of Slovenian Citizenship, in: Rainer Baubock, Bernhard Perchinig, Wiebke Sievers (eds.), Citizenship Policies in the New Europe, Amsterdam University Press, 2007, pp. 213-244.
5 See Alenka Mesojedec Pervinšek, Predpisi o državljanih in tujcih, Uradni list RS, 1997.

ation of legal status

Institute, Slovenia

The "erasure" has been subject to the review of the Constitutional Court of the Republic of Slovenia several times both upon individual complaints and on the systemic level. In the constitutional review the Constitutional Court found that there was no legal basis for the erasure of people from the registry of permanent residents. It also found that the 1991 Aliens Act was unconstitutional since it did not include provisions which would define the status of people who were later erased (i.e. the unconstitutionality was caused by the so-called legal void).[6] The 2003 Constitutional Court decision was ignored by the Slovenian authorities for years, causing a recent judgment of the European Court of Human Rights *Kurić and others vs. Slovenia* (application No. 26828/06), which found Slovenia in violation of Article 8 (protection of private and family life) and Article 13 (effective remedy) of the European Convention of Human Rights due to its prolonged failure to implement the mentioned decisions.

The situation concerning statelessness with regard to the erased people of Slovenia resembles to a certain extent the situation in Estonia and Latvia. In 1992 Estonia granted citizenship to people who had citizenship in accordance with the 1938 Citizenship Act (and their descendants), which caused about 32 % of the population in Estonia to become stateless. The majority of them, however, were able to regulate their legal status after the adoption of the 1993 Aliens Act, by obtaining first temporary and then permanent residence permits. This possibility was, however, not provided for members or retirees of foreign armed forces and their family members, who continued to stay in Estonia without any legal status.[7] This particular group is in a comparable situation to the Slovenian erased people, while the entire population of stateless people was in a comparable situation to the erased in the time between 1992 and 1993 before the Aliens Act was adopted. In Latvia, where after the declaration of independence citizenship was granted based on the principle of continuity with the year 1940, about 16,4 % of the population became stateless. Their legal status remained unclear until 1995, when a special act was adopted introducing a new category of people, so-called "non-citizens", i.e. persons who had their residence registered in Latvia on 1 July 1992 and did not have citizenship of Latvia or any other state. Again, this status was not recognized to retirees

from the Soviet army and their family members. The Latvian state and the Latvian Constitutional Court do not consider the situation of Latvia's "non-citizens" as that of statelessness as they are considered to have certain legal ties in Latvia. They are also not

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considered as foreigners as the Immigration Act does not apply to them. "Non-citizens" are therefore a category somewhere in between citizens and foreigners with permanent residence in Latvia, who enjoy most rights except for some political rights, such as establishing their own political party.[8] The situation of non-citizens in Latvia was comparable to the situation of Slovenian erased people between 1992 and 1995, before "non-citizens" were granted this special status.

In the same way as those stateless in Latvia and Estonia, the erased people of Slovenia tried to regulate their legal status in accordance with the options available in law. Of all erased people, about 12.000 have managed to regulate their legal status by obtaining a temporary or permanent residence permit or citizenship, while about 13.000 are unaccounted for, and it is not even clear whether or not they are still in Slovenia.[9] Many of them were deported (such incidents are not normally reported for stateless people in Latvia and Estonia) or left the country due to unbearable living conditions caused by deprivation of legal status. There have been several legislative attempts to remedy the legal status of erased people, however the conditions imposed left large segments of the population without legal status. The same can be said for the recently adopted 2010 amendments to the Act Regulating the Status of Citizens of Other Successor States of the former Federal Republic of Yugoslavia in the Republic of Slovenia,[10] which again imposes conditions that the erased people have to meet to obtain the status they have been unlawfully deprived of, thus requiring the erased to carry the burden of proof and failing to address the issue of compensation for damages suffered in the years of imposed illegality.

> "**FORMER YUGOSLAV NATIONALS WHO DID NOT APPLY FOR SLOVENIAN CITIZENSHIP OR WHOSE APPLICATION WAS REJECTED WERE DEPRIVED OF THEIR ESTABLISHED RIGHTS TO RESIDE IN SLOVENIA AS PERMANENT RESIDENTS, AS WELL AS OF ALL RIGHTS DERIVING FROM THIS STATUS**"

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6 See Constitutional Court of the Republic of Slovenia, Decision No. U-I-284/94 of 4 February 1999 and Decision No. U-I-246/02 of 3 April 2003.
7 See Vadim Poleshchuk (ed.), Chance to Survive. Minority Rights in Estonia and Latvia, 2009.

8 Ibid.
9 See Neža Kogovšek, Izbrisani včeraj, danes, jutri: Spodkopani stereotipi in nepovrnljiva pot k popravi krivic, in Neža Kogovšek and Brankica Petković (eds.): Brazgotine Izbrisa. Prispevek h kritičnemu razumevanju izbrisa iz registra stalnega prebivalstva Republike Slovenije. Peace Institute, 2010.
10 Official Gazette RS, No. 50/2010.

Questions & Answers on "forgotten" eth

With Ernesto Bianchi, Head of Unit fundamental rights, Directorate-
Patrick Lozès, President of the Representative Council of Black As

1. What do you understand under the concept of "forgotten" ethnic minorities?

Ernesto Bianchi: EU legislation and policies are formulated in a way that they do not "forget" ethnic minority groups. The European Commission condemns all forms and manifestations of racism and xenophobia and aims to develop actions for the benefit of persons belonging to all ethnic minorities. For example, both the "Race Equality Directive" and the "Framework Decision on racism and xenophobia" refer to the concept of "ethnic origin" without distinction. All ethnic minorities can benefit from EU financial programmes aiming to fight against racism and xenophobia and promoting better interfaith and intercultural understanding. This horizontal approach to the issue of minorities allows EU policies to take into account the particular needs of different groups, and to take more targeted action if need be.

Patrick Lozès: The concept of "forgotten" ethnic minorities should be understood in a political rather than numerical sense. They are minorities who do not receive sufficient attention from governments.

2. Mr. Lozès, as a member of the Black community in France, do you perceive yourself and your community as a "forgotten" minority? How would you define the position of your particular community in the French/European environment?

In view of the definition above, the Black population in France is a "forgotten minority" at both French and European levels, in so far as the discrimination experienced daily by this group in employment, housing, leisure or health doesn't receive adequate attention.

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I would rather speak of a Black minority than a Black community in France, given that a community presupposes a common origin, a shared culture - in other words, an identity. A minority relates to an experience of discrimination. It does not imply a difference as such, but rather a different treatment. Black people in France are individually visible but invisible as a social group. As a social group, they are not supposed to exist, given that the French Republic does not officially recognise minorities, nor does it count them. One could welcome the Black population's invisibility, or at least consider that it would not be a problem as such if the specific social difficulties it faces were measured and acknowledged. Yet this is not the case, which is why invisibility, instead of reflecting a lack of specific problems, is in fact harmful.

3. Do you think that certain minority groups are "invisible" or "forgotten" in the national and European public debate/policies relating to equality?

E. Bianchi: In the European public debate, it is essential to ensure visibility for the variety and complexity of situations of all minorities on the ground. There is a need for better knowledge and understanding of the every-day problems encountered by the victims of discrimination. For this reason, the Commission encourages the collection of reliable and comparable data on the situation of minorities and on best practices. The EU Fundamental Rights Agency plays a key role in this respect. From the perspective of the EU's legislation on discrimination and equality, there are no "forgotten ethnic minorities".

P. Lozès: Indeed, these groups are not mentioned or are watered down as part of a whole. The success of the "diversity" buzzword in the public debate has increasingly pushed "anti-discrimination" into the background, thus creating confusion between the fight against discrimination and "promoting diversity", in particular in the field of employment. As the notion of diversity has evolved, one point has become clear: although this notion is still linked, in certain cases, to skin colour, it tends to take on a broader meaning, encompassing all possible discrimination criteria, such as age, gender and disability. "Diversity" has been the vehicle through which concerns relating to inequalities based on skin colour have entered the business world. But it tends to move away from this definition and to constitute a generic category which not only features a commitment not to discriminate on the basis of skin colour, but also includes a range of actions to increase diversity in recruitment policies on the basis of several grounds. Diversity seems to have taken over the debate on social inequalities, discrimination and racism.

4. Do you believe that different minority groups experience specific challenges in terms of social inclusion and discrimination and if so, should specific policies be developed to address these or should a transversal approach be adopted?

E. Bianchi: Different minority groups may experience specific challenges; this depends on the Member State or region concerned and the socio-economic environment, each minority's own specificities, and their level of integration into society. There is no "one size fits all" answer. There are also challenges that are common to all minorities. The effects of discrimination and other forms of intolerance faced by different groups are often similar: they prevent victims from developing their full potential as human beings and from participating fully in social life. For these reasons we can, at least to some extent, draw on the experiences of one group in order to develop better practices and policies for the benefit of all groups of people who are vulnerable to racism and xenophobia. Policy development should take both dimensions into account.

P. Lozès: Indeed, certain minorities experience specific discrimination and problems and specific policies must be put in place to address them. The challenge is first to recognise discrimination, including racial discrimination, in order to respond to it effectively. But this is precisely where the problem lies in France, where there are no adequate statistical tools which could measure discrimination and assess the effectiveness of anti-discrimination policies. We can only rely on testimonies, which are numerous, but do not allow us to measure discrimination and to for instance make comparisons from one year to another.

Two main types of anti-discrimination policies are possible and desirable. Firstly, introducing sanctions for discriminatory attitudes. Although the French criminal code recognises and punishes racial discrimination, the judiciary is not very active when it comes to ensuring compliance with anti-discrimination law. Secondly, developing policies which actively promote diversity, so-called "affirmative action" in the United States, or "positive discrimination" in France. Whatever the term used, we need to develop measures which can remedy the lack of diversity in too many political, economic and social structures.

> **"CERTAIN MINORITIES EXPERIENCE SPECIFIC DISCRIMINATION AND PROBLEMS AND SPECIFIC POLICIES MUST BE PUT IN PLACE TO ADDRESS THEM"**

5. More specifically, as an example, the Roma community has been high on the EU's agenda in recent years. In this light, do you think that the European Union should in future develop a similar agenda for other ethnic and religious minorities present in Europe that have received less attention until now?
E. Bianchi: The European Commission will present an EU Framework for National Roma Integration Strategies in April next year, which will assess the use of national and European funding and make proposals for a more effective implementation of EU funds in tackling Roma exclusion. The EU Framework will also seek to ensure more effective monitoring of and support to national and European efforts with regard to Roma integration. This experience and the lessons that will be drawn from it will certainly benefit any other vulnerable or marginalised group sharing similar socio-economic circumstances.

P. Lozès: The Roma strategy put in place by the European Union deserves all our attention and could be transposed to other minority groups.

6. What do you think are the risks and opportunities of combining a transversal equality and non-discrimination legislative framework with more specific policies addressing different minority communities' specific challenges in terms of

social inclusion and anti-discrimination? And how could the EU address these specific needs without instigating a competition/hierarchy between them?
E. Bianchi: What you call "transversal framework" and "specific policies" are in fact complementary. It is necessary to have common rules and policies for all groups suffering from discrimination and other forms of intolerance. For example, it is certainly more effective to have one single article in the Charter of Fundamental Rights (Article 21) prohibiting discrimination on any ground, instead of having a list of different articles for each minority. This would increase the risk of forgetting some minorities! However, it goes without saying that we also have to take duly into account the specific needs and problems of different groups. The EU has been addressing these specific needs without creating competition among minorities. It has also addressed specific needs with policy measures aimed at tackling specific problems that, by their nature or extension, require specific action - for example the disability strategy.

A good example of this approach is provided by "The 10 Common Basic Principles on Roma inclusion", aimed at guiding the EU institutions and Member States when they design and implement new policies or activities. The second of these principles calls for "Explicit but not exclusive targeting". This principle places emphasis on Roma people as a target group, but without excluding other people who share similar socio-economic circumstances. This approach does not separate Roma-focused interventions from broader policy initiatives. In addition, where relevant, consideration must be given to the likely impact of broader policies and decisions on the social inclusion of Roma people.

P. Lozès: This question relates to the debate on sectarianism and "identity fallback" in France. There is little space for reflection in France on the difference between communities and sectarianism. We fear the existence of communities, which we tend to associate systematically with sectarianism, to such an extent that the two notions are regularly mixed up in the political debate, whether voluntarily or not. Some try to go against certain communities whilst claiming to fight sectarianism. This trend is all the more disturbing given that the communities most affected by this confusion are also those most discriminated against and stigmatised: Blacks, Arabs, Asians, Jews or homosexuals. In this context, the discourse on sectarianism is often dangerously close to traditional racism. However, the risk of competition does exist and the European Union could counter this risk by focusing less on the existence of groups or communities and more on experiences of discrimination.

7. The concept of "forgotten minorities" entails a subsequent question with regard to measuring the specific discrimination faced by particular vulnerable groups. In this sense, do you think the collection of ethnic data could be an adequate legal tool?

E. Bianchi: The collection of data on ethnic minorities and their every-day experiences is a crucial tool in the fight against racism and xenophobia, as such data allows us to gain a better understanding on the situation on the ground and to develop more effective policies against these phenomena. In this regard it is necessary to make a difference between the collection of anonymous data on the situation of ethnic minorities, which do not allow revealing the identity of data subjects, and the collection of personal data revealing person's racial or ethnic origin. As long as the data is anonymous, its collection would not pose problems from the point of view of EU data protection legislation. These issues may of course also be covered by national legislation, and it is not the job of the European Commission to comment on these.

P. Lozès: Ethnic statistics exist in a number of countries. Their aim is not to biologically categorise people, but to measure discrimination in order to better address it. Demographers don't make judgments on "race" or "ethnicity" and don't make any ontological assertions as to their consistency; the latter are only used to take actions against specific harmful effects. These statistics are anonymous, voluntary, self-declaratory and are not used for data-mining: they aim to measure discrimination, not to identify individuals.

- The interviews as well as some of the cases taken on by The Monitoring Group suggest that in a small percentage of cases police officers are also perpetrators of racism.

Unless the Chinese community finds new ways to build strategic alliances with others there is little hope it will influence Government policy alone. Geographically it is too dispersed and heterogeneous and not sufficiently concentrated in any locality to make any electoral impact. However there is little doubt that it is a community in transition; its form and size is rapidly changing and many within it are developing new forms of political, cultural and social actions and raising serious concerns linked to political representation. A new group of Chinese migrants - students and academics from Mainland China and other South East Asian countries - bring with them new expectations. Early signs indicate that they will not tolerate prejudice and discrimination and are willing to organise with other more settled sections of the community to raise the alarm. The dynamic of change however will remain incomplete unless British society can respond positively to the misery suffered by undocumented workers, mainly from Fujian, who have landed on the shores of Britain as economic migrants or asylum seekers. Their current experience of Britain can be both bleak and dangerous, as they seem destined to remain vulnerable to imprisonment, robbery, violence and even death. To enhance its economic stability, ensure safety for its numbers and advance political influence, the Chinese community in Britain has little choice but to tear the social and political fabric that hides it from public view. As a first step, all it has to do is to become visible.

ENAR

european network against racism

ENAR is a network of European NGOs working to combat racism in all EU member states. Its establishment was a major outcome of the 1997 European Year Against Racism. ENAR aims to fight racism, racial discrimination, xenophobia and related intolerance, to promote equality of treatment between EU citizens and third country nationals, and to link local/regional/national initiatives with European initiatives. ENAR's vision is of a world free from racism.

FOR DIVERSITY AGAINST DISCRIMINATION