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REPORT
ON RACIAL VIOLENCE AND HARASSMENT IN
EUROPE

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Note: This document expresses the personal views of the consultant and not necessarily the official view of the Council of Europe or its member States.

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1. INTRODUCTION

1. *Context*

1.1 This report has been prepared at the request of the Secretariat of the Council of Europe. It has been commissioned as part of the programme of work of the Community Relations Project (MG-CR), which was set up by the European Committee on Migration (CDMG). The programme is organised under the following broad headings:

1. Analysis of the nature of the community relations problem.
2. Problems and opportunities of cultural diversity.
3. Ways of tackling problems of discrimination or hostility on nationality, ethnic or racial grounds.
4. Ways of improving community relations and creating better understanding between ethnic groups and the host society.

1.2 By 'community relations' is meant "the relations between communities of recent immigrant origin and the host community, and the relations between different communities of recent immigrant origin". That is to say the focus is essentially on the post-war period, and "excludes the 'traditional' or 'historic' ethnic, religious or linguistic minorities that are present in many member states". (Interim report of project, pp.5-6)

2. *Terms of Reference*

2.1 The present report addresses the phenomenon of racial violence and harassment, which is clearly of major significance for the above programme. The terms of reference set out for the study on which the report is based drew attention to the fact that:

"in recent years the phenomenon of violence aimed at ethnic minorities because of their racial origin has been a growing one, most publicly in the UK but increasingly in other parts of Europe as well. While this type of violence has been a depressing reality of European history over the centuries, the scale of racial attacks, often orchestrated by extremist groups, has become especially serious over the last decade."

2.2 The terms of reference point out that a number of studies and practical initiatives have been undertaken in the UK. However, given the increasing reports of such problems in other parts of Europe, it was proposed that a study be carried out on behalf of the Council of Europe to:

- (a) Assess and draw attention to the extent of the problem of racial violence in a selection of member States in Europe.
- (b) Assess the possible background to the issue of racial violence, including reference, where appropriate, to the involvement of extremist groups.

(c) Evaluate any attempts by Governments, and appropriate agencies to take measures to improve the situation.

2.3 The present author, who has been involved with studies and initiatives in the UK on the subject (see Appendix for biographic note on the author), was asked to undertake the project as consultant, and his report follows.

3. *Method of Enquiry*

3.1 The report is based on documentary sources and on interviews with staff of official and voluntary organisations concerned with the issue.

3.2 Six countries have been selected for special focus: France, Germany, Italy, the Netherlands, Sweden and the United Kingdom. This list, with one exception, is that suggested to the consultant by the Committee of Experts. The inclusion of the UK is clearly required by the terms of reference of the project; the report, however, focusses on England only and not Scotland or Northern Ireland. France, Germany and the Netherlands have been included as major countries of immigration in Europe; the Netherlands also because it has been second to the UK in establishing policy frameworks in the race equality field. Sweden was included as representative of the Scandinavian countries which have recently experienced immigration and refugee movements, and which have a particular reputation for tolerance and human rights. Italy was included as representative of the Mediterranean countries which have previously been countries of emigration, but have recently seen this role reversed. Limited enquiries were also undertaken in three other countries - Belgium, Greece and Norway - but this material has not been included for reasons of space.

3.3 Documentation outside the UK proved to be very limited in both quantity and quality. Two monthly publications, Searchlight and the Migration Newsheet provide some degree of European-wide coverage of major incidents and the activities of extremist groups. Much of this material has already been drawn together and incorporated into two reports to the European Parliament: the Report of the Committee of Inquiry into the Rise of Fascism and Racism in Europe of 1985 (rapporteur Dimitrios Evrigenis), and the Report of the Committee of Inquiry into Racism and Xenophobia of 1990 (rapporteur Glyn Ford). Both these reports have been drawn on extensively and have been of great value in carrying out the present work. All incidents of racial violence and harassment cited in the report, and not otherwise attributed, have been drawn either from the above sources, or from the interviews indicated below.

3.4 For more detailed information relating specifically to the task at hand, documentation has been sought from agencies in individual countries. In many cases, however, such documentation could not be obtained since records were not kept, and there was no official recognition of the issue. This in itself is a principal finding of the study and will be commented on further below. On the other hand, those approached were invariably extremely helpful in attempting to answer questions and seek out documentation, and the author is extremely grateful to many dozens of people for their assistance with the task.

3.5 Bearing in mind the limited resources available and the author's understanding that this is to be a preliminary report leading to the possibility of a more in-depth study, it had been intended to conduct the enquiry solely by correspondence. It became clear, however, from enquiries made whilst the author was visiting several European countries (Scandinavia, Greece, Germany) for other reasons in the initial stage of the project, that what could be achieved through correspondence was limited. A visit was therefore made to the Netherlands to conduct personal interviews in a range of agencies, and a similar visit to France was planned but had to be omitted due to pressure of other work. To compensate for this, and to cover other

countries, a substantial number of telephone interviews were undertaken in an attempt to obtain information not available in documentary sources. Since where recent initiatives exist they are often at the local level, there may be many that it has not been possible to detect in this inquiry. The findings reported here should therefore not be regarded as exhaustive, but rather as indicative of the state of the problem and of agency response at the present time.

4. *Organisation of the Report*

4.1 The chapters which follow provide a report of the findings of the study, together with recommendations based on these for the way forward for member countries of the Council of Europe in the task of tackling racial violence and harassment.

4.2 The report begins with an overview of the history of racism and racial violence in Europe and of some of its more recent manifestations that have resulted in the increasing concerns of recent years. The next chapter examines the nature of racial violence and harassment, and its various forms, in order to clarify the basic concept of the phenomenon under investigation. Following this, the situation in the six selected countries is reviewed. The final chapter draws out the main conclusions of the study and puts forward recommendations for further enquiry and for action.

2. RACISM IN EUROPE: THE GENERAL CONTEXT

1. *Historical Perspective*

1.1 Racial violence is not a new phenomenon in European history. Violence against groups on account of their physical characteristics, culture or style of life, religion, and other real or supposed characteristics, has (as noted in the terms of reference for the project) been a "depressing reality of European history over the centuries". Precisely what features of European history would be drawn into this picture would depend on how the term 'racism' is defined - a matter to be considered further below. Certainly, however, racism in the form associated with modern European imperialism has a history of some 4-500 years, while antisemitism in at least its religious form has been present for over a millenium. Nationalism and the related phenomenon of xenophobia are merely the most recent arrivals of the three major axes along which intergroup violence has from time to time flourished in the European domain.

1.2 It would be neither accurate nor constructive, however, to portray European history as purely negative in these respects. As Professor Bhikhu Parekh has pointed out, European consciousness has also developed over the centuries "a deep anti-racist impulse" which has been owes much to the radical and egalitarian universalism of the Christian Church, and which found secular articulation in such modern political doctrines as liberalism and socialism. Such tendencies lie in uneasy tension with the also deeply-rooted racist dispositions, which Professor Parekh would trace back to the Graeco-Roman tradition and its contrast between the 'civilised' and the 'barbarian' (New Expressions of Racism, SIM, 1987). From its roots, therefore, European civilisation bears the potential both for the construction of racism, and the basis also for its negation. This tension can be best illustrated by simply noting how within the same broad terrain that were born the principles of the French Revolution there took place also the extermination of six million Jews.

2. *New Forms of Racism in Europe*

2.1 The post-war period has seen a new chapter in the history of racism in Europe. To varying degrees, all of Western Europe's democratic nation states have received new elements into their populations, mostly as migrant workers though some in other capacities such as refugees. It is estimated that approximately 16 million of the 320 million resident population of the 12 member countries of the European Community are not EC nationals: some 5% of the total. It is further estimated that some 13 million may be described as 'ethnic minorities' in the sense of being different in cultural background from the majority population of their state of residence; and some 8 million may be described as 'black', in the sense of being visible on grounds of skin colour or other physical features. The geographical origins of those of migrant background are very diverse, but consist mainly of the Mediterranean countries of Southern Europe and of one-time colonies of European imperial powers in Africa, Asia and the Caribbean. While Europe has a long history of being 'multi-cultural' to some degree, the post-war developments have greatly widened the range of cultural diversity within Europe, and rendered the continent both 'multi-cultural' and 'multi-racial' in a manner not experienced hitherto.

2.2 Within Europe there has been considerable diversity in the extent to which these developments have affected individual states, the numerically greatest impact occurring in the larger industrial nations of France, Germany and the United Kingdom. Scandinavian countries, for example, have had relatively little experience of migrant labour, and compared to other countries have been proportionately more affected by the presence of refugees. Southern

European countries, by contrast, have been for the most part countries of emigration, only recently beginning themselves to receive migrants from Africa, the Middle East and other parts of the Third World.

2.3 Furthermore, within the group of countries that have been the main recipients of post-war immigration, there has also been diversity with regard to the geographical origins and citizenship status of migrant workers. Those countries linked to colonial or ex-colonial territories, i.e. France, the Netherlands and above all Britain - have drawn in settlers from those territories, mainly persons of Black African, Asian or Arab descent. In most cases such persons have had full or at least partial citizenship and settlement rights, despite being perceived as having a distinct 'racial' identity linked to visibility on grounds of skin-colour. Germany and Switzerland, by contrast, have drawn in migrants whose degree of cultural and physical difference is less, but whose status has been officially that of a temporary contract worker, with few or no rights other than in due course to return home. In practice a high proportion have managed to remain, so that regardless of geographical or cultural origins, Western Europe's new minorities are "here to stay" - not just as immigrants, but increasingly as European-born members of minority communities who know no other home.

2.4 Europe's new-found identity as a multi-cultural, multi-racial continent has not been accompanied by either harmony or equality. Most migrant workers have entered into unskilled and low-paid occupations, responding to the demand for labour unmet by the indigenous population. Economically disadvantaged, and often legally of marginal status, they have experienced exclusion to varying degrees from full participation in the life of European society. This exclusion proves increasingly unacceptable within communities of post-war migrant origin as the duration of settlement lengthens, and new European-born generations emerge. On the other hand, the indigenous populations resent the competition for jobs and other resources that the new minorities are seen to present, and resist in a variety of ways the pressure for their integration. The forms of this resistance are manifold, but may be exercised indirectly through the political, or more directly in the form of discrimination and violence. This briefly sketched scenario provides the context in which the present report on racial violence and harassment must be set.

2.5 The nature of this 'new racism', however, is in some respects different from the forms of racism and exclusion that preceeded it, and it differs also from nation state to nation state. As applied in the context of communities of post-war migrant origin in Europe, it certainly cannot be defined too narrowly, such as by reference only to the often colour-based conceptions of 'race' derived from the 'scientific racism' of the 19th century imperial era. This conception may strongly shape, though it by no means determines, the pattern of racial exclusion in countries such as Britain where the colonial context has been dominant. Elsewhere in Europe, communities of migrant origin are seen as 'different' not so much on account of physical differences but on account of the cultural differences they bring into the European domain. As Rodolfo Stavenhagen has written:

"Such foreign cultures are exotic but respectable in their own countries, where they may be appreciated by the tourists, but when they happen to appear next-door, then they threaten 'our' identity, 'our' way of doing things, and they question the model of the mono-ethnic nation-state which provides security and identification for its members." (New Expressions of Racism, SIM, 1987)

2.6 Europe's 'new racism', therefore, confronts many of the Mediterranean and Third World immigrants who form its new 'internal colonies' with a form of xenophobia which is not colour-but culture-based. It articulates a deep-rooted though previously latent Eurocentrism which appeals to the superiority and inherent proprietorship of certain life-styles and 'civilised' values. This strong and assertive form of xenophobia has displaced earlier intra-European rivalries, and

has become manifest in the ideologies of right-wing movements across Europe, some of which have achieved considerable electoral success. It is keenly sensed by the new minorities themselves, who see its institutional manifestation in the new border control arrangements under the Single European Act, and equate the onset of 1992 with the creation of 'Fortress Europe'.

2.7 The tension between racist and anti-racist tendencies, noted by Professor Bhikhu Parekh (and cited earlier) has therefore erupted in Europe yet again during the 1980s, and perhaps paradoxically so at the time of the triumph of democracy over totalitarianism in eastern European states. Yet the consequences of this democratisation (most notably in the case of East Germany) through the population movements that follow, threaten further to exacerbate the Eurocentric xenophobia that has already arisen. Europe's identity as a more substantially multi-cultural and multi-racial continent than in the pre-war era is as yet a fragile flower.

2.8 Nor, finally, can the picture of racism in contemporary Europe be completed without moving outside the strict terms of reference of the Community Relations Project, of which this report forms a part. Despite the massive efforts in West Germany and other states to lay low the ghost of anti-semitism following the war, its manifestations have surfaced again most notably within the past two years. No broadly-based conception of racism can ignore consideration of the phenomenon of anti-semitism, although it is important to recognise the distinctive elements, as well as the integration of all these elements in the ideology of most right-wing groups. Insofar as racial violence is concerned, some of the most serious and prominent incidents in recent years have involved the Jewish community as victims (e.g. the desecration of the cemetery at Carpentras in France).

2.9 The concept of 'racial violence and harassment' as used in this study must therefore potentially encompass violence across the full breadth of racism in Europe at the present time, whether it be colonial colour-based racism, the new culture-based Eurocentrism, or those based on Europe's older animosities against not only Jews but also Gypsy or Romany travelling groups. For the purposes of this report, however, the latter groups have been in practice excluded.

3. THE NATURE OF RACIAL VIOLENCE AND HARASSMENT

1. *Introduction*

1.1 The preceding chapter has been designed to clarify the broader context of racism in contemporary Europe, within which the phenomena of racial violence and harassment occur. The present chapter examines the nature of 'racial violence and harassment' itself. What precisely is it about such incidents that makes them 'racial' in character? What are the types of incident involved? What is their effect on victims and on community relations? If the actions of governments and other agencies are to be effective in dealing with such incidents, then their nature and significance need to be properly understood.

1.2 In Britain, a considerable amount of attention has already been given to these general and conceptual questions. A number of studies and reports have been prepared which show agreement on how the phenomenon should be understood. There is no reason to suppose that this understanding is or should be peculiar to Britain: it is an understanding of the nature and effects of incidents of this kind wherever they occur in the context of community relations. The only variables would be whether and to what extent they occur, between whom, and what particular forms they take in a particular time and place. These variables will be considered in the country-specific chapters.

2. *The element of racial motivation*

2.1 What, then, is it about such incidents that requires them to be described as 'racial' in character? The distinguishing feature of racial violence and harassment is not simply that it involves members of different racial or ethnic groups: it is that the action is racially motivated.

2.2 The element of racial motivation, therefore, is what distinguishes 'racial violence and harassment' from other kinds of violence and harassment. In this context, 'racial motivation' may usefully be defined as "having a purpose to injure or in some way harm a person or persons specifically because of their perceived identification with a particular racial or ethnic group".

2.3 Despite the number and severity of racial incidents in some areas, it is important to recognise that not all incidents involving members of different ethnic groups are racially motivated. To take an example, a street attack may be made on a passer-by of a different ethnic or racial group from the perpetrator. The attack may have been made with no regard to the victim's skin-colour or ethnic group, and solely to effect a robbery. In this instance, if we are to mention the ethnic or racial difference, we should speak only of an 'inter-racial incident'. If, however, the motivation for the attack was based wholly or in part on the ethnic or racial identity of the victim, and the purpose was in some way to harm the person for that reason, then the term 'racial' is appropriately applied.

2.4 Racially-motivated behaviour, therefore, is not an attack aimed at a person purely as an individual, but an attack on a member of a category or group. A racial attack therefore denies not only humanity but also individuality: its direction is arbitrary from the individual victim's point of view. Such attacks therefore do not have meaning at the individual level, but only at that of community relations as a whole. In acting with racial motivation the attacker claims to speak on behalf of 'us' against 'them' generally; likewise the victim either 'hears' the identity which is sent, or may interpret the event in the light of past similar experience. The action

defines the world in terms of racially exclusive categories, and by means of force seeks to establish dominance of the perpetrator's own (self-defined) racial group.

2.5 A problem arises here with the terminology. Although the term 'racial' is conventionally used here in English, the usage is weak and ambiguous. As noted, what distinguishes the motivation is that it is 'racist' in character. It would therefore be more accurate and precise to refer directly to the element of 'racism' involved, and to speak of 'racist violence and harassment' instead. This usage is advocated and practiced by many community groups in Britain and elsewhere, though it is not normally followed in official circles. Despite the clear grounds in favour of this usage, for the purposes of the present report the phraseology given by the Council of Europe in the terms of reference for the project have been followed.

2.6 Turning to practical considerations, a difficulty arises since motivation is a subjective matter and is not necessarily revealed for inspection by those outside. In some cases a racial motivation may be unambiguously present from circumstantial evidence such as remarks or graffiti, or from accounts given by the perpetrators themselves. In other cases the motivation may be a matter for surmise. Given that many such incidents do not produce clearcut evidence, the identification of the racial element in racial violence and harassment presents a special challenge for police and other agencies charged with responsibility for this task. Wherever a victim is involved, this person is likely to be the best placed to assess whether or not the incident might have been racially motivated. For this reason, in Britain where special procedures are employed by police and other agencies for recording racially-motivated incidents, a victim-oriented definition is used for operational purposes, and a victim's perception is accepted unless and until investigation proves otherwise. Accepting the victim's (or any other person's) perception at the initial stage ensures so far as possible that potential cases do not slip through the net, while still allowing that sound evidence shall be the basis on which incidents are ultimately classified and acted upon.

3. *The forms of racial violence and harassment*

3.1 Turning now to the second conceptual issue raised, what are the types of incident that the term 'racial violence and harassment' covers? The dual reference of the term already provides some indication. Incidents of serious physical violence are obviously included, for it is these that generally receive most publicity, and will anyway be subject to the criminal law. In many countries of Europe, horrific incidents have taken place, including shootings, stabbings, bombings and arson, often involving murder or serious wounding of the victims. Because of the serious criminal nature of such incidents, regardless of their motivation, they are likely anyway to receive police investigation of a formal kind. Because they will often reach the press for the same reason, it is this type of serious and unprovoked assault that typifies the popular image of the form taken by racial violence.

3.2 It is important to appreciate, however, that 'violence' can take many forms, whose impact may depend less on the nature of the act and more on the psychological effect upon the victim. This is especially true in the case of 'racial' violence. Threats, for example, which create fear in their recipients, do not need to be carried out but instead arouse memories of past experience to achieve effectiveness. But it is not serious assaults, or even the threat of them, that have the most frequent impact upon members of victim groups. Minor assaults and above all many kinds of 'non-physical' actions may have far more effect at the psychological level. Jostling, spitting, verbal and written abuse, vandalism in the form of damaging or writing graffiti on property, and the dumping of rubbish or excrement at people's homes - these are some of the commoner forms of what has come to be termed 'racial harassment' in Britain. It is the unprovoked and often repeated character of these actions that render the term 'harassment' particularly apposite here.

3.3 The effectiveness of acts of racial violence and harassment, therefore, lie essentially in their effect on the victim. The impact of racial violence lies not so much in the violence itself, as in the racist message which is conveyed. Frequent 'low-level' harassment may be far more effective than occasional serious assaults in contributing to the 'everyday racism' that affects victims' and potential victims' lives. Frequent harassment communicates the racist message more widely and forcefully through its very closeness to each individual and to 'home': the message that "we don't like you; we don't want you here; you don't belong". Members of victim communities feel, or are at risk of being reminded of, this message every day of their lives on account of such harassment: it denies their worth, their integrity, even their very being.

3.4 The significance of non-physical or 'low-level' forms of harassment should not therefore be underestimated. From the victim's perspective it may not be the degree of the violence of the incident that was important, but the fact that it was racially motivated at all. Naturally, victims look to the agencies responsible for dealing with such incidents for some recognition of the racial dimension. Lack of powers on the part of agencies to deal with 'low-level' forms of harassment not only weakens their ability to tackle the problem effectively; it also protects their lack of institutional awareness of the racial dimension from being exposed. Where such powers are available, as in the case of serious physical assaults or damage to property, action under the general criminal law will no doubt be taken. Given that such incidents may only be the 'tip of the iceberg' from the victim's perspective, it should not be found surprising that the commonly-alleged failure to acknowledge the racial dimension at this level too evokes such protest by anti-racist groups.

4. *Impact on Community Relations*

4.1 It is important finally to consider also the impact of racial violence and harassment on community relations. As a collective phenomenon, racial violence and harassment should not be viewed as consisting of isolated incidents, but as part of the process of group relations as a whole. Racial violence and harassment must in addition be clearly distinguished from racial discrimination in the broader sense. Racial discrimination involves treating a person or persons less favourably than others on racial grounds, and most commonly is applied to cases where equal access to resources or services has been denied. To be capable of discriminating is to already have the power to discriminate in such circumstances, and not to have to resort to naked force to achieve racially exclusionary ends.

4.2 Racial violence and harassment on the other hand express a different relationship between a perpetrator and victim: one in which coercive power is exercised usually for more diffuse ends. Here the motivation is to establish or sustain a more generalised relationship of group dominance or exclusion. Violence and harassment are invoked when resistance is encountered, when perpetrators feel insecure or under threat, or when other powers available to them are weak. Few individuals need to be actively involved in the use of force to establish or maintain the pattern of inter-group relations; provided others condone or at least do not oppose the action, the racial order at the collective or group level will still have been successfully imposed.

4.3 It is not only the types of incidents that receive national or international attention that have a major impact on community relations. Frequent low-level harassment may have a far more direct impact on victim communities' everyday lives, amounting to an experience that permeates the quality of individuals' daily existence (Essed, Everyday Racism, Hunter House 1990). Such harassment is an effective means of maintaining racial boundaries at the local level - at work, around the home, and elsewhere. Often invisible to the authorities, who may have limited powers to deal with it, it is a powerful means of keeping victim communities subordinated or excluded from neighbourhoods, for example. Through the fear it can induce,

it can deter the members of such communities from seeking their rights to participate and move freely in the society. At the local as well as the national level, therefore, low-level harassment must be recognised as potentially having a major effect on community relations, striking actively against integration at the level of people's daily lives.

4. UNITED KINGDOM

1. *Background*

1.1 As an island territory with clear geographical boundaries, the United Kingdom has a long and visible history of immigration into a relatively ethnically homogenous and stable state. Violence against immigrants and minorities forms one strand of this history. Early immigrant groups of European origin such as Jews, Irish and Huguenots experienced degrees of rejection and violence but in due course have become wholly or largely assimilated. Relatively small and visible communities of Orthodox Jews persist, however, in London and some other cities. Antisemitism was strong in some areas (e.g. the East End of London) in the early part of the present century, but Jews in Britain did not suffer the wholesale persecutions of their continental counterparts under Nazism.

1.2 The early experience of black settlers, most of whom arrived from the 18th century onwards as slaves or as seamen settling in the major seaports, also has included similar elements but has been more complex in its outcomes, and needs to be understood in the context of Britain's imperial and colonial history. Except in some of the seaports (e.g. the city of Liverpool), there has been little direct continuity between such early settlements and Britain's present-day black communities. Under slavery, of course, racial violence was legitimated and institutionalised. In the present century, racial violence against black people in the dockland areas erupted on several occasions, most notably in 1919 in Cardiff and in Liverpool (the first recorded racial murder of the century).

1.3 The post-war period opened a new chapter in this history, when the main immigrant groups taking up employment opportunities in the expanding post-war economy were not of European origin, but from the colonial and ex-colonial territories of Britain's former empire. These groups, mainly from the Caribbean and the Indian sub-continent, had unrestricted right of entry for permanent settlement up to 1962, with virtually full citizenship rights once settled. At the present time, some 5% of Britain's population is of this broad origin group (including descendants born in Britain), which includes Chinese, Malaysians, Cypriots and West Africans as well as those already mentioned. Much smaller numbers of southern European migrants (principally Italians) and of refugees (especially Vietnamese) have also contributed to Britain's post-war immigration profile.

1.4 The initial welcome given to the first Jamaican immigrants was at best ambivalent, and latent racial prejudices emerged in the late 1950s in the form of anti-immigration campaigns and the earliest reported incidents of serious racial violence. The latter consisted in attacks on black people in Nottingham and West London in 1958, including the racial murder of Kelso Cochrane in Notting Hill. The initial policy response of the government was to introduce immigration control legislation in 1962 in an attempt to contain and calm the tensions that had arisen, though it was not until the period 1965-68 that attempts were first made to tackle the situation internally. The three areas of need identified were racial harmony, racial discrimination and disadvantage, and the integration of immigrant children in school. The policy response combined anti-discrimination legislation (Race Relations Acts of 1965 and 1968) with measures to deal with education and urban deprivation. Powers were limited, however, and resources minimal, and the anti-racist message was generally weak and contradicted by the strength and racially-discriminatory axis of the new 1968 and 1971 immigration control legislation. Racial violence and harassment were not at this stage identified as a policy issue, other than in the need to maintain and adapt the legal clause outlawing 'incitement to racial hatred' which had originated in provisions designed to counter anti-semitism during the 1930s.

1.5 The broad framework of the policy response established during the 1960s to issues posed by post-war immigration remains the framework still in place today, even though it has changed in certain important details. Immigration control and anti-discrimination legislation remain the twin planks of the strategy, with longer-term hope resting upon the results of multi-racial schooling and of the re-development of the declining urban and industrial areas where the majority of immigrants had settled. The most important initiative was the third Race Relations Act of 1976, which established the Commission for Racial Equality and strengthened the law in various ways, especially by permitting 'positive action' programmes and by providing powers to tackle 'indirect' forms of institutional discrimination. The Act also placed a duty on local government to tackle racial inequality in its various spheres of responsibility, and in most of the major cities a wide range of local policy initiatives have been introduced as well.

1.6 Despite these range of initiatives, however, improvement in the situation has at best been slow. The most recent of a series of three national surveys conducted by the Policy Studies Institute over 20 years showed that the level of racial discrimination and disadvantage had been reduced only slightly, and that in essence the picture was the same as before (Black and White Britain 1984). Public attitude surveys conducted during the 1980s have shown that around nine of ten people acknowledge that racial prejudice is prevalent in Britain, and around one-third actually admit to having such prejudices (e.g. SCPR 1984). The reactive mood among young black people in inner-city areas was dramatically illustrated in the Brixton and other disturbances of 1981, and their recurrence in 1985. Relations between the police and black youth have been poor over a long period, and police harassment of black people has been extensively documented by community-based groups (e.g. Police Against Black People, Institute of Race Relations 1987). The report by Lord Scarman on the 1981 disorders addressed these issues, but the government response focussed on policing and the maintenance of public order rather than on the social and economic causes of the conflicts. Racism and racial disadvantage thus remain undefeated as obstacles to equality and integration in Britain, despite some 25-30 years of policy initiatives in this field.

2. *Racial Violence and Harassment*

2.1 Racial violence and harassment in Britain cannot be considered separately from the above picture, since it has now become clear that they form an integral part of the present structure of racial dominance and subordination. However, their form and extent seems to have varied over time and place, with a marked increase in occurrence in the late 1970s and 1980s. But as the foregoing section has shown, they were not previously absent but have a long history of their own in Britain. Only in the last ten years or so has a systematic record begun to be compiled, thus revealing the true extent and nature of the phenomenon. Prior to this period, the extent to which Britain's black communities were compelled to "suffer in silence" is officially unknown, with only cases of more extreme violence such as in Notting Hill in 1958 and the "Paki-bashing" episodes of the mid-1960s reaching public attention.

2.2 The first official study of the incidence of 'racial attacks' in Britain was undertaken by the Home Office in 1981, and was based primarily on a nation-wide survey of inter-racial incidents recorded by police. The survey sought to identify those incidents where there was indication of a racial motive. The results showed that, although it was possible for members of any group to be attacked for racial motives, it was in fact the black communities that were the main victim groups. West Indians were 36 times and Asians 50 times as likely to be attacked as whites. More important than the statistical results, however, were the official recognition of the level of fear and apprehension among ethnic minorities regarding racial attacks, and the placing of the issue on the police and official policy agendas. It should be made clear, though, that this report was not produced in isolation, but was directly a response to pressures from

community groups, which for several years previously had been documenting racial attacks at both local and national levels.

2.3 In the same year of 1981, a second report was produced by the Commission for Racial Equality on behalf of the London Race and Housing Forum, which also demonstrated the seriousness of the problem of racial harassment in the contest of public housing in Britain. This report particularly emphasised those forms of violence and harassment that do not involve direct physical violence, and which do not therefore fall under the criminal law. The report stressed the damaging consequences for black peoples' personal lives and housing opportunities, as well as on racial integration generally.

2.4 The effect of these two authoritative reports was to establish an official recognition of racial violence and harassment as a public issue. Since that time, a series of further studies and reports, some conducted locally and some nationally, have extended knowledge and understanding of this phenomenon in Britain (see Paul Gordon, Racial Violence and Harassment, Runnymede Trust 1990 for an overview of the situation). Some incidents of course have been so horrific that they have received extensive press coverage anyway, including racial murders, vicious attacks on children, and the burning of families alive in their own homes (e.g. the Khan and Kassem families in East London in 1981 and 1985 respectively). Many of the local reports, often undertaken by local Race Equality Councils in the area, have stressed the routine non-physical harassment and its social and psychological effects as well. The House of Commons Home Affairs Committee has produced three reports on the subject (in 1982, 1986 and 1989), drawing on written and verbal evidence submitted to hearings. The Home Office itself conducted a repeat of its original 1981 survey, which demonstrated that Asians in particular continue to be the predominant victims of such attacks.

2.5 The difficulty of gathering reliable and accurate evidence, however, is a serious one due to the fact that most available data is for reported cases, and not based directly on victims' experience. Under-reporting and under-recording of incidents has long been acknowledged by agencies in Britain as a major problem. Only costly large-scale surveys, such as general crime surveys, are capable of revealing the full record. One such survey, conducted in the east London borough of Newham, showed that one in four black people had experienced racial harassment during the previous year, but that only one in twenty of the incidents had been reported. Further data on black peoples' perceptions of how far crime against them has been racially motivated has been generated by the national British Crime Survey of 1988. Identifying this element of racial motivation is the second major difficulty in obtaining reliable evidence, given that such motivation is often not admitted or open to visibility in any direct and unambiguous way.

2.6 Although there are difficulties in gathering and interpreting statistical evidence on the subject, it is widely accepted in Britain that the incidence of racial violence and harassment during the 1980s has continued to increase. Whether or not this is the case, there can be no question that it occurs extensively in Britain, nor of its effect on black people's lives. There is evidence that its impact may be greatest where numbers of black people are fewest, and its visibility is accordingly lower. In areas where the black presence is more numerous, communities are stronger and better defended, and violence and harassment occur disproportionately less. Such evidence has major implications for policy on the issue of integration, since it demonstrates the significance of racial violence and harassment as means of maintaining racial segregation and white domination especially in the more desirable residential zones.

2.8 The activities of right-wing extremist organisations in racist and anti-semitic activities in Britain are well-documented (e.g. in Searchlight magazine). However, given their small size and fragmentation, it would not be feasible for them to be directly responsible for the large

extent of incidents of racial violence and harassment that take place. Their influence, rather, is generally accepted to be an indirect one, in that they both express and encourage a climate in which racial violence and harassment will occur. Their influence with 'skinheads' and other sections of working-class youth is the main avenue of their involvement, which includes the spreading of propaganda through leafletting at football matches and even at schools. Even here, however, their degree of influence should not be overestimated, since it is the disposition of youth to support their activities that needs to be explained. The general culture of working-class youth, with its strong elements of racism and sexism, is the major factor here, a culture which itself is a response to the limited opportunities and material conditions of working-class life.

2.9 A more adequate explanation of the nature and extent of racial harassment must accordingly take into account its class and community context. The resort to violence falls to those who lack alternative means to achieve racially exclusionary ends, whether through personal command of wealth and other resources or through access to institutional channels of influence and control. Those in powerful or middle-class positions are able to maintain racial exclusiveness by a variety of means of direct and indirect discrimination. The British evidence shows that most racial violence and harassment occurs at local community level in the context of working-class residential areas - and especially on housing estates which are developing a mixed racial composition. Racial violence and harassment need to be understood as part of the dynamics of communal relations at this level, whereby racial boundaries are drawn and imposed through both the activities and the passive collusion of members of the dominant group. Many different locally variable factors may be involved in determining the extent to which racial violence and harassment may be resorted to in any particular case, including which become the target groups. Understanding local circumstances as well as national patterns and forces has proved essential in Britain for policy responses aimed at tackling the problem to have effect.

3. Measures Taken

3.1 Since the first official recognition of the problem at central government level in 1981 (and even before that in the case of some local authorities), a variety of measures have been introduced in Britain to tackle it, many of them at the local level. Only some of these can be mentioned in this account, which will attempt to summarise the action taken and the lessons which may be drawn from it. It should be made clear from the start, however, that racial violence and harassment as such are not offences under either the criminal or race relations legislation in Britain, and there is no statutory definition of the phenomenon.

3.2 Viewed as a whole, the British experience shows that a series of distinct tasks need to be identified and acted upon if the response to racial violence and harassment is to be effective. The first task is to acknowledge the existence (or possible existence) of the problem, and to set up procedures for obtaining and recording information about it. The second is to identify and involve the various agencies that have a responsibility or capability for contributing to its resolution. The third is to formulate policy and strategy for dealing with racial violence and harassment, both through agencies acting individually and through a multi-agency approach. Any such policy needs to address three specific tasks: dealing with perpetrators, supporting victims, and prevention. Finally, policy and strategy require implementation, through formal planning processes together with careful monitoring and evaluation of whether the strategy is having the desired effect. The kinds of measures taken at each of these steps are indicated in the paragraphs that follow.

3.3 Although official acknowledgement of the problem has been present for some ten years, it is clear that racial violence and harassment have a much longer history in Britain. Community groups had been campaigning for action long before official recognition took place.

The lesson of this is that it is important that, at the stage where agencies do not yet have their own recording procedures in place, they should listen carefully to and initially act on the experience presented by community groups instead. Even today in Britain, despite official acknowledgement at central government level, some agencies - especially in areas where relatively few black people live - may still be found firmly denying the existence of racial violence and harassment and claiming that no action needs to be taken.

3.4 Data collection has proved essential in Britain both to establish how far the problem exists, and to provide the essential information-base upon which it can be tackled. Once the need for data has been recognised, the main difficulties encountered (as noted in the previous section) have been under-reporting and under-recording, and the identification of the element of racial motivation. The main causes of under-reporting are fear on the part of victims of racial violence and harassment together with scepticism that agencies such as the police will be willing and/or able to take any effective action. This has the character of a 'chicken-and-egg' situation, but the responsibility lies clearly with the service-providing agencies to take the initiative and demonstrate the required impact. So far as identifying racial motivation is concerned, the main way in which this has been overcome at a practical level in Britain is for agencies to have a policy of always accepting, at least in the first instance, any allegation by the victim or by any other person that such an element has been involved. Such 'victim-centred' definitions have been adopted by police for example, since 1986 in order to ensure that no potential cases slip past the investigatory net.

3.5 In Britain the main agencies identified as having responsibility for tackling racial violence and harassment have been the police and local authorities. The principal responsibility is seen as that of the police, on account of their ability to take action under the criminal law. The main powers of police derive from the laws relating to assaults against persons, to damage against property, and to breaches of the peace. None of this legislation in itself makes reference to the element of racial motivation, which can therefore only be taken into account within the limits of the discretion which can be exercised in police and court procedures. Both the Home Office and the Association of Chief Police Officers have produced clear guidelines for local police forces in tackling this issue, and several police forces (including London's Metropolitan Police) have declared the issue a priority and introduced strategies to tackle it at operational level.

3.6 Local authorities may also be seen as having a statutory responsibility, on account of the duties laid upon them under the 1976 Race Relations Act. These, however, are cast more generally in relation to racial discrimination and the promotion of equal opportunity, and do not specify racial violence and harassment as such. Such behaviour, though, clearly falls under the general rubric, and from the mid- 1970s, increasing numbers of local authorities have been active in promoting initiatives in this field. Housing Departments have been the most active, increasingly using both legal and administrative powers available to them as landlords to ensure that racial harassment does not obstruct equal access to housing resources or damage the quality of tenants' lives. Some local authorities have developed cross- departmental strategies for tackling the problem, involving education, social services and a range of other departments. With public housing provision in Britain increasingly moving out of local authority control, other housing agencies have also been active in tackling the issue in similar ways.

3.7 The third main type of agency that has been especially active in this field has been that of voluntary and community associations, some of which operate nationally but many of which operate at the local level. Such groups range from local Race Equality Councils, through ethnic associations, to groups specifically concerned with the issue of racial violence and harassment. The activities of these groups include campaigning for action on the issue, monitoring the performance of police and other agencies, and providing services and support direct to those who have been victimised.

3.8 In addition to action by agencies individually, coordinated and joint action among agencies has come to be recognised as essential if racial violence and harassment are to be tackled effectively. In 1989 a major report on the subject prepared by an inter-departmental working party of central government officials recommended the adoption of a 'multi-agency approach' in all areas (The Response to Racial Attacks and Harassment, Home Office 1989). In some localities, especially in London, local 'multi-agency panels' have already been active over several years. Through such initiatives, the different agencies have been able to complement one another's work, avoiding competition and duplication, and sharing information and experience in tackling racial violence and harassment effectively.

3.9 As already noted, experience in Britain has shown that effectiveness in tackling racial violence and harassment requires action in three distinct areas: dealing with perpetrators, supporting victims, and prevention. Dealing effectively with perpetrators is crucial, not solely on grounds of justice, but also to demonstrate to all parties that racist behaviour of this kind will not be tolerated by public authorities. Obstacles to achieving this, however, lie not merely with the commitment of the agencies themselves, but also with real difficulties of identifying perpetrators and in persuading victims to come forward to report incidents and provide the necessary evidence. Inter-agency cooperation has proved particularly successful in this area as a means of overcoming obstacles and securing convictions in court. The view has been taken by many community groups, however, that without specific legislation on the subject, the powers of the law remain weak. An attempt was made in 1985 with the introduction of a 'Racial Harassment Bill' into Parliament, but this did not receive the necessary support to become law. A recent legal guide prepared for local authorities prepared by the London-based Legal Action Group shows in fact that the range of existing legal powers capable of use in tackling the problem is in fact very wide, whereas the challenge is to make effective use of them. Increasingly in recent years local housing authorities have been seeking eviction from their homes of those found to have committed racial violence and harassment, or alternatively using legal injunctions as a means of restraint.

3.10 Supporting victims also forms a crucial part of strategy, not merely on humanitarian grounds, but also to ensure that perpetrators do not succeed in their aims of intimidating and excluding members of minority communities. Support is also essential if victims are to become willing to report incidents and appear as witnesses in public against their aggressors. Supporting victims therefore forms part of the strategy for tackling perpetrators. Such support also may need to be extended to other members of victim communities where fear of attack has become widespread. Forms of support that have been developed in Britain have included emergency telephone lines, counselling and advice to victims, home protection and repair packages, 'sitting' with families under threat from attack, and many other forms as well.

3.11 Preventive action can take many forms, which broadly divide into deterrence on the one hand, and strategies that remove the disposing factors on the other. Deterrence may be best served by firm and publicly visible action by agencies in dealing with perpetrators and supporting victims, as already described. As indicated in the previous section, the disposing factors lie deeper than many local agencies are capable of influencing, in that they arise from social and economic circumstances well beyond immediate and local control. To this extent, long-term strategies for dealing with racism and with urban deprivation generally are part of the effective response that is required. In the shorter term, however, it has been possible to overcome such forces to some degree through youth work and community development. One example of this approach with young people on a north London housing estate was able to sharply reduce the level of racial harassment which had been occurring.

3.12 Britain's experience over the past ten years shows that in all of the above respects it is possible to introduce fine policies and strategies as written on paper, but far more difficult to implement them effectively. The Commission for Racial Equality's report Living in Terror

(1987) on racial harassment in housing, showed that although many local authorities had introduced policies to tackle the problem, proportionately few had dealt adequately with their implementation. Effective monitoring and review of the working of policies is especially often lacking. The potential dangers of inadequately implemented policies against racism were highlighted by the racial murder of an Asian youth in a Manchester High School, which an independent inquiry report linked to the counter-productive effects of poorly implemented anti-racist policy (MacDonald, Murder in the Playground, 1989). Postures without effective implementation in this area may therefore be quite as dangerous as inactivity, and need to be integrated fully within the broader anti-racist and equal opportunity strategies of organisations rather than pursued in isolation from broader collective policy goals. Detailed guidelines following these principles have been produced recently for local authority housing departments by the Department of the Environment, based on research directed by the author of this report (Tackling Racial Violence and Harassment in Local Authority Housing, HMSO 1989).

5. FRANCE

1. *Background*

1.1 France has a long history of immigration, though prior to the Second World War this was mainly from neighbouring or culturally similar countries such as Italy. After the war, foreign workers were recruited and admitted through the Office National d'Immigration. However, 'spontaneous' (i.e. illegal) immigration also flourished, mainly from Spain, Portugal, and later from Yugoslavia and Turkey.

1.2 This movement was augmented by increasing immigration from France's former overseas departments and colonies in North and West Africa, who were not subject to official controls. Algerians formed the largest group, having been able to enter freely until Algerian independence in 1963. Moroccans and Tunisians from the Maghreb region of North Africa were also numerous, and were followed by Black African workers from Senegal, Mali and Mauritania, and others of African descent from the Overseas Departments of Guadeloupe and Martinique in the Caribbean and of Reunion in the Indian Ocean. Hence the composition of immigrants in France has increasingly come to include groups of non-European culture as well as visible difference in physique.

1.3 Since 1974, the government has attempted to exercise firm controls on entry of new immigrants, while at the same time seeking to deal with the large numbers of illegal immigrants within. Policies have sought to establish a 'rotational' system rather than permanent settlement, and repatriation has been encouraged. Despite these policies, the great majority of immigrants have chosen to remain settled in France, and to bring over or bring up their families in their new home.

1.4 The status of the immigrants and their descendants in French society varies to some extent, especially according to whether they are of European/EEC origin or whether there is a colonial connection from the past. Broadly speaking, however, the popular concept of 'immigrants' is equated with 'foreigners'. Linguistically, this is expressed in the term 'immigre', which refers to someone who has come as a migrant to live in France, but whose identity derives from elsewhere.

Both government policy and everyday discourse, therefore, have tended to emphasise the impermanent or outsider status of post-war settlers in the country. Those who tend to typify this perception in the minds of the majority are the Maghrebians, and especially the Algerian community, and it is between them and the indigenous French that the greatest tensions arise.

1.5 Despite the strong commitment in France to values of liberty, equality and solidarity, it is only within the last decade that the debate about 'integration' has been seriously undertaken (e.g. La Fin des Immigres, by Gaspard & Servan-Schreiber, 1984); and that specific measures to promote such integration have begun to be introduced. Taking positive measures in favour of the integration of particular of society seems to lie uneasily within the universalist French tradition, which sees recognition of ethnic or cultural difference as divisive and counter to French ideals (Lloyd and Waters, "France: One Culture, One People?", Race and Class 1991).

2. *Racial Violence and Harassment*

2.1 Racism has a number of roots in France, including the long-established tradition of extreme right-wing organisations. The disgrace of the Vichy regime resulted in the suppression but not the total elimination of such tendencies, which have emerged periodically during the post-war period. Aggravated by social and economic problems in the major cities, these tendencies have once again become manifest in the substantial level of electoral support gained by the Front National under the leadership of M. Le Pen. Anti-semitism has remained one form of expression of tendencies of this kind; another is strong expressions of xenophobic nationalism. Opinion polls persistently show high levels of negative feeling among the general population about immigrant workers, as well as an acknowledgement that racism is widespread in France. Racial and xenophobic attitudes therefore cannot be attributed solely to extremist groups. On the other hand, there is also a deeply-rooted tradition of 'struggle' against racism and other forms of domination in French history, of which the most recent manifestation is the popular multi-racial movement SOS-Racisme.

2.2 No study appears to have been undertaken specifically upon the subject of racial violence and harassment in France (F. Dubet, Immigrations, 1989, p.76). However, incidents of racism generally have been documented by anti-racist organisations over a long period (e.g. MRAP, Le racisme en Justice; Chronique du Flagrant Racisme). From these and other sources, a picture of incidents of racial violence and harassment recorded officially or in the press can be compiled.

2.3 North Africans from the Maghreb have been the main victims of racial violence committed against immigrants. For example, 32 Algerians were murdered in 1973 alone, most of them in Marseilles, Toulon and Nice. During the later 1970s and early 1980s, attacks on North Africans continued. Gaspard & Servan-Schreiber cite figures compiled by the 'Information de Radio-Beurs': 9 assassinations in 1982, and more than 35 actual or attempted assassinations in the first eight months of 1983 (La Fin des Immigres, p.133). The Evrigenis Report of 1985 also noted that the number of violent incidents seemed to have increased (p.39). Incidents were cited in that Report, not just from the South, but from a variety of parts of France. The victims included Turks and a Caribbean, as well as an Arab and numerous Maghrebians.

2.4 More recent incidents are cited in the Ford Report of 1990. According to Mireille Elmalan, about 20 foreigners have been assassinated during the past four years, all but one of North African origin. Even though a racist motive has not been proven in all cases, in more than half no reason was present other than the desire to kill foreigners. Apart from murders, numerous other incidents had resulted in serious physical injuries. Some of these had been attributed to excessive and unjustifiable violence by the police (op. cit., p.56).

2.5 A more systematic, statistical picture of the extent of racial violence and harassment in France is provided in the 1989 Report of the Commission Nationale Consultative des Droits de l'Homme (pp.21-35). This tabulates officially recorded incidents from 1979 onwards. The Report distinguishes between incidents of 'antisemitism' and 'racism' (i.e. against immigrants), and also between 'actions' and 'threats' (menaces). The category 'actions' covers personal assault, shooting, arson and damage to property. The category 'threat' covers graffiti, leaflets and other written materials, and telephone calls.

2.6 The pattern of incidents of anti-semitism is different from those of racism, in that it has tended to oscillate unevenly over the past ten years in connection with the activities of organised neo-nazi and anti-zionist groups. There has been a serious resurgence of anti-semitic activity during 1990, with the desecration of the Jewish cemetery at Carpentras as its most prominent example. For the most part, however, this activity has consisted of threats rather than actual physical violence.

2.7 The pattern of recorded incidents of racism, by contrast, shows clearly that there has been a general increase in the scale of this form of violence in France since 1982, a year noted for the resurgence of nationalistic tendencies. Since 1982, between 46 and 70 'actions' have been recorded for each year. The level of 'threats' was stable in the mid-1980s around a total of 100, but since 1987 has risen to 135 in 1988 and 237 in 1989. As a result of incidents during these three years, six persons were killed, and 120 injured. As regards victims of incidents of racism, around 80% of the recorded incidents have been aimed at Maghrebians. And as regards perpetrators, around one-third of incidents in recent years can be attributed to the activities of 'skinheads'. It is suggested that to some extent at least, the most recent rise in the level of threats is connected with the 'affaire du foulard', but it is unclear whether this is merely a temporary increase or the beginning of a new long-term trend.

2.8 The Report acknowledges that for incidents of racism to become recorded depends on a number of factors, such as willingness of victims to report, statements of responsibility by perpetrators, and the carrying out of arrests. How many incidents go unrecorded remains unknown. The Ford Report states that most incidents do not get recorded, unless they involve death or serious injury, or unless public figures are involved (op. cit., p.57). Support for this view comes from a poll among immigrants conducted by MRAP in 1984. Seven per cent of respondents said they had been physically attacked, and 6% that they had been pushed about. Thirty per cent said they had been verbally abused in public places (cited in Evrigenis Report p.39). As remarked by Gaspard & Servan-Schreiber, "the violence suffered by foreigners is merely the extreme manifestation of the climate of suspicion and contempt that they endure in their everyday lives" (op. cit., p.127). It must be safe to assume that in diagnosing the scale of the problem in its broadest sense, the level of incidence (at least of non-physical harassment) is very substantially greater than any recorded figures show.

2.9 The publicised incidents provide plentiful evidence of the involvement of extremist right-wing group and of skinheads in the severest forms of racial violence. Some cases, and everyday harassment of a non-physical kind cannot for the most part be explained in this way, but are generated in the day-to-day interactions in the neighbourhood, at work and in public places. This is illustrated by a study of "Social Tensions and Racism in a Grand Ensemble" (McMaster, in Modern and Contemporary France, 1989), which describes the background to and genesis of the shooting of a 9-year old Maghrebin child by "un homme tranquille" with no connection with organised racism. In this no doubt fairly typical case, the incident grew out of a series of relatively 'trivial' factors and events locally, which expressed social and economic tensions but framed them within a received racist view of the world. The analysis demonstrates not only how "anti-immigrant attitudes have become generalised within French society", but more importantly how racial violence and harassment become a means of excluding immigrants locally and of 'punishing' them for much deeper socio-economic ills.

3. Measures Taken

3.1 France has had legislation against racism since 1972. This law prohibits discrimination in the fields of housing, employment and the provision of goods and services; it also prohibits racial defamation and insults, and incitement to racial hatred. A number of modifications to the law have been made since it was first introduced. Anti-racist organisations such as MRAP draw attention to a number of loopholes and weaknesses in the law, and point out that for its success it is dependent on the quality of cases brought under it, and also on the way in which discretion is used by the courts.

3.2 In considering racial violence and harassment, it must be observed that the law on racism is primarily concerned with verbal and written actions, and not those of direct physical attack. The latter incidents are dealt with under the general penal code. The element of racist

motivation is not taken into account by the penal law, either as an offence, nor as a factor in sentencing. In January 1985, however, a change was introduced to allow anti-racist organisations to take legal action as civil parties in cases where the 'racial' dimension is present. Given the major role of such organisations (e.g. MRAP) in mobilising legal provisions for tackling the problem of racial violence and harassment in France, powers of this kind are potentially of strategic importance. Such organisations report finding difficulty, though, in using this provision effectively, if only because of problems associated with the definition of the 'racial' element and its identification in advance of legal procedures.

3.3 In his submission to the Ford Report, the French government representative stated that the main issue for France following the Van Der Lek Declaration was not that of formulating new regulations, but of implementing effectively those that France already had. It is widely felt that only with regard to the press laws are existing powers effectively used. The Ford Report observed that official responses have occurred only when violence and murders have reached intolerable proportions. It noted that it was only after the bombing of an immigrant hostel in Nice in December 1988 did the Prime Minister set up the first initiative specifically devoted to racial violence, in the form of an inter-ministerial unit tasked with coordinating official work in this area.

3.4 The previously mentioned Report of the Commission Nationale Consultative des Droits de l'Homme on The Struggle against Racism and Xenophobia, submitted to M. Rocard the Prime Minister in 1989, represents a major step forward in the development of strategy for tackling racism in France. The Report reviews the nature and scale of the problem and the responses taken to deal with it. It presents the statistical evidence available on racial violence and harassment in France from 1979 onwards (see above), and notes that this data is being collected more systematically following a circular to Public Prosecutors' Offices of 6 July 1989. Both 'repressive' and 'preventive' activities are then reviewed; the former include a range of successful investigations by police of incidents of racial violence during 1989, while the latter include educational initiatives in schools.

3.5 The Report concludes with an acknowledgement that a renewed approach to the task is called for, based on the recognition that racism against Maghrebins has become the most widespread form. This racism is seen as increasingly of 'soft' form, consisting of threats and insults and other everyday occurrences, and which occur in all kinds of social contexts and all parts of the country. Improved coordination by the agencies is called for, together with long-term preventive work in the educational sphere, combined with a more effective implementation of existing laws in tackling the problem.

3.6 In 1990, a new law was introduced to strengthen the powers of the courts in dealing with racist and anti-semitic activity. This involved suspension of civil rights for those convicted of racist offences, and created a new offence of revisionism and denial of genocide of Jews during the Second World War. The legal measures were followed by the announcement of a major programme of urban regeneration, aimed (amongst other purposes) at promoting more effective integration of immigrants into French society, and at introducing a preventive approach to racial tensions and racial violence. The new urban programme is being introduced, however, against a background of serious urban rioting which has erupted from time to time in areas of immigrant settlement since October 1990, mainly in the Lyons and Paris regions.

3.7 To conclude, France has problem of racial violence which has a history dating well back into the post-war period, but which has not been addressed (other than by anti-racist groups) until recently. The recent Report to the Prime Minister is potentially a major step forward, but needs to be translated into action. Official recording procedures entail that probably only a very small proportion of racial incidents that take place become included in the official statistics, so that the real scale of the problem is largely unknown. Racial violence is

included under the general heading of racism in the policy response, and does not have any strategy designed specifically to address such incidents. Legislation and other powers are predominantly oriented towards attitudes and discrimination, and do not deal with racial violence direct. Local housing authorities do not appear to have any specific duty of powers to deal directly with acts of racial violence and harassment (e.g. by tenants). Anti-racist organisations play an important role in policy development and legal action, but they too appear to be still limited in their powers, and lacking in resources to support action and gain publicity for their work.

3.8 Changing the general climate within such initiatives can develop effectively may also prove a long-term problem. For several decades, French policy has placed strong emphasis on immigration control and repatriation as ways of attempting to control the social tensions within. Questionable notions of 'thresholds of tolerance' have also been used in some contexts to justify the residential dispersal of immigrants in the name of social 'integration'. Such approaches tend to confirm the popular image of immigrants as 'the problem', exacerbating xenophobic and racist attitudes and thus risking encouraging the very behaviours the policy is supposedly designed to remove. If the first generation of immigrants were relatively acquiescent in the situation in which they found themselves, the dissatisfaction and assertiveness of minority youth in the face of perceived racism is now growing. Whilst these issues are now being addressed, the potential for racial violence and harassment is likely to persist until they are felt to have been satisfactorily resolved. This challenge is present in all European countries, but seems particularly marked in France at the present time.

6. GERMANY

1. *Background*

1.1 West Germany began importing migrant labour somewhat later in the post-war period than other major industrial European countries. When it did so, it used a highly-organised, official recruitment procedure. Workers were recruited directly from Mediterranean countries on behalf of West German employers, who supplied not only jobs but also accommodation. Official policy, expressed principally through the Aliens Act of 1965, was that the so-called 'guest workers' formed a temporary, mobile labour force on short-stay contracts prior to returning home to their countries of origin. Entry levels and renewal permits were adjusted to labour market needs.

1.2 Initially Government agreements were made not only with Southern European but also Turkey and North African countries. Although as late as 1960 there were few residents of non-European origin, by the early 1970s there were around half a million Turks in West Germany. Although economic recession led to a ban on entry of non-EEC workers in 1973 and many earlier entrants returned home, the Turks on the whole did not, and tended to bring in their families. By the early 1980s, there were more than one and a half million legally resident Turks, a third of the total foreign resident population. Despite the official maintenance of labour-market oriented policy, the reality was shifting during the 1970s towards permanent settlement, and tensions arose in relations between the indigenous Germans and 'foreigners' as externally-oriented policy failed to address internal social needs. Policy then in turn moved subsequently towards acknowledging the reality of permanent settlement, by bringing forward measures to promote integration, especially among young people of immigrant background.

1.3 A further dimension to this picture has been added, particularly during the 1980s, by the substantial influx of refugees from outside Europe into West Germany, which (following the introduction of the post-war constitution guaranteeing the right to asylum) has until recently maintained a notably liberal 'open-door' policy towards refugees. Many have been from countries in Asia and Africa. Unlike most Third World immigrants in Britain and the Netherlands, however, Germany's Asian and African populations do not have citizenship and settlement rights associated with a colonial past. Finally, the demolition of the Berlin Wall and the unification of East and West Germany have created an entirely new and unanticipated scenario of movement of East Germans into the hitherto West German domain, whose impact on the situation of those of migrant and refugee origin has yet to be fully worked through.

1.4 Throughout the 1980s, calls have increasingly been made for policies to be introduced to remove the elements of discrimination against those of 'foreigner' status in Germany, and to move positively towards equality of treatment and social integration. The official position remains, however, that Germany is not a country of immigration. Some shift has been made towards acknowledging the need for 'temporary integration', and progress has been in this direction in the educational and employment field. Full integration, though, is conceived more in terms of assimilation than of cultural pluralism. Requirements for 'naturalisation' are strict and difficult to attain, and include a cultural dimension: not surprisingly the number who have become naturalised among Turkish and other immigrant groups is extremely few. However, the new Aliens Law which came into effect in 1991 includes a number of measures to make naturalisation easier. Despite efforts to bring about political consultations at local level through "foreigners' consultative committees", Germany officially stated 5 1/2 million migrants of 'foreign' origin thus remain culturally and politically marginal, as well as relatively disadvantaged in relation to employment and housing. The most insecure and vulnerable group, however, are the

small African and Asian groups who form the 'visible minorities' and who are mainly of refugee origin.

2. *Racial Violence and Harassment*

2.1 Despite the attempts to eliminate all remnants of the forces which had produced the extremes of racial violence under the Nazis, right-wing extremist and neo-Nazi organisations have persisted in Germany - if until recently on a small and fragmented scale. During 1989, the increase of electoral support for right-wing extreme parties resulted in both the Republikaner Party (REP) and the National Democratic Party (NDP) gaining seats in city parliaments, and the former gaining representation in the European Parliament as well. Both parties include strong nationalistic and xenophobic positions on immigration issues within their programmes, and sympathise with revisionist positions on the Holocaust and with anti-semitic views generally.

2.2 The rise of electoral support for the extreme right needs to be placed in the wider context of attitudes on immigration issues among Germany's population generally. According to a 1989 survey reported in the magazine *Der Spiegel*, 79% of the population were of the belief that there were too many foreigners resident in Germany. Although such attitudes may be partly caused by other social and economic factors, they create a climate within which racism and xenophobia could flourish.

2.3 As the MEP Claudia Roth has observed, however, "the rise in the REP's political significance has been paralleled by a rise in the number of violent attacks on foreigners in the FRG" (cited in Ford report, p.21). Some of these may be directly linked to the activities of organised political groups, while others appear not to be. The Ford Report cites violence carried out and provoked in Hanover and Gottingen by neo-nazi affiliated skinhead groups, who have singled out Turks as their targets. An arson attack in Wuppertal in 1987 resulted in the death of a Greek couple and their son, and serious burns to eighteen other foreigners. Other reported incidents include the murder of a Turkish youth in Berlin in 1989, and the deaths of four people in a racist arson attack in Schwandorf, Bavaria late the previous year. Following Germany's World Soccer Cup victory in July 1990, foreigners were attacked in several cities.

2.4 Among community groups, the Alliance of Turkish Immigrants has evidence of racially-motivated violence stretching back many years. Some of the most serious incidents include the murder of two young Vietnamese in Hamburg in 1980, and the murders of two young Turks by skinheads in separate incidents also in Hamburg in 1985. More recently, the Berlin-based Black Unity Committee has been active in compiling documentation of racist attacks reported in the press during 1990, covering the activities of skinhead groups as well as assaults and other abuses against Black people, Jews and other minorities. This record shows a wide range of incidents occurring in a variety of areas, even though the record itself is undoubtedly very incomplete.

2.5 The role of youth gangs and other organised groups may be stronger in Germany than in some other European countries, although much of it is focussed on other targets than black people or foreigners. The capacity of such groups to focus on racial issues when these gain public prominence is already in evidence in Germany, and this tendency could increase in the future. The reality of permanent settlement on the part of so-called 'foreigners' or immigrant groups will eventually force a process of integration, but the strains and conflicts associated with this process in Germany may prove to be severe. Already such tensions are well in evidence in the clashes between German youths and those of immigrant origin in Berlin and elsewhere during the past year. Self-defence measures and reactive violence by minority youth

must also be expected where equality and acceptance are denied, as has already been evident in British cities and more recently in France.

2.6 German unification in 1990 has added to the complexity of this situation, not solely through the movement of East Germans into the West German economic and residential domain. Anti-semitism and neo-Nazism appear to have maintained strong roots on the eastern side of the border, and have already been manifested in demonstrations, daubings of public buildings and desecrations of Jewish cemeteries. There have also been attacks on Mozambican and Vietnamese workers in East Berlin and other cities, several involving fire-bombing and serious injuries.

3. *Measures Taken*

3.1 There is no specific legislation or any other policy provision against racial discrimination in Germany, nor therefore any measures aimed directly at racial violence and harassment. In its response to the European Parliament's Committee of Inquiry into Racism and Xenophobia, the Government pointed to its reliance on Article 3.3 of the Basic Law of its Constitution for the prohibition of racial discrimination. Damage to property and injury to persons are punishable offences under the Penal Code, which also includes specific clauses relating to incitement and racial hatred (paras. 130 and 131). These do not, however, explicitly cover ethnic or national grounds.

3.2 The Federal German Government has stated that "legal instruments in force are sufficient effectively to counter undesirable developments" (Ford Report, Annex II, p.3). It is apparent, however, that many community and anti-racist groups do not share this view. According to the submission of Claudia Roth, there is a "reluctance on the part of the police and the Public Prosecutor's offices to prosecute racially motivated violence or admit that racism was a motive" (Ford report, p.52). There is evidence of support from police for extreme right-wing political parties (cited in Ford report, p.18).

3.3 The predominant view in German political circles appears to be that it is the increasing number of foreigners that gives rise to problems of racial prejudice and hostility in Germany, and thus to racially or xenophobically-motivated incidents. However, as in other countries in Europe, it is where foreigners become blamed for social and economic ills, that public prejudices become focussed on such groups and they become increasingly targets for attack.

3.4 Current policy initiatives in Germany, whilst increasingly focussing on economic and social integration, are still framed in terms of labour market considerations, and identify those of ethnic minority origin in Germany primarily as 'foreign nationals'. It is questionable how far revisions of the Foreigners Law such as that introduced in 1990 are likely to improve intergroup relationships while the framework of thinking that underlies Ausländerfeindlichkeit (hostility to foreigners) remains untouched.

3.5 Obviously, education can play a role in a preventive approach to this problem, and to that extent (and in other ways too) responsibility lies with individual Länder within the Federal Republic. However, it is the view of Mr Keskin of the Alliance of Turkish Immigrants (BTE) in his submission to the European Parliament Committee, racism and xenophobia will not disappear until a national policy framework exists in which minorities have an integral place in society as of right, backed by law penalising racist and xenophobic language and conduct. As Mr Keskin suggests, this framework could then include an anti-discrimination bureau which would "record racist and xenophobic incidents and enable preventive measures to be taken". Measures of this kind could have a more direct impact on what, if experience elsewhere in

Europe is to be the guide, could be in danger of developing during the 1990s from a suppressed into an increasingly overt and serious problem.

7. ITALY

1. *Background*

1.1 Italy, like most other Mediterranean countries in Europe, has traditionally been a country of emigration - not merely to northwards within Europe, but also much farther afield such as to the U.S.A. and Australia. Internal migration, from southern Italy to the industrial north, has also formed part of the same economic pattern, so that the north (and southerners living there) has experienced to a smaller degree some of the same tensions found in the major countries of immigration in Europe.

1.2 This picture is now changing. During the 1980s, as other European countries have tightened their borders, Third World immigrants have flowed in large numbers into Italy to meet the demand for labour in low-paid and seasonal jobs that Italian workers do not fill - especially in the south. According to official statistics there are now more than 600 thousand non- EC nationals resident in Italy, though some unofficial estimates place the total nearer to a million. Among the earliest arrivals were Ethiopians and Somalis, linked to Italy by earlier colonial ties; these were followed by Moroccans and Tunisians, and then most recently by workers from Senegal, Ghana and other West African states.

2. *Racial Violence and Harassment*

2.1 Whereas fascism, as an inheritance of Mussolini's regime and its ideology, is expressly prohibited under the Italian constitution, racism in its post-war European manifestations is a relatively new phenomenon in Italy. There appears to be no systematic research conducted on the broad subject of racism or the situation of migrant workers in Italy that can be drawn on at the present time.

2.2 So far as racial violence and harassment are concerned, the Evrigenis Report in 1985 reported an incident of racist murder in the same year, but described this as an "isolated event", stating that "Italy is certainly one of the countries of Europe with the lowest number of racist incidents" (p.46).

2.3 Since that time, however, a rather different picture has developed. The Ford Report lists a number of incidents reported in the Italian national press, beginning with an attack (subsequently repeated several times) on a Salvation Army hostel housing foreigners in Rome in January 1987. A rather different incident, of a kind that normally would never be reported, gave rise to a national scandal in May 1988. In this case a black Italian woman was forced to give up her seat to a white on a bus. Through her employment, however, this information reached the news media, and the Mayor of Rome in due course presented himself on television to make an apology on behalf of the city. Following other serious incidents culminating in the murder of a black asylum-seeker in Naples, a major demonstration against racism in Italy took place in Rome in October 1989, involving a reported 100,000 people.

2.4 In 1990, the scale of racially-motivated violence appeared to increase further. In February on carnival night in Florence, a large gang of masked people beat up black vendors in the city centre, and other attacks, leaflets and graffiti followed. There were press reports of racial attacks and harassment in a variety of cities covering northern, central and southern Italy. Racist pamphlets were also being produced and circulated in Rome and northern Italy. These actions were in line with the results of opinion polls which showed that public opinion was predominantly opposed to 'foreigners' and their immigration.

2.5 While some of these activities have been the responsibility of organised right-wing groups, others have been carried out by immediate neighbours or by skinhead gangs. However, the evidence is so anecdotal, and obviously incomplete, that no causal patterns can be reliably induced.

2.6 What is clear, however, is that all parts of Italy have been affected, and that the incidence of racial violence and harassment must be expected to increase. Whatever the future of immigration, most of those currently settled must be expected to stay now, but given the findings of opinion polls, there is no reason to suppose that the racism which has emerged in response will easily go away. Italy (already followed in a smaller way by Spain and other southern European countries) is now moving in the path of its more northern counterparts, but has the opportunity perhaps to learn lessons from them in advance.

3. Measures Taken

3.1 Italy has ratified the major UN Conventions on Human Rights and on Racial Discrimination, and Article 3 of the Italian Constitution provides for equality of all citizens before the law. However, as the Ford Report noted, neither before nor after the Van der Lek Declaration have any specific and direct legal measures been taken in Italy to combat racism and racial violence in its recent forms. The Italian penal code, though, provides powers which may be used when violent or other forms of crime are committed which involve a racial element.

3.2 The Italian government recognises that incidents of violence against foreigners have occurred, but considers that some of these "can be explained as instances of petty criminality". It affirms that "the vast majority of Italians do not feel hostile towards foreigners in general", and that Italy "is not a xenophobic country". It allows that there is a "danger or possibility of such phenomena, disturbances and intolerance in response to the increasing numbers of foreigners from outside the Community living in Italy (which) must be tackled by preventing and eliminating the causes rather than suppressing the effects of uncontrolled immigration" (Cavaterra in Ford Report, Annex II, p.50)

3.3 To this end the Italian government introduced a law in 1986 establishing rules for the admission, employment and treatment of immigrant workers from outside the European Community. The law guarantees equality of treatment for foreign with Italian workers, and a consultative council was established to promote this and other social and cultural objectives. At the end of 1989, a further law was introduced in order to control the high level of illegal immigration into the country. The aim of the Italian Government is to prevent the emergence of racism and intolerance, (a) through regulating the number of entrants in accordance with labour market requirements, (b) through fostering the integration of non-EC national into all areas of the social framework, and (c) by means of public education through schools and use of the mass media.

3.4 As yet, the communities who are victims of racism are not themselves well organised, and so their voice is not easily heard. The issues have been taken up by Trade Unions and human rights organisations, and also by an anti-racist organisation Italia Razzismo formed in 1987. These organisations take a different view of the situation from that of the government. On this view it is the government itself which has responsibility for the tensions and conflicts through its failure to address the issues effectively and early enough, and instead blaming the problems on the immigrant groups themselves. Rather than tackling the problem of racial violence and harassment directly, the government is seen as implicitly encouraging it by the means of scapegoating immigrant communities and defining them as the problem group.

3.5 The Italian Government's own view is that it is progressively extending its regulations in the still relatively new field of immigration, with a view to eliminating at least some of the causes of racism. It sees the above-mentioned law of 1989 (the Martelli Law) as an important step in this direction, allowing "the regularisation of the position of more than 220,000 irregular non-EEC nationals already present in the country", while at the same time entry visas for those countries with major migration flows became legally required. The Italian government further points out that it has begun organising "welcome-centres" for immigrants in all Italian regions and has started a planning policy on the flow of immigrants, supporting in this way their integration.

3.6 Italy, like other southern European countries such as Spain and Portugal, has only recently come to experience Third World immigration, and the phenomenon of racial violence and harassment appears relatively new. If the experience of other European countries is to serve as an example, it is not a problem that is likely to disappear. It is clearly important in Southern Europe also for these issues to be confronted as effectively as possible and at the earliest opportunity, if the goals of racial harmony and racial equality are to be met.

8. NETHERLANDS

1. *Background*

1.1 Ethnic minorities of post-war origin today constitute some 5% of the total population of the Netherlands which is around 10 million. Among the countries of immigration in post-war Europe, the Netherlands perhaps more than any other has received a relatively equal numerical balance between migrants of colonial origin on the one hand, and 'foreign' workers from the Mediterranean countries on the other.

1.2 The first to settle were groups of colonial origin. The earliest were the so-called 'repatriates' from Indonesia: Dutch citizens mostly of mixed Dutch and Indonesian parentage, who had the right to settle in the Netherlands and who are considered to have become well integrated in Dutch society. They were joined in 1951 by substantial numbers of Moluccan ex-servicemen and their families, whose expectation was to return to an independent homeland, and whose experience was quite different from the 'repatriates' in that they neither wished nor received any assistance to become integrated. Finally, during the 1960s, Surinamese (and also some Antilleans) from the Dutch Caribbean colonies increasingly migrated as workers, until Independence in 1975 removed the citizenship status that had allowed them unrestricted entry. Subsequently, most Surinamese entering the Netherlands have been family dependants. The great majority of Surinamese workers have remained, and today, the Surinamese are the largest of the Netherlands' ethnic minorities.

1.3 This varied experience among colonial settlers has been complemented by that of migrant workers of Southern European or North African origin who responded to the demand for labour during the 1960s, and who were recruited as temporary workers under a series of bilateral agreements with Mediterranean countries. Recruitment ceased from 1974, but again large numbers remained, to be joined in due course also by their families. Turks and Moroccans are the largest among the various Mediterranean groups. As 'foreign' residents, however, they did not enjoy the same rights as their counterparts of colonial origin. Nor indeed have they received the same reception from their Dutch hosts, who tend to view Mediterranean workers less favourably than black people from their former colonies.

1.4 Dutch government policy, however, has been relatively sensitive to the issues in this area, and over much of the post-war period demonstrates a positive and strategic approach towards immigrant integration. Although during the 1970s immigration controls (and even plans for repatriation) were prominent, the beginning of the 1980s saw a major shift of emphasis in official policy. Recognising that most immigrants were unlikely to return home, the government acknowledged the permanency of the situation by defining them instead as 'ethnic minorities', and by introducing a series of measures aimed to promoting integration within the broad framework of an 'ethnic minorities policy'. The measures included steps to enhance the employment and housing status of ethnic minorities, to improve their legal and political rights, and to tackle racism and discrimination through legislation.

1.5 This policy aimed at integration appears to have widespread support across the political spectrum in the Netherlands, where by contrast with other European countries, racial and ethnic issues have not been subject to political controversy. Among the reasons suggested for this positive attitude towards integration have been the long experience of the Dutch people in living in a plural society based around distinct religious communities, and a sense of collective guilt at the failure to protect the nation's Jewish communities from Nazism during the 1939-1945 war.

1.6 Some commentators have questioned, however, whether this commitment really runs deep and how well it withstands pressure. As the Director for the Dutch Government's Minorities Policy acknowledged in his submission to the Ford Enquiry, the Netherlands tends to be "two-faced" with regard to tolerance, affirming it at government and institutional level, while both "discrimination and intolerance are regularly encountered just below the surface" (Ford report, Annex II, p.12). This honest and open admission may be commended, but (above all from the minorities' point of view) the real test lies with how successfully the government and other agencies are able to tackle the problems of racism through actual policy implementation.

2. *Racial Violence and Harassment*

2.1 Several right-wing or nazi-oriented organisations have made appearances on the Dutch political scene during the earlier part of the post-war period, though without being long-lasting or having any substantial membership or electoral support. However, within recent years the right-wing Centre Party, and its off-shoot the Centre Democrats, have gained successes in local elections in the major cities, and have also obtained a seat in the Dutch Parliament. These parties express strong opposition to immigration and use openly racist slogans, and some of their leaders have convictions for offences connected with racism.

2.2 The history of actual incidents of racist violence and harassment dates back several decades, although the kinds of incident that have reached public attention have been relatively infrequent. Anti-Italian riots are recorded as early as 1959, and attacks on Moroccans from 1969. Serious street-rioting against Turks erupted in Rotterdam in 1972, and then elsewhere, notably in Schiedam in 1976. In 1977, a Turk was drowned in Amsterdam, the first victim to die as a result of racist violence. In 1983, the racial murder by stabbing of an Antillean youth in Amsterdam produced a watershed in public awareness of the issue and led to a massive protest demonstration. In the same year in Limburg province, a Moroccan family narrowly escaped death when their home was fire-bombed. In 1986, a bomb destroyed the facade of a cafe used by immigrants in Schiedam. Since that year, though, there do not appear to have been any major violent incidents involving racist motivation.

2.3 Despite this history and public awareness of the issue in the Netherlands, just as in all other continental European countries no systematic study of racially motivated incidents has been undertaken. Nonetheless, two valuable sources of information exist.

2.4 The first, sponsored by the Anne Frank Foundation, is a study of neighbour disputes where an element of racial motivation was present (Buis, *Beter een Verre Buur*, 1988). The study therefore focusses on only one particular form of racial harassment: one which is not often visible yet which may have a major hurtful and exclusionary effect on victims' lives. The incidents described did not normally involve members of organised racist groups, but expressed rather a more generalised tendency towards racism and xenophobia present in the society. The sociologist Philomena Essed has captured this idea in her concept of 'everyday racism' as a problem in the Netherlands (Essed 1984), a type of racism manifested by racial harassment in its many and various forms. Buis's study concentrated specifically on relations between persons already known to one another, and may therefore point to a form of harassment that will become more common as ethnic minorities become increasingly integrated in residential terms. Buis also provides a list of some 75 racist incidents occurring all over the Netherlands between 1985 and 1988, drawn from a survey of reports in the press.

2.5 The second source of information is the records kept by local anti-discrimination organisations which have now become established in most major towns and cities in the Netherlands (see below). As yet systematic statistical record-keeping is only in its infancy,

though one or two organisations have figures dating back to around 1983. As a record specifically of racial violence and harassment, however, these data have several limitations. The first is that they are incomplete, and the procedures for record-keeping and classification vary between local areas. Steps are currently being taken, through the Rotterdam agency RADAR, to agree a classification scheme that all agencies will follow.

2.6 A further difficulty is that 'racial harassment' as such is not separately conceptualised and identified, but is subsumed within the more general concept of 'racial discrimination'. As a result, although some forms of harassment such as racist graffiti may be separately recorded, others will be included under more general headings such as 'housing' along with other kinds of racial discrimination. This reflects the fact that 'racial harassment' is not currently seen as distinct from 'racial discrimination', either in the thinking of the agencies or that of the law. Comparing the Dutch situation to that in Britain, Buis noted that there was no direct equivalent to the term 'racial harassment' in the Dutch language, and in discussions with agencies the author found that at least four Dutch words needed to be covered (the closest possibly being 'pesterijen', i.e. 'nuisance'). In consequence, it is not possible to read off from current statistical records the specific incidence of racial harassment in the Netherlands in the sense in which that term is being used in this study.

2.7 Despite these limitations, however, it is clear from such records, and from conversations with staff in such agencies, that racist incidents of this kind are occurring throughout the towns and cities of the Netherlands, even if their extent remains (due especially to under-reporting) difficult to determine. It is also clear that the main thrust of such incidents has been and continues to be against Turks and Moroccans rather than against black people of colonial origin. Neighbour disputes account for a substantial proportion of recorded cases, but complaints of racial harassment by police and officers of other agencies also occur regularly. Some activists are concerned that the element of racism in such incidents is often denied not only by officials, but even by victims in their desire to maintain their self-identification as 'Dutch' rather than as 'outsiders'. Others, however, feel that as integration proceeds, the younger generation will become increasingly intolerant of visible forms of racial harassment, and that a level of awareness and then protest similar to that in Britain will soon emerge.

3. *Measures Taken*

3.1 Mention has already been made of the change in general thrust of Dutch policy with regard to immigrants in the early 1980s, whereby immigrants are now viewed as 'ethnic minorities' and there is a strategic approach towards their integration. Combatting racial discrimination also forms an integral part of this approach, and a number of initiatives have been undertaken during the 1980s.

3.2 Although much emphasis is placed on the virtues of compromise and conciliation in the Netherlands, the main policy instrument for tackling racial discrimination directly is the law. The first article of the revised Dutch Constitution of 1983 includes a ban on discrimination on racial or any other grounds, and is widely seen as having a powerful symbolic significance. Specific articles under the Civil and Penal Codes provide the practical instruments under which legal action may be taken against discrimination.

3.3 The establishment in 1985 of a National Office for Combatting Racism (Landelijk Bureau Racismebestrijding - LBR) based in Utrecht provided the centrepiece of an infrastructure for making the law effective. The LBR, which is independent of government, is primarily a legal agency staffed by lawyers, though its function is not to take cases directly to court but to act in an advisory and supportive role, especially in difficult cases. The LBR coordinates and supports the work of some 45 local Anti-Discrimination Bureaux (ADBs), which are independent also and

locally funded. In addition the LBR publishes a comprehensive handbook for ADBs (Racismebestrijding op Lokaal Niveau) giving detailed practical guidance on tackling racial discrimination by legal and other means.

3.4 Within this policy framework for tackling racial discrimination, no special measures exist for tackling racial violence and harassment in particular, for the reasons already given above. Where such incidents are not dealt with under the general provisions of the penal code, they are dealt with under the articles relating to racial discrimination broadly. These provide coverage of many incidents that may be termed 'racial harassment', including racist remarks (Article 137), and also enable action to be taken against organisations with racist objectives (Article 140).

3.5 Operating within this framework, therefore, anti-discrimination agencies are active in tackling racial harassment as part of the broad profile of racial discrimination in the Netherlands, even though no specific anti-harassment strategy has been formulated. Opinions varied between agencies as to whether isolating the phenomenon of racial harassment would be beneficial, and practice likewise varied in the same way.

3.6 The Rotterdam agency RADAR particularly emphasised the importance of tackling racial harassment, and worked closely with the local police and public prosecutor in pressing for complaints to be taken to court. A positive response from within the criminal justice system has been made the more likely by the assignment by the Ministry of Justice of responsibility for racial and minority issues to a particular public prosecutor within each area. Such prosecutors are expected to try to take all racially-motivated incidents to court, and to report on the progress of all such cases. RADAR staff felt that by subsuming incidents of racial harassment (e.g. verbal abuse) under the general discrimination law, it was possible to deal with harassment more effectively. The law allows for fines to be imposed for breach of statute, and also for damages to be awarded to the victim for the hurt or injury incurred.

3.7 While the law with its broad conception of 'racial discrimination' clearly has an important part to play in the task of tackling racial violence and harassment in the Netherlands, the ethos of tolerance and of avoiding conflict that prevails in Dutch culture plays a complementary preventive role. If this is to be sustained, the importance of preventive work at the neighbourhood level, involving a range of agencies as recommended by Buis, will need to become a priority for the future.

9. SWEDEN

1. *Background*

1.1 Despite being one of the largest countries of Europe in geographical size, Sweden has a relatively small population of around 8 million. Until the Second World War, this population had been remarkably homogenous in culture and ethnic background. Only the Lapps and Tornedal Finns were minorities of any significance, and both were largely segregated on geographical peripheries of the state.

1.2 Industrial expansion during the 1940s and 1950s drew in voluntary migrant labour, though initially mostly from neighbouring Finland. The establishment of the Nordic Labour Market in 1954 ensured the free movement of labour between the five Nordic states, and thus freedom of entry and settlement for Finnish immigrants in Sweden. During the 1960s, however, Swedish employers began recruiting from Southern Europe, principally from Yugoslavia, Greece and Turkey. Then during the mid-1970s, policies were introduced to restrict the entry of 'foreign' workers into Sweden, and numbers of non-Nordic immigrants have been subsequently very small apart from family members coming to join those already settled.

1.3 Swedish policy with regard to immigrants has in general been very liberal, subject to a strict control on numbers of 'foreign' immigrants since 1972. It has been liberal particularly in that foreigners have been accepted with almost the same rights as Swedish citizens. With few exceptions, the residence and work permit first issued is on a permanent basis. In principle, citizenship can be granted after five years of residence. For refugees and those married to Swedish citizens, the time required is even shorter. Children have the right to citizenship upon birth. They also have full social rights, together with the right to vote in local and regional elections. They benefit in addition from a positive integration policy formulated in 1975, which provides for equality and cooperation between members of different ethnic groups along with freedom of choice as to cultural identity. Sweden therefore neither treats its immigrants as 'aliens' nor as 'guestworkers', but rather as integral members of a multi-cultural society almost from the very start.

1.4 The 1980s saw a new development with the arrival of increasing numbers of refugees and asylum-seekers. This reflects the long-standing open-door policy which links to Sweden's general support for principles of human rights. The main refugee groups have been Chileans and other Latin Americans, Vietnamese, Iranians and Assyrian Turks. By the end of the decade, Sweden was taking in between 15,000 and 20,000 Third World refugees a year sufficient to visibly affect the racial composition of many towns and cities. The continued rise in the number of applications from asylum-seekers has resulted in Sweden introducing in 1989 much stricter regulations for the granting of refugee status.

2. *Racial Violence and Harassment*

2.1 Until recently, incidents of racial violence appear to have been rare in Sweden. Sporadic attacks by youths against immigrants have been reported, and a series of racial clashes in Stockholm in 1982 in which skinheads took part (Evrigenis Report 1985). Support for extremist right-wing groups has been small, however. A racist organisation, the Bevara Sverige Svensk (BSS) (Keep Sweden Swedish) was formed in 1980, modelled on the British National Front; it subsequently merged with another small right-wing party in 1986 to form the Sweden Party. The activities of this group, however, were resisted by the national anti-racist association Stop Racism, and it broke up. After 1987, organised activity by racist groups at street level was much less in evidence.

2.2 Racial tension has surfaced more recently and on a broader canvas, however, in connection with the refugee issue in Sweden. The issue emerged somewhat dramatically in mainstream politics when the electorate of Sjöbo, a small southern municipality, voted decisively in a referendum to refuse to accept a small number of refugees into their community. This called into question the country's liberal policy of political asylum and dispersed settlement of refugees. There was violence against supporters of the refugee settlement policy. There was some difference of opinion, though, among commentators on how far the issue was one of racial or xenophobic prejudice, and how far it was basically a protest against the direction of local government by the central state.

2.3 The significance of the Sjöbo case as an indicator of underlying tensions was confirmed by an unprecedented series of incidents of racial violence beginning in 1989, aimed particularly at refugees. These included the use of petrol bombs and arson, and occurred in towns and cities right across Sweden. The attacks continued into 1990, and culminated during a week at the end of May in which five refugee housing centres were attacked, with eleven people injured and property destroyed to a value of close on one million pounds. The types of incidents reported also included harassment of individual refugee families in their homes, racist vandalism, and street attacks on immigrants by groups of Swedish youths.

2.4 It is hard to see this range of racist activity being caused solely by the activities of a few small extremist right-wing groups. At the very least, it has become necessary to question how far the attitudes of humanitarianism and racial tolerance that have undoubtedly prevailed in Sweden are now being put to the test.

3. *Measures Taken*

3.1 Sweden has specific legal instruments designed to combat racism in several of its forms. The Constitution of 1974 is based on the principle of the equal value of all human beings (2.2), and includes a direct prohibition of discrimination against ethnic minorities in law or through other regulations (2.15). These provisions are supported by the Swedish Penal Code (Brottsbalken), under which incitement to racial or ethnic hatred (BrB 16.8), and discrimination on racial or ethnic grounds (BrB 16.9), are both prohibited and criminalised.

3.2 In addition, the Law on Ethnic Discrimination of 1986 established the post of Ombudsman against Ethnic Discrimination, with powers to investigate, negotiate and give advice. The Ombudsman has an advisory committee of experts, and his work was complemented by a broad parliamentary commission, the Commission against Racism and Xenophobia, which was active in 1987-1988.

3.3 There are no specific measures of a legal or administrative nature to address racial violence and harassment in general. Racism in its written or verbal forms, however, is covered by legal provision. The law on incitement (BrB 16.8) prohibits the dissemination of racist propaganda, and a special clause within the Constitution (forming part of the Freedom of the Press Act) prohibits threats against or contempt for racial or ethnic groups in printed publications. The law on incitement was tightened with effect from the beginning of 1989 to provide that a racist statement could be punishable even if it was not made or distributed in public. There has also been a proposal from the Commission against Racism and Xenophobia to criminalise organisations whose followers or sympathisers are found guilty of crimes with racist motives.

3.4 Apart from the behaviour covered in the above provisions, any other forms of racial violence and harassment, or threats of the same, must be dealt with under any relevant sections of the Penal Code which do not take account of the element of racist motivation. As a result,

no full systematic record of the number and variety of racially-motivated crimes exists. Most commentators have therefore relied on the very restricted compilations of incidents reaching the press or the notice of ethnic minority or anti-racist organisations.

3.5 On the initiative of the Commission, the National Board of Police in 1988 conducted an enquiry into a range of crimes often reported as inspired by the motive of discrimination. The survey included not only those covered by BrB 16.8 and 16.9, but also crimes covered by other sections of the Penal Code. The report, Racism and Xenophobia (Rasism och Framlingsfientlighet), established the concept of 'racist criminality', and collated the number of incidents having this character (both reported, and resulting in conviction) for the whole of Sweden for the period 1984-1987. While there may be much room for debate as to how complete a record of this kind can be (due to levels of reporting, recording, etc), it has value in promoting awareness and understanding of the phenomenon and in demonstrating its extensiveness and the variety of its forms.

3.6 This account of 'measures taken' would not be complete without referring back to Sweden's general strategy with regard to immigrants and refugees which may be seen as 'preventive' with regard to racial and ethnic divisions and thus with regard to racial violence and harassment in particular. As already noted, Sweden's policy is based on principles of equality, cooperation, and freedom of choice with regard to cultural identity, and its implementation involves active measures to promote integration in accordance with these principles. The relatively low level of racist and xenophobic activity, at least until recently, would seem to suggest that Sweden's policies have had a substantial degree of success in this respect. When racist attacks did occur earlier, as in 1982, the Government introduced a special educational programme to combat xenophobia (Evrigenis Report).

3.7 Whether, in the face of new circumstances associated with increasing numbers and dispersal of Third World refugees, this liberal and multiculturally-oriented approach can continue to sustain a harmonious integration has in the last few years already been called into question. Just as in 1972, so in 1989 the Government has responded to pressure by imposing further restrictions on immigration. These external measures may be acceptable to the indigenous Swedish population, but the racial and ethnic minorities will be looking for a more determined strategy to combat the racism and xenophobia that is now more evident within.

10. CONCLUSIONS AND RECOMMENDATIONS

1. CONCLUSIONS

1.1 Although this report has directly covered the experience of only six countries, there is *prima facie* (if often anecdotal) evidence that racial violence and harassment occur in all countries of Europe in which visible minorities of post-war immigrant origin are settled. Racial violence and harassment is a European-wide problem, even if its extent and manifestations differ between individual states.

1.2 There are clear indications that the incidence of racial violence and harassment is increasing in Europe, although in most countries there is as yet no accurate statistical information to bear this statement out. The phenomenon appears to be increasing both in its incidence within established countries of immigration, and in that it is beginning to occur across the full range of countries as immigration and refugee movements now affect Europe as a whole. These tendencies will be further enhanced as border controls are reduced or eliminated, notably under the Single European Act in the aftermath of 1992.

1.3 Despite these general trends, it remains true that the precise character, and the extent and manifestations of racial violence and harassment, vary from country to country. It is essential that these characteristics are in each case studied and understood in the context of the particular circumstances in which they arise. These circumstances will include the demographic composition of the population and the history and causes of post-war immigration, the current economic and political situation, the heritage of past colonial relationships where these are involved, and the general legal and policy frameworks relating to racial issues in the country in question. All these have been taken into account (if inevitably somewhat cursorily) in the six country-based case-studies above. To address the problem of racial violence and harassment in Europe without taking into account specific national circumstances would be likely to produce at best only a superficial understanding of the problem, and to base policy recommendations on dubious or shaky ground. Nonetheless, a number of general characteristics of the situation can be discerned as a result of this preliminary investigation, upon which a series of practical recommendations can be based. These are briefly set out in the paragraphs below.

1.4 The phenomenon of racial violence and harassment needs to be defined and understood in terms of the presence of an element of racial motivation in the mind of the perpetrator. The phenomenon is quite distinct from that of ordinary inter-racial crime. Racial violence and harassment is behaviour that is racist in its motivation and effect, and needs to be understood as part of the wider tendencies towards racial exclusion and domination that are occurring in European societies today. Given their distinction from other forms of racism and racial discrimination by the element of racially-motivated force being involved, racial violence and harassment must be seen as constituting the 'cutting edge' of racism generally in modern society. In this context, the term 'racial' needs to be understood as incorporating also elements of 'nationalism' or 'xenophobia' - terms which may in some cases be more appropriate descriptions of the behaviour involved.

1.5 Racial violence and harassment should not be seen as confined to acts of extreme physical violence (or even solely to actions that may currently be defined as crimes). Non-physical acts and threats which are racially motivated may be highly effective in their psychological impact on victims and on whole racial or ethnic communities, through the fear they induce - thereby impairing the quality of whole communities' lives. This fear may range

from a general feeling of insecurity to the experience of 'racial terrorism' in extreme cases. It is in this sense that it is appropriate of 'everyday racism' as a phenomenon that affects, or at least potentially affects, members of visible minorities every day of their lives. Racial violence and harassment is therefore not just a criminal problem but also a serious social problem, insofar as it forcibly denies access to equal opportunities as well as damaging or destroying good community relations.

1.6 Incidents of racial violence and harassment should not be presumed to be isolated or unconnected incidents perpetrated by exceptional individuals or groups. Rather they tend to be repeated events, both on the part of perpetrators and in the experience of victims. Moreover, perpetrators deliver, and victims experience, racial violence and harassment in their identity as members of racial or ethnic groups. Even if other members of such groups are not directly involved, they may themselves identify with (or be by others identified with) the experience. Racial violence and harassment should therefore be viewed as a form of collective behaviour, even if only some individuals are personally involved. Condonation by the majority (if only by their inaction) entails acquiescence in and acceptance of this manifestation of racism in society, and is likely to be perceived by activists on both sides to be so.

1.7 There appears across much of Europe still to be a serious lack of appreciation of the significance of racially-motivated incidents of this kind, especially in their non-physical manifestations. This is coupled with a lack of awareness of (or willingness to look for) their occurrence on the part of members of majority groups and of official agencies of different kinds. This absence of information and disposition to listen to minority experience results in a denial of the problem, and allows claims that it has been exaggerated or is being fabricated by trouble-making groups. It also has the effect of ensuring that the problem is not addressed or remedied, and that racial or xenophobic exclusion can thereby be more effectively maintained.

1.8 The causation of racial violence and harassment is a complex question, and as indicated above requires detailed examination of individual national (as well as local) circumstances, as well as an awareness of general social and structural processes as well. Acts of violence and harassment are generally undertaken by persons who feel threatened and who do not have access to other forms of personal and institutional power. Ethnocentrism and racial prejudice are persistent tendencies in the European cultural tradition, and it is among the most powerless members of the dominant group that racism and xenophobia are most commonly acted out in this form. Poverty, insecurity, and competition for jobs and housing are therefore all factors which affect the incidence of racial violence and harassment in indirect ways, and should therefore be targets for broad preventive action. The incidence of both ideological and material factors, however, varies between countries, and also at regional and local levels. It is consequently not appropriate for a preliminary study of this kind to seek to make any broad national-level generalisations on this point.

1.9 It is important to recognise, however, that political extremist groups are not, and indeed cannot be responsible for the main body of incidents of racist violence and harassment that occur in European countries today. Neighbours and groups of young people acting autonomously at the local level are very commonly responsible, as studies in several countries have now shown. This pattern of racial harassment, often involving frequent and multiple incidents of non-physical harassment, appears to become increasingly predominant in situations where residential integration of immigrants and visible minorities is proceeding. The effect of extremist groups here is primarily to help create a social climate in which such behaviour is encouraged among members of racial or ethnic majorities and felt to be appropriate and virtuous. The impact of extremist groups may still therefore be important but in the majority of cases is indirect.

1.10 Outside Britain, where the problem has been officially recognised and responded to since 1981, the phenomenon of racial violence and harassment (especially in its non-physical forms) has not received specific attention at policy level, and indeed has not been separately identified and conceptualised as a problem in the way it has been in the UK. Nonetheless, there was evidence from most of the other countries studied that either in research or policy-making or the work of community activists that a distinct type of behaviour was beginning to be recognised and needed to be addressed. In most cases, however, it remained the incidents involving serious physical violence that not surprisingly commanded most attention, and received any response under general provisions of the criminal law.

1.11 No specific legal statutes designed to deal directly with racial harassment were in evidence, other than those dealing with incitement to racial hatred and with racial abuse in verbal or written form. It was frequently felt by community and anti-racist organisations that the commitment of the authorities to use or mobilise existing legal and other powers was weak and their record poor. Three countries had agencies established to promote the law and public policy goals applying in this area, but their powers were limited, and their field of responsibility a far wider one of dealing with racial discrimination generally. The other three countries did not have any national agencies charged with responsibilities of implementing law relating to racism and xenophobia, and in two cases policy did not appear to address this area and had sought instead to 'prevent' the problem through reliance mainly on immigration control.

1.12 Given that it has been primarily in Britain that the phenomenon of racial violence and harassment has been separately identified and conceptualised, it is hardly surprising that it has been in Britain that the main policy and practical responses to the problem have been developed. Despite some significant differences in circumstances between Britain and other European countries, it is evident that the same phenomenon is present in the latter as well, though to a variable extent that in each case has yet to be made clear by further investigation. Britain, by virtue of her earlier start to post-war labour migration, and her earlier acceptance of permanent settlement of migrants due to the entitlements of Commonwealth citizens, is already moving through difficult though necessary processes of integration through which other countries are now to varying degrees following. As these other European countries increasingly strive to come to terms with the implications of Europe's post-war multi-racial and multi-cultural heritage, so the incidence of racial violence and harassment may be expected to grow - that is, if measures are not taken to check and eradicate it. Here the British experience should be of value to other European countries; modified as appropriate to take account of different national circumstances and need. The recommendations which follow, and the check-list of action included in the Appendix, for this reason all draw substantially on the British experience, though in a manner designed to indicate what may be a strategic way forward suitable for all countries in dealing with the problem.

2. RECOMMENDATIONS: measures to improve the situation

2.1 In the light of the above conclusions and the detailed descriptions and analyses presented in the preceding chapters, the following recommendations are proposed for consideration by individual member states in the Council of Europe, together with recommendations for the Council of Europe itself. These recommendations are particularly aimed at enabling governments to tackle effectively those forms of harassment that are not readily covered under existing criminal law, but that may nonetheless have a serious impact on the lives of immigrant and visible minority communities.

2.2 Recommendations to Governments

- (a) Governments should make clear policy statements condemning all forms of racial violence and harassment as contrary to egalitarian, democratic and humanitarian ideals, and committing themselves to attempting to ensure that all such incidents will be detected and tackled effectively.
- (b) Governments (and agencies within them) should set up recording systems to detect whether or not they have a problem of racial violence and harassment, and if so, what is its extent and nature. This requires a monitoring procedure, including procedures for reporting and for data collation and analysis. It also requires the assignment of responsibility to appropriate officers, or even the establishment of a specialist unit of some kind. To support the operation, there would need to be some provision of appropriate staff education and training designed to ensure awareness and understanding of the phenomenon, and effective performance of the duties involved.
- (c) Detection and monitoring by official agencies should be conducted in partnership with community groups, which are more likely to be aware of the problem, have the confidence of victims for reporting purposes, and be acceptable as sources of support.
- (d) An adequate response by agencies to the problem should be based upon three components: supporting victims, tackling perpetrators, and preventive measures.
- (e) Tackling perpetrators requires that the agencies responsible have effective recourse to the force of law, in the form of punishment or the threat of punishment. The adequacy of existing legal powers to address the problem should be reviewed by governments, and advice and support given to agencies concerned. However, administrative action (e.g. in social housing) may be more effective in some circumstances, as may other forms of sanction, mediation or persuasion.
- (f) Legal and other negative sanctions should be considered not only for their punitive but also for their potential preventive effect. However, it should be appreciated that punitive sanctions should always be carried out in the context of clear policy commitments backed by educational and other preventive strategies. Otherwise they may generate communal resentment and sympathy for perpetrators and thus have counterproductive effects.
- (g) Support for victims should ensure not only that their needs are provided for and that they receive justice and recompense as individuals, but also that their communities are supported and their rights protected. Without such support being given visibly, the perpetrators will be seen to have been successful, and racism will have triumphed.
- (h) While exercising fully their own responsibilities, agencies should seek so far as possible to enable and equip communities to provide their own support, and avoid creating feelings of dependency or resentment.
- (i) Governments should recognise that the only solution to the problem in the long run is prevention. However, since the causes of the problem lie in part in social and economic structures, the task of prevention is part of a much larger task of preventing racism and xenophobia in general. An effective strategy for tackling racial violence and harassment should therefore form part of a broader strategy for tackling racism and xenophobia and for promoting ethnic and racial integration in agencies and in society at large. Reliance alone on entry control strategies such as national immigration controls or (in the residential context) supposed 'thresholds of tolerance' is likely to have counterproductive effects by enhancing stereotyping and 'blaming the victim'.

(j) Governments should appreciate, however, that even in the short run, there is much that can be done in the way of prevention. The effective tackling of perpetrators of racial violence and harassment, combined with firm and visible support for victims, show the determination of governments and agencies to tackle the problem, with consequent deterrent effects. Education within schools and in the community also have an important preventive function, especially where they involve personal contact and the creation of bonds of common interest across racial and ethnic group lines.

(k) The key role of governments and agencies should be to provide a clear lead in condemning racial violence and harassment and taking effective action in all three directions mentioned. Tackling racial violence and harassment should not be merely the responsibility of specialist personnel, but of all officers and staff (as indeed of all citizens and residents of the democratic state). Coordination between agencies, including police and central and local government is essential and should be formally established both for policy formation and the carrying out of practical tasks.

2.3 *Recommendations to the Council of Europe*

(a) The Council of Europe should take appropriate steps to encourage member states to review and adopt the above recommendations with a view to enhancing their awareness of this problem and to developing strategies at national level to identify its occurrence and to tackle it effectively where it is found, including by preventive means.

(b) The Council of Europe should consider the implications and significance of this report for other areas of its work, in particular within its project on community relations in Europe.

(c) The Council of Europe should recognise the limitations and preliminary nature of this report, and undertake or promote more detailed work on the nature and causes of racial violence and harassment in Europe, and on how it can be tackled effectively in specific fields.

- Fundamental research is required into the various types and causes of racial violence and harassment occurring in Europe, including into the relation between nationalism, anti-semitism, colonial racism and modern xenophobia. Historical, political, economic, social and cultural aspects should all be included. Such work is an essential foundation for effective policies to ensure human rights in a multi-racial, multi-ethnic Europe.

- Further work is required to identify and promote effective policies for tackling racial violence and harassment in specific areas of institutional practice. These should include policing, law, housing, schools, and the role of voluntary and community groups and community action. Particular priority should be attached to the role of police, local housing authorities and youth workers in tackling racial violence and harassment in public places at the local level; and to the incidence of harassment and measures for dealing with the problem within schools. This work should be designed to generate more specific guidance for particular agencies, based on detailed experience of practitioners in the various countries and including practical examples.

(d) The Council should also ensure that immigrant and visible minority groups are adequately represented in its future work in this area.

APPENDIX

CHECK-LIST FOR ACTION

1. This Appendix highlights points covered in the recommendations and main text of the report, in the form of a check-list of action for use by governments and individual agencies.

2. *What GOVERNMENTS Can Do*

- (a) Promote research into the nature and extent of racial violence and harassment.
- (b) Commit themselves publicly to tackle the problem.
- (c) Allocate appropriate resources.
- (d) Identify the government department and officer primarily responsible for the task.
- (e) Review the adequacy of existing legal instruments and procedures for tackling the problem.
- (f) Ensure law enforcement agencies understand the problem and deal with it effectively.
- (g) Identify the role of other agencies (e.g. housing, schools) in tackling the problem and promote their involvement.
- (h) Involve representatives of victim communities and voluntary anti-racist organisations in the development of strategy.
- (i) Encourage a coordinated response by the various agencies involved.
- (j) Identify and promote preventive strategies, both through education and urban policy.
- (g) Ensure specific policy on tackling racial violence and harassment is supported by wider policy on tackling racism and xenophobia and on promoting integration and racial equality.

3. *What POLICE Can Do*

- (a) Maintain records of incidents of racial violence and harassment.
- (b) Commit themselves publicly to tackling the problem.
- (c) Consult with community groups over understanding of the problem, and appropriate style of response.

- (d) Assign officer responsibility and provide resources.
- (e) Establish clear procedures for dealing with incidents.
- (f) Provide training for officers to understand the problem and the procedures.
- (g) Act firmly against perpetrators, using full range of legal powers available.
- (h) Provide support for victims (encourage reporting, giving evidence).
- (i) Identify and promote preventive strategies.
- (j) Coordinate action with other agencies and community groups.

4. *What OTHER PUBLIC AGENCIES Can Do*

In general, other agencies can take the same kinds of action as police, though within their own organisations and spheres of responsibility. In addition:

- (a) Prosecuting Agencies and the Judiciary can ensure that they take the racial dimension fully into account in dealing with cases, and use the law as effectively as possible to tackle the problem (e.g. through sentencing and in public pronouncements).
- (b) Housing Authorities can use their own legal powers (e.g. to evict tenants) and management action to deal with perpetrators who carry out acts of racial harassment that are not readily encompassed by the criminal law (e.g. neighbour nuisance).
- (c) Housing Authorities can provide support for victims either within their own homes, or if necessary by transfer elsewhere.
- (d) Educational and Youth Organisations can play a major role in prevention both by addressing the subject in formal curricula, and by creating an atmosphere of mutual tolerance, understanding, and commitment against injustice among the young.

5. *What COMMUNITY AND ANTI-RACIST GROUPS Can Do*

Community and anti-racist groups can play a major role in almost all aspects of tackling the problem of racial violence and harassment. In particular they can:

- (a) Campaign for recognition of the problem and for an effective response by public agencies.
- (b) Encourage reporting of incidents where victims may lack confidence or trust.
- (c) Provide support to victims both in coping with their experience, and in taking action against perpetrators.
- (d) Provide advice and training for police, schools, and other agencies to assist them in understanding the problem and its effects upon victims and their communities.

- (e) Cooperate with police and other agencies at the local level in dealing with individual cases.
- (f) Receive resources from government or other agencies to assist them to carry out the above activities.

6. *Further Guidance*

Fuller guidance on action that can be taken by governments and specific agencies has been developed in a series of reports produced in the United Kingdom, of which the following two are particularly recommended:

The Response to Racial Attacks and Harassment: Guidance for the Statutory Agencies, Report of the Inter-Departmental Racial Attacks Group (Home Office, 1989).

Tackling Racial Violence and Harassment in Local Authority Housing: a Guide to Good Practice for Local Authorities, Department of the Environment (Her Majesty's Stationery Office, 1989).